

Medway Council
Meeting of Business Support Overview and Scrutiny
Committee

Thursday, 21 June 2012

6.38pm to 8.45pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Avey, Carr (Chairman), Christine Godwin, Pat Gulvin (Vice-Chairman), Harriott, Juby, Maple, Royle, Tolhurst, Watson and Osborne

Substitutes: Councillor Adrian Gulvin for Councillor Bright
Councillor Purdy for Councillor Irvine

In Attendance: Councillor Nick Bowler, as Ward Member
Councillor Teresa Murray, as Ward Member
Stephanie Goad, Assistant Director Communications, Performance and Partnerships
Perry Holmes, Monitoring Officer
Caroline Salisbury, Democratic Services Officer

107 Record of meeting

The record of the meeting held on 3 April 2012 and the Joint meeting of all Committees held on 16 May 2012 were agreed and signed as correct by the Chairman.

108 Apologies for absence

Apologies for absence were received from Councillors Bright and Irvine.

109 Urgent matters by reason of special circumstances

There were none.

110 Declarations of interest

There were none.

111 Member's Item: disposal of King Street car park, Rochester

Councillors Murray and Bowler, as Ward Members, introduced the report advising the committee of local residents and businesses concern at the intention to dispose of part of the King Street car park in Rochester, when this would jeopardise the chance of success for local businesses, many of whom

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were small, specialist and independent businesses, in a difficult economic time. They also presented a petition of 120 signatures, from residents and businesses in the area including Rochester High Street and Star Hill, who opposed the sale of half the area of the current car park.

The committee was advised that since 2008, when the Cabinet agreed to dispose of 50% of this car park, there had been four significant residential developments in the local area, of which only one had absorbed all its parking requirements. The other developments required some residents to find parking in the surrounding area. There was also soon to be a development on the old police station site, where currently approximately 30 cars parked informally for free. Once this development had been completed, those cars would need to park elsewhere in the vicinity.

The Ward Members also highlighted the car park survey figures used in the report when the original decision was made, noting that some of these had taken place at 7.30am and during the evening, when the car park was not being used for business use and not at its peak activity levels. They stated that as outline planning permission had been refused and no one had bought the car park, it was a suitable time to review this decision due to the significant changes in the area and to show support to local businesses.

The Ward Members also raised the issue of parking problems when the various annual festivals took place in Rochester, where the loss of further spaces would be felt but also, as a separate issue, that special provision of large car parks was required for festivals in the future.

The committee discussed the parking problems in Rochester during the festival periods and the development of the old police station, voicing their concern at the displacement of the cars currently using this site to park free of charge. Members agreed that Rochester High Street had the highest amount of independent businesses and people drove there for a specific reason or purpose and therefore King Street was critical, as it was in the heart of the area where people wanted to be.

Members voiced concern at the times that previous parking surveys had been carried out and that there were other commercially viable car parks in the area, so, therefore parking provision must be required and was being used.

Decision:

The committee agreed to recommend to Cabinet that it defers the implementation of decision 130/2008 to dispose of 50% of King Street car park in Rochester until after the development, and occupation, of the old police station site in Rochester and that officers re-evaluate the use of this car park and car parking in the local area and report back to Cabinet for re-consideration of this matter at that time.

112 Localism Act 2011 - constitutional issues

Discussion:

The Assistant Director, Legal and Corporate Services, introduced the report outlining the four issues and options relating to governance in the Localism Act that would require decision at Full Council on 26 July 2012. These were the form of governance the council wished to take; the election and term of office of the executive leader; provisions for petitions to local authorities; and Councillor Call for Action (CCfA).

Members discussed the provision in the Localism Act relating to assets of community value and scope for community interest groups to bid in relation to disposal of listed land. A report was requested on the Community Asset List to be added to the work programme for future consideration.

The committee discussed the provision to review and change the arrangement it had in place for petitions. Councillors agreed that the current provision for petitions should remain in place. However, Members were concerned regarding the current arrangements to access e-petitions on the council's website. The committee also discussed access to and consideration of petitions raised through other e-petition facilities other than the one hosted by the council. Members requested that a report was added to the work programme on this matter.

