

COUNCIL

25 APRIL 2013

REPORT ON OVERVIEW AND SCRUTINY ACTIVITY

Report from: Neil Davies, Chief Executive

Author: Julie Keith, 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 24 January 2013.

1. Policy and Budget Framework

1.1 The Council's constitution provides for reports on overview and scrutiny (O&S) activity to be reported to Council meetings. The following is a high level summary of business conducted. For further detail please refer to the minutes which will be on the Council's website.

2. Business Support Overview and Scrutiny Committee

2.1 7 February 2013

2.1.1. The Leader in Attendance

The Leader addressed the Committee on achievements within his portfolio during the past year, and thanked the Democratic Services Team, especially those who assisted with in-depth reviews. The Committee asked questions on a range of issues including:

- Police and Crime Commissioner elections;
- Decrease in the number of residents on the electoral register;
- Challenge of holding elections in 2015;
- Individual Electoral Registration;
- Future scrutiny of the Health and Wellbeing Board and public health.

The Leader of the Council was thanked for his attendance and the answers he provided to the committee

2.1.2. Update on Member training on Health and Safety

Members considered the report on Member training on Health and Safety as requested by the committee following a training session held on 28 November 2012.

Members requested :

- A briefing note giving examples of where health and safety and professionals' standards apply, together with details of councillor's responsibilities with regard to health and safety;
- That health and safety is included in the induction programme for all new councillors following local or by-elections.

2.1.3. Council Plan 2013-2015

Members considered and endorsed the draft Council Plan 2013-2015, and referred the following comments for Cabinet consideration:

- Further information should be included in the plan on the constitution of the Citizen's Panel;
- Reference should be included to the EU project INSPIRER;
- Clear notes should be provided in future monitoring reports if partners were responsible for performance results relating to CAF;
- Future measurements should clarify, where appropriate, whether it was a service or school located in Medway rather than a Medway service provided by, or a Medway school run by the council;
- the measure for satisfaction with Community Officers should be retained
- how many people who use the walking buses should be included in the new measure for the number of walking buses;
- whether the new measures (N14 timeliness of assessments and N15 timeliness of Initial Child Protection Conference) should be supplemented by a measure on the outcomes achieved for children

Members requested information to be provided in a briefing note on whether NI 123 (rate of self-reported four week smoking quitters aged 16 or over) related to the number of individuals or the number of times they had tried to quit smoking and information on the Citizen's Panel, including a breakdown by demographics, gender, ward, etc

2.1.4. Draft capital and revenue budget 2013/2014

The Chief Finance Officer introduced the report and advised members that since the Cabinet had published its initial budget proposals on 27 November 2012 the outcome of the Funding Settlement had been included in the report.

Members noted the draft revenue and capital budget 2013/2014 insofar as it affected the committee and noted the discussions held at other Overview and Scrutiny Committees and forwarded comments for consideration by Cabinet on 12 February 2013.

2.1.5. Draft capital and revenue budget 2013/2014 – responses from other Overview and Scrutiny Committees

Members agreed to forward the comments of all the Overview and Scrutiny Committees for consideration by Cabinet on 12 February 2013

2.1.6. Treasury Management Strategy 2013/2014

The Finance Support Manager introduced the report advising that there were only a few changes from last year's strategy.

Members thanked officers for the positive strategy and excellent management of the Council's financial investments and congratulated the Finance Support Manager on his team's successful work. Members endorsed the Treasury Management Strategy 2013/2014 which was to be considered by the Cabinet on 12 February 2013

2.1.7. Work programme

Members noted the current work programme and agreed to add a report to the meeting in June 2013 giving an update on the outcome of current discussions with the Gambling Commission.

Members also requested that a report to the next meeting of the Health and Adult Social Care Overview and Scrutiny Committee on the implications for Medway Council of the Francis report into the care provided by Mid-Staffordshire NHS Foundation Trust and further information on the forthcoming merger of Dartford and Gravesham NHS Trust with Medway NHS Foundation Trust.

2.2 3 April 2013

2.2.1. Call-in – Discretionary Business Rate Relief

The Chairman welcomed David Frais, Linda Hutcheon and Pauline Bingo to the meeting to speak on behalf of Chatham High Street Traders on the call in item.

The Chief Finance Officer confirmed that the Cabinet at decision 61/2013 had agreed not to create a local discretionary rate relief system at this time.

David Frais, Linda Hutcheon and Pauline Bingo on behalf of the Chatham High Street association requested the decision is referred back to Cabinet with following points:

- Many Chatham High Street Traders have been trading in the High Street up to 30 years and wished to remain trading in Chatham.
- In the past few years there have been many changes in the Chatham area that have had the affect of reducing the footfall of visitors to the Town Centre including roadworks, changes to the one way system and the development of the new bus depot.

