

## **COUNCIL**

**10 NOVEMBER 2022**

### **REPORT ON OVERVIEW AND SCRUTINY ACTIVITY**

Report from: Neil Davies, Chief Executive

Author: Wayne Hemingway, Head of Democratic Services

#### Summary

This report provides a summary of the work of the Council's Overview and Scrutiny Committees since the last report to Council on 21 July 2022.

#### 1. Budget and policy framework

1.1. The Council's Constitution provides for the activities of Overview and Scrutiny (O&S) Committees to be reported to Council meetings. The following is a high-level summary of business conducted. For further detail please refer to the minutes of each Committee which are published on the Council's website using the web links listed under background papers.

#### 2. Children and Young People Overview and Scrutiny Committee – 28 July 2022

2.1. Annual Report of the Independent Reviewing Officer Service

Outcome:

The Committee noted the report.

2.2. Attendance of the Portfolio Holder for Adults' Services

Outcome:

The Committee noted the report and thanked the Portfolio Holder for his attendance.

2.3. Annual Fostering Report 2021-22

Outcome:

The Committee noted the report.

#### 2.4. Attendance and Persistent Absence in Schools

Outcome:

The Committee noted the report.

#### 2.5. Outcomes of consultation on proposals to change three grammar schools from single gender to co-educational provisions

Outcome:

The Committee noted the report

#### 2.6. Children's Services Ofsted Monitoring Visit May 2022

Outcome:

The Committee noted the report.

#### 2.7. Work Programme

Outcome:

The Committee agreed the work programme as set out in Appendix 1 to the report.

### 3. Regeneration, Culture and Environment Overview and Scrutiny Committee – 11 August 2022

#### 3.1. Petitions

Outcome:

The Committee:

- a) noted the petition responses and appropriate officer action in paragraphs 3 and 4 of the report,
- b) noted the petition referral requests in paragraph 5 and the Director of Place and Deputy Chief Executive's responses, and
- c) requested two briefing notes:
  - criteria for remedial works on unadopted highway
  - criteria for tree maintenance.

### 3.2. Call-In - Future Hoo Progress Report

Outcome:

The Committee agreed to refer the Cabinet decisions to Council for consideration.

### 3.3. Four Elms Hill Air Quality Action Plan

Outcome:

The Committee:

- a) agreed to recommend the Four Elms Air Quality Action Plan, attached at Appendix 1 to the report, to Cabinet for approval, and
- b) requested the Cabinet to bring forward the dedicated cycle lane on Four Elms Hill.

### 3.4. Shared Prosperity Fund Investment Plan Submission

Outcome:

The Committee:

- a) noted the proposed Investment Plan for submission to the Department for Levelling Up Housing and Communities (DLUHC) as set out in the summary at Appendix 1 to the report, and
- b) agreed to receive a further report on the Shared Prosperity Fund Investment Plan in December 2022.

### 3.5. Work programme

Outcome:

The Committee:

- a) agreed the Committee's proposed work programme, attached at Appendix A, and
- b) agreed the recommendations of the pre-agenda meeting set out at paragraphs 3.3 to 3.5 and the proposed addition to the Work Programme at paragraph 3.6, which has been requested since the pre-agenda meeting.

#### 4. Health and Adult Social Care Overview and Scrutiny Committee – 16 August 2022

##### 4.1. Medway NHS Foundation Trust Update

Outcome:

The Committee agreed to note the report and requested a briefing paper on the Trust's finances and deficit position and that future reports include more data and information about staff morale.

##### 4.2. Adult Social Care Reform

Outcome:

The Committee agreed to note the report.

##### 4.3. Pharmaceutical Needs Assessment 2022-2025

Outcome:

The Committee agreed to note the report and that a discussion with the Local Pharmaceutical Committee to discuss local provision, challenges and sustainability take place at a future meeting.

##### 4.4. Kent and Medway Adult Learning Disability and Autism Collaborative Update

Outcome:

The Committee agreed to:

- a) Note the report.
- b) Request a briefing paper on EHCP waiting times, to be shared with the Children and Young People Overview and Scrutiny Committee.

##### 4.5. Work Programme

Outcome:

The Committee agreed the proposed changes to the work programme, as set out in Appendix 1 to the report, including a further change regarding the item on women's health and the Integrated Care Strategy as set out above.

## 5. Business Support Overview and Scrutiny Committee – 25 August 2022

### 5.1. Universal Credit and Welfare Reforms Annual Progress Report

Outcome:

The Committee:

1. noted the work referenced in the report and was assured that the Member Task Group's recommendations were embedded in the Council's policies, practices and contracts and those of its partners; and
2. thanked the staff at the DWP for their work.