A Member raised a matter in relation to paragraph 16.8 (ii) of the Constitution (set out on page 64 of the agenda) and asked why a request for call-in to Full Council had to be signed by six or more Members representing at least two political groups and whether this could be amended to one political group. The Monitoring Officer advised that if Members wished to amend a section of the Constitution, which was not a legal requirement, they could do so at Full Council.

Members also asked what form of governance other Local Authorities had implemented or were proposing to implement. For example, Brighton and Hove Council had adopted a hybrid system of committees and the scrutiny function, as they wished to be fully informed before making a decision for Medway. Officers undertook to investigate this and inform Members prior to the Full Council meeting of 26 July when this matter would be considered.

Decision:

The Committee agreed to recommend to Cabinet:

- (a) no change at this stage to the Councils petition scheme even though the Localism Act revokes the duty to have a scheme for handling petitions;
- (b) changes to the overview and scrutiny rules as highlighted in Appendix B to give effect to revocation of the Councillor Call for Action scheme (for non crime and disorder issues) and the implementation of a requirement to

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enable any member of the Council who is not a Member of the relevant Overview and Scrutiny Committee to be able to refer matters to the Committee (with the exception of excluded matters).

The committee also agreed to request that:

- (c) a report was added to the work programme on the list of assets of community value;
- (d) a report was added to the work programme on e-petition and the council's e-petition facility;
- (e) information on the form of governance adopted by other Local Authorities was supplied to Members and the Cabinet prior to decision by Full Council on 26 July 2012.

113 Council Plan 2011/2012 - year end performance report

Discussion:

The Assistant Director, Communications, Performance and Partnerships introduced the report advising that it set out the quarter four and full year results for 2011/2012. She added that this committee performed a role in taking an overview of performance across the council and, as appropriate, making recommendations to the other committees on areas for scrutiny and follow up.

The committee was informed that a number of changes and improvements had been implemented to the reporting of performance including the addition of Appendix 1, which summarised the status of each Key Measure of Success. There had also been graphs added to Appendix 2, as Members had expressed an interest in these. These would in future be presented in A3 format to aid ease of reading and interpretation. Unfortunately, comparative data with other Local Authorities remained difficult to obtain due to the abolition of national indicators but officers were working towards acquiring the relevant information from other Local Authorities. The committee complimented the new style report and appendices with a better presentation of the information.

A Member asked about the total number of looked after children (paragraph 3.14 on page 88 of the agenda) and whether it was known if they were all born in Medway or whether other Local Authorities had placed them in Medway. Officers responded that the 446 children were Medway's looked after children and the responsibility of the council with approximately 25% of those living outside Medway, as placements could not be found for them locally, or their foster parents had moved out of the area. The Chairman of the Children and Young People Overview and Scrutiny Committee advised that there was another set of children who were placed in Medway by other Local Authorities. There were approximately 316 children from 44 different Local Authorities of which 26 were from different London Borough Councils. He advised that many of these children would be placed by independent fostering agencies and although the fostering costs were borne by the originating Local Authority, the

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cost of schooling, health care and any anti-social behaviour problems were Medway's responsibility.

A Member highlighted the successful bids of EU funding for the Developing Neighbourhood Action project (paragraph 3.6 on page 86 of the agenda) advising that this programme had expanded rapidly and would involve local people being involved and deciding what the money would be spent on, referred to as participatory budgeting. He advised that it would be extremely helpful if the council could explore, together with the voluntary sector, the possibility of holding seminars for residents to assist them with understanding and becoming involved with participatory budgeting for future community projects.

The committee raised concerns with the Love Medway campaign and the Love Medway App and requested that the facility to allow residents to report potholes in the road was reinstated. Members also advised that the public did not understand the current marketing campaign and asked that officers' take this into consideration when arranging the marketing campaign for 2012/2013 to promote the use of the App.

The committee requested that the indicator for satisfaction with the work of the Community Officers was re-instated into the monitoring reports for 2012/2013. Members also asked that careful consideration be given when talking with partner organisations to set the target levels to tackle domestic abuse and that this included community support groups.

Following discussion of the indicators for Looked After Children (LAC) and cases being reviewed within the relevant timescales, Members requested that officers consider adding an indicator which tracked the completion of actions agreed at conferences to ensure there was no drift on cases.