### 5.2. Revenue and Capital Budget Outturn 2021/22

Outcome:

1. The Committee noted that 2021/22 revenue and capital outturn position.
2. The Committee recommended that a letter be sent to the 3 local MPs raising its concern about the ongoing financial pressures facing Children and Adult Services.

### 5.3. Capital Budget Monitoring - Round 1 2022/23

Outcome:

1. The Committee noted the results of the first round of capital budget monitoring for 2022/23 and the following capital additions agreed by Council on 21/07/2022, which will be incorporated into the capital monitoring process from round 2 of 2022/23:
  - £17,878,916 from short-term borrowing (to be repaid from future capital receipts generated by the site) for the redevelopment of the former Debenhams site,
  - £12million total against future capital receipts for a building (£8million) and car park (£4million) on the Southern Site of the Innovation Park Medway (IPM), and
  - £12.850million to fund the new Splashes sports centre, funded from prudential borrowing.
2. The Committee noted that on 23 August 2022, the Cabinet recommended that Council approve the following changes to the capital budget:
  - The addition £975 of basic need grant to the Halling Primary Expansion scheme to address the overspend reported, as set out in paragraph 9.1.1 of this report;

- The addition of £155 of S106 developer contributions to the Rowans Primary Support scheme to address the overspend reported, as set out in paragraph 9.1.2 of this report;
  - The addition of £35,000 of S106 developer contributions to the Robert Napier Bulge scheme to address the overspend reported, as set out in paragraph 9.1.3 of this report;
  - The removal of the uncommitted balance of the Regeneration Investment Fund of £12.947million, as set out in paragraph 9.1.5 of this report;
  - The addition of £114,500, funded from the Council's General Reserves to the Lordswood Community Hub scheme, as set out in section 9.2 of the report.
3. The Committee noted that on 23 August 2022, the Cabinet agreed a virement of £527,000 to the Medway City Estate scheme, funded from underspends of £15,000 on the National Productivity Plan and £512,000 on the Integrated Transport LTP3, as set out in paragraph 9.1.4 of the report.

#### 5.4. Revenue Budget Monitoring - Round 1 2022/23

Outcome:

The Committee noted the results of the first round of revenue budget monitoring for 2022/23.

#### 5.5. Council Plan Performance Monitoring Report & Risk Register Quarter 4 2021/22

Outcome:

The Committee:

1. considered the Q4 2021/22 performance against the measures used to monitor progress against the Council's priorities and noted the amended Strategic Risk Register as set out in Appendix 4;
2. referred the removal of SR52 - A new severe pandemic, e.g. flu, Covid-xx, MERS or other, more serious than Covid-19, from the risk register to the Health and Adult Social Care Overview and Scrutiny Committee for further discussion; and
3. referred SR50 - Delivering £170m Housing Infrastructure Fund (HIF) programme to the Regeneration, Culture and Environment Overview and Scrutiny Committee to discuss a proposal that it should include improving air quality, particularly around Four Elms Hill.

5.6. Council Plan Performance Monitoring Report & Risk Summary Quarter 1 2022/23

Outcome:

The Committee:

1. considered the Q1 2022/23 performance against the measures used to monitor progress against the Council's priorities and noted the amended Strategic Risk Summary as set out in Appendix 3;
2. noted the new style report; and
3. requested that the Chief Operating Officer and the Corporate Management Team consider the impact of wider cost of living and energy risks on the corporate risk register.

5.7. Council Strategy Refresh 2023/24

Outcome:

The Committee noted and commented on the refreshed Council Strategy as shown in Appendix 1 to the report.

5.8. Work programme

The Committee:

1. agreed the Committee's work programme at Appendix 1, subject to the following amendments:
  - (i) the addition of an item on document retention under the date to be determined section;
  - (ii) the addition of a provisional item on the annual staff survey under the date to be determined section, subject to Members' consideration of the results of the most recent staff survey on hybrid working;
  - (iii) the programming of an annual strategic report on Medway Norse at the most appropriate meeting and the recommendation to the Regeneration, Culture and Environment Overview and Scrutiny Committee that it programmes an annual operational Medway Norse report, subject to any necessary amendments to its terms of reference.
2. noted the work programmes of the other overview and scrutiny committees at Appendix 2.

6. Children and Young People Overview and Scrutiny Committee –  
29 September 2022

6.1. Complaints and Compliments Annual Report 1 April 2021 to 31 March 2022

Outcome:

The Committee noted the report.

6.2. Joint Special Educational needs and Disability (SEND) Strategy 2022-25

Outcome:

a) The Committee noted the Draft Joint SEND Strategy 2022-25.

b) The Committee noted that the Strategy would be updated following the completion of the Safety Valve Intervention Programme (SVIP) and the outcome of formal consultation.

6.3. Update on the Safety Valve Intervention Programme

Outcome:

The Committee agreed for this item to be deferred.

6.4. Workforce Recruitment and Retention

Outcome:

The Committee noted the report.

6.5. Council Plan Performance Monitoring & Risk Register Review Quarter 1  
2022/23

Outcome:

The Committee noted the report.

6.6. Petition

Outcome:

The Committee noted the referral request in paragraph 3 of the report, and the Director of Public Health's response, including the acknowledgement from officers that lessons had been learned.



## 6.7. Work Programme

Outcome:

The Committee agreed the work programme as set out in Appendix 1 to the report.

## 7. Health and Adult Social Care Overview and Scrutiny Committee – 11 October 2022

### 7.1. Long Covid Update

Outcome:

The Committee agreed to note the report.

### 7.2. Annual Complaints and Compliments Report 1 April 2021 to 31 March 2022

Outcome:

The Committee agreed to note the report.

### 7.3. Council Plan Performance Monitoring Report & Risk Summary Quarter 1 2022/23

Outcome:

The Committee agreed:

- a) to note the Quarter 1 2022/23 performance against the measures used to monitor progress against the Council's priorities and to also note the amended Strategic Risk Summary as set out in Appendix 2 to the report.
- b) with regard to the referral from the Business Support O&S Committee on 25 August 2022 regarding the removal of risk SR52 (A New Severe Pandemic, eg Flu, Covid-XX, Mers or other, more serious than Covid19) from the strategic risk summary, to recommend to Cabinet that this risk continued to be managed through the surveillance of the Public Health team.

### 7.4. Work Programme

Outcome:

The Committee agreed the proposed changes to the work programme, as set out in Appendix 1 to the report and requested a briefing note on mental health.

## 8. Regeneration, Culture and Environment Overview and Scrutiny Committee – 13 October 2022

### 8.1. Attendance by the Portfolio Holder for Front Line Services

Outcome:

The Committee thanked the Portfolio Holder for attending the meeting and answering questions and:

- a) Noted that the relevant Committee Member would supply the Portfolio Holder with details of residents' bus passes that had not been scanned when using bus services.
- b) Requested that work be undertaken to take a strategic review of parking in town centres.
- c) Requested that information in relation to Bikeability Cycle training be shared with parents.
- d) Requested that data in relation to speeding offences recorded by mobile cameras at Four Elms Hill be provided to the Committee.
- e) Requested that the Committee's thanks be passed to the Parking team for the engagement undertaken in relation to parking at Rochester Train Station.
- f) Requested that the Committee's thanks be passed to the Household Waste and Recycling crews for the service provided in Medway.
- g) Requested that bus companies be encouraged to publicise changes to bus services in Medway Matters.
- h) requested that details of Christmas parking arrangements in public car parks in Medway be published and advertised in Medway Matters as soon as possible.
- i) Requested that contact details be provided at roadwork sites to facilitate the reporting of any problems.
- j) Requested that the Committee be provided a briefing note to set out where users of the Household Waste and Recycling Centres travelled from.

## 8.2. Attendance by the Portfolio Holder for Planning, Economic Growth and Regulation

Outcome:

The Committee thanked the Portfolio Holder for attending the meeting and answering questions and:

- a) Requested that responses to the questions raised in relation to the Local Plan process and expenditure on consultants be provided to the Committee.
- b) Requested that a briefing note be provided setting out the number of young people with special needs and care leavers who had been offered apprenticeships.
- c) Requested that a one page summary setting out mitigations at Four Elms Hill be provided to the Committee.
- d) Requested that the Committee's thanks be passed to the relevant officers for their work in relation to Neighbourhood Plans and the Heritage Action Plan.
- e) Requested that briefing notes be provided to set out the process for gathering Local Plan evidence and the timetable for this.
- f) Requested that any documents relating to the Council's Markets strategies and income data for the last four years, for markets in Medway, be provided to the Committee.
- g) Requested that, subject to the signing of contracts, further information be provided to the Committee in relation to occupancy rates at Innovation Park Medway.
- h) Requested that the response to the questions provided to the Portfolio Holder in relation to the Hoo Development Framework, specifically the feasibility of sport and leisure facilities and surveys in relation to the future use of Deangate Ridge, be provided to the Committee.