The committee raised concern with indicators where targets for 2012/2013 were proposed to be set below current performance levels and asked if the council was stating that it expected the performance in these areas to be worse than at current levels. Officers advised that the committee could refer these targets to the relevant Overview and scrutiny Committees to investigate further.

A Member asked why trains were not included in the performance indicator for 'Everyone travelling easily around Medway' as train users were a major component for this indicator. Officers responded that the council had focused on areas where it could make direct intervention although the council could lobby the train companies, the council had no direct control over the train services in Medway.

With regard to the council's priority 'Children and young people in Medway have the best start in life', Members commented on the indicators that showed the average time young people were absent from school and asked if truancy patrols were still carried out and if so, how many children with their parents

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were stopped during school time. They also asked if officers talked to parents about this issue and made it clear that it was an offence for their children to be out of school. Officers undertook to take this back to the relevant section within the council.

A Member also asked about the walking bus scheme (paragraph 3.9 on page 86 of the agenda) and the 12 schools that had registered an interest in setting up a new scheme. As Ward Councillor, he had been approached to help fund a walking bus scheme for a local school from his ward fund, because they had been asked to pay an administration fee of £125. He asked officers why the council charged a setup fee and suggested that it did not encourage other schools to join the scheme. Officers undertook to investigate this and inform Members of the outcome.

A Member advised that they would like the indicator for the number of people visiting Medway to be included in the monitoring reports, together with information on the results of tourism marketing promotions in order that Members could oversee visitor numbers and trends as well as the outcome of tourism campaigns.

Decision:

The committee agreed to request that:

- (a) officers work to ensure that the Love Medway App allows residents the opportunity to report potholes in the road in the future;
- (b) the performance indicator for satisfaction with the work of the Community Officers is re-instated into the monitoring reports for 2012/2013;
- (c) the performance indicator for visitor numbers is re-instated into the monitoring reports for 2012/2013 and also includes the results of tourism marketing promotions;
- (d) officers give careful consideration when setting the target levels to tackle domestic abuse and that this includes discussions with community support groups;
- (e) the performance indicators for Looked After Children include outcomes and actions from case conferences;
- (f) officers explore, together with the voluntary sector, the possibility of holding seminars for residents to assist them with understanding and becoming involved with participatory budgeting for future community projects;
- (g) officers investigate whether truancy patrols are being carried out and if not, to re-instate them and that a record is kept of the number of parents and children investigated;

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- (h) officers investigate the payment of an administration fee to schools for the setting up of a walking bus scheme and inform Members of the outcome;
- (i) the relevant Overview and Scrutiny Committees are requested to investigate why some targets for 2012/2103 have been set below the current performance levels.

114 Work programme

Discussion:

The Democratic Services Officer introduced the report highlighting the proposed changes to the work programme. The committee was also informed of one new item added to the latest Cabinet Forward Plan, which was about the governance arrangements for the new joint Police and Crime Panel with Kent County Council. This was due to be considered by the Cabinet on 7 August 2012 and therefore this committee could not consider it, as its next meeting was being held on 8 August.

A Member requested that the briefing planned for 24 September on property maintenance over £100,000 within Priority 1 (paragraph 4.5 on page 145 of the agenda) should include an update on the latest position with regard to maintenance works at Medway Crematorium. Members also suggested that as this briefing was in a few months time that an up to date Briefing Note of properties in Priority 1 was sent to Members.

The committee asked that, following the outcome of the decision at Full Council on 26 July 2012 on future governance arrangements, an item should be added to the work programme on the Overview and Scrutiny function in Medway, as this had not been reviewed for a number of years. The report should include how Medway compared with other Local Authorities and whether it was being carried out in an effective way.

A Member reminded the committee of a previous decision earlier in the meeting to add an item with regard to the List of Assets of Community Value.

Decision:

The committee agreed to request that:

- (a) a report on the List of Assets of Community Value is added to the work programme for consideration later in 2012 (as set out in minute 112);
- (b) the briefing arranged for 24 September 2012 includes an update on the maintenance works at Medway Crematorium;
- (c) a report reviewing the Overview and Scrutiny function in Medway and how it compared with other Local Authorities is added to the work programme for future consideration;

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- (d) a Briefing Note is sent to the committee, prior to 24 September, giving an up date on the properties with maintenance works over £100,000 in Priority 1.

Chairman

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