## 8.3. Annual Review of Waste Contracts, Contract Year October 2021 - September 2022

Outcome:

The Committee:

- a) Expressed appreciation to officers, Veolia and Medway Norse for the services provided and noted the content of the report including the Annual Service Reports set out at Appendices 1, 2 and 3.

- b) Requested that consideration be given to recording figures for the number of nitrous oxide cannisters collected and that these be provided to the Committee and that further consideration be given to the collection of litter beyond verges, that was not currently part of the Norse contract
- c) Requested that data in relation to commercial waste be provided to the Committee.
- d) Asked for liaison to be undertaken with supermarkets regarding to promotion of tetra pak recycling and for the two bins due to be provided in Hillyfield Community Park to be installed.
- e) Requested that the report looking at how residents of flats and Houses of Multiple Occupation (HMOs) manage their waste be circulated to the Committee when available.
- f) Asked that details of work being undertaken to address the issue of rubbish and recycling sacks being left in the street for an excessively long period be provided to the Committee.
- g) Requested that the Committee be provided with information in relation to waste sent abroad from Medway.
- h) Requested that the provision of rigid plastic recycling at Hoath Way Recycling Centre and the availability of a single point of contact for residents regarding the Pier Road depot be further investigated.

#### 8.4. Council Plan Performance Monitoring Report and Risk Summary Quarter 1 2022/23

Outcome:

The Committee:

- a) Considered the Q1 2022/23 performance against the measures used to monitor progress against the Council's priorities and considered the amended Strategic Risk Summary as set out in Appendix 3.
- b) Considered the referral from the Business Support Overview and Scrutiny Committee on 25 August 2022 regarding the suggestion that air quality management areas in Medway should have its own risk. The Committee also considered the comments of the Assistant Director, Regeneration, and the Head of HIF and Regeneration that air quality mitigations were held within the climate change strategic risk rather than the HIF strategic risk.
- c) The Committee requested that it be provided data in relation to street cleansing.
- d) The Committee noted that strategic risks were due to be considered and requested that how they were included in Committee reports was also considered.

## 8.5. Petitions

Outcome:

The Committee noted the petition responses and appropriate officer action set out in paragraphs 3 and 4 of the report.

## 8.6. Work programme

Outcome:

The Committee:

- a) Noted the proposed work programme, set out at Appendix A to the report, which included the recommendations of the pre-agenda meeting outlined in paragraphs 3.3 to 3.5 and 4.6 to 4.7 of the report and the proposed deferral at paragraph 3.6 of the report.
- b) Noted the request to receive the following briefing notes ahead of the reports being presented to the Committee:
  - Innovation Park Medway.
  - Ultra-Low Emissions Vehicles Strategy.
- c) Noted that the possibility of the Bus Improvement Strategy being considered at a future meeting of the Committee would be discussed at the next pre-agenda meeting.

## 9. Business Support Overview and Scrutiny Committee – 20 October 2022

9.1. The following reports were considered by the Business Support Overview and Scrutiny Committee at its meeting on 20 October 2022 and are listed here to enable the Council to discuss any issues arising at this meeting as the minutes are not yet available:

9.2. Attendance of the Leader of the Council

9.3. Attendance of the Portfolio Holder for Business Management

9.4. Work Programme

## 10. Recommendation

10.1. It is recommended that Council notes the report in relation to Overview and Scrutiny activity.

## Contact for further details

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## Appendices

None

## Background papers

[Children and Young People Overview and Scrutiny Committee – 28 July 2022  
https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=378&MId=5388&Ver=4](https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=378&MId=5388&Ver=4)

[Regeneration, Culture and Environment Overview and Scrutiny Committee – 11 August 2022  
https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=437&MId=5405&Ver=4](https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=437&MId=5405&Ver=4)

[Health and Adult Social Care Overview and Scrutiny Committee – 16 August 2022  
https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=131&MId=5417&Ver=4](https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=131&MId=5417&Ver=4)

[Business Support Overview and Scrutiny Committee – 25 August 2022  
https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=123&MId=5451&Ver=4](https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=123&MId=5451&Ver=4)

[Children and Young People Overview and Scrutiny Committee – 29 September 2022  
https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=378&MId=5389&Ver=4](https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=378&MId=5389&Ver=4)

[Health and Adult Social Care Overview and Scrutiny Committee – 11 October 2022  
https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=131&MId=5417&Ver=4](https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=131&MId=5417&Ver=4)

[Regeneration, Culture and Environment Overview and Scrutiny Committee – 13 October 2022  
https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=437&MId=5406&Ver=4](https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=437&MId=5406&Ver=4)

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