- The national average of vacant premises within High Streets currently stands at 14.6%, however in Chatham High Street the level of vacant premises is currently 16% which exceeds the national average.
- Chatham High Street can be considered as a special case in isolation to other Medway High Streets as their vacancy rates are much lower at 4% in Rainham, 6.5% in Gillingham, 7% in Rochester and 8.8% in Strood.
- The level of vacant shops and Charity shops in Chatham High Street is off putting to customers.
- The current one way system in Chatham has had a detrimental affect on incoming traffic from Brompton and Gillingham resulting in reduced visitors.
- A number of traders are coming to the end of their leases and are considering whether to continue running their businesses in Chatham.
- Traders are already affected by the recession and can only reduce expenditure so far, therefore a discretionary rate relief for a temporary period of two years would go some way towards helping small businesses and independent retailers.
- Medway Council has identified that it wishes Chatham to be a City Centre and yet the town is dying as more and more traders are leaving.
- Current rates and rate reviews are not in line with landlords rents.
- There is a need to make Chatham Town Centre more attractive to visitors.
- The support requested is for small and medium businesses and would therefore not apply to the larger corporate companies and banks.

The Committee discussed the matter in detail and members made the following points:

- The Government is encouraging local authorities to help small businesses and therefore this was recognised as a national issue that was not unique to Medway.
- Only the Chatham High Street Traders have requested that they be considered for discretionary business rate relief; no such request has been made by any other group of High Street Traders.
- Over 30 businesses co-signed the letter appended to the report, many of which employ staff who primarily reside within Medway and are therefore Council Tax payers.
- As many of the businesses in the High Street are well established, should discretionary business rate relief be provided, the Council would not be seen to be supporting poorly run businesses.
- The Council should consider how it can encourage increased footfall into the Town Centre by other means e.g. the staging of events in the High Street area.
- The Council should ensure that it submits bids for any Government funding that may be available e.g. recent schemes such as Porta's Pilots and the City Deal Scheme.
- There would be a cost involved should discretionary business rate relief be applied to small businesses in Chatham High Street.

- It would be unfair to consider applying a blanket discretionary business rate relief for small businesses and independent traders in Chatham High Street without considering other High Streets in Medway.
- If the Council wishes Chatham City Centre to be identified as a centre of excellence, it should set out to define the area to be included within this definition and then undertake work to attract major companies to the City Centre, but in the meantime emergency aid could be given to small businesses and independent traders to help them.
- Signage to Chatham Town Centre should be improved so that drivers do not bypass Chatham.

The Committee agreed to take no further action on this item.

2.2.2. Portfolio Holder for Finance in attendance

The Portfolio Holder for Finance attended the meeting and answered questions for the area of his portfolio that fell within the remit of the Committee including questions relating to:

- The all encompassing hotline for reporting all potential fraud building on the existing benefit fraud hotline;
- Potential Council Tax defaulters;
- Contracts and tendering procedures, in particular the lateness of recent Social Fund and Health Watch contracts and the way in which these contracts had been let;
- The possibility of helping traders across Medway through the Business rates in 2014/15;
- The recent marketing of the Adult Education Centre at Gillingham;
- Following the localisation of Council Tax, the potential level of Council Tax that may not be collected;
- An update on the briefing note that had been requested on the systems used for card payments and the level of compliance with the PCI DSS standard;
- An update on Better for Less and whether it was on schedule;
- Modifications to press releases to remove such terms such as 'bedroom tax';
- The number of people, especially single women, who would be impacted by the recent changes to the Housing Benefits system and how the Council are mitigating against this;
- Where Better For Less had brought 'Better' and the areas protected from savings under 'Better for Less';
- Possible expanded use of motion sensor lighting (currently provided in The Brook Car Park) to other external car parks;
- Savings to be achieved under the proposed Facilities Management arrangement with NORSE;
- The regularity of monitoring reports on the Council Plan.

The Portfolio Holder for Finance was thanked for his attendance and the answers that he provided to the committee.

2.2.3. Six month review of fair access to credit task group review

The Chairman of the Fair Access to Credit Task Group introduced a report setting out an update on progress on the Committee's recommendations from the Fair Access to Credit in-depth review agreed by Cabinet on 4 September 2012.

The Committee requested more information in a briefing note on progress on the following issues:

- The establishment of a multi-agency Social Impact Board by the Medway Citizens Advice Bureau.
- An update on responses to representations made by the Council relating to changes to the Town and Country Planning Use Classes and also easier access to bank accounts and the practice of banks in relation to unauthorised overdrafts and affordable alternatives to short term loans.
- Identifying a suitable High Street location for the Medway Credit Union.
- Information on financial literacy support across all Medway Wards.

The Committee also asked that information about the UK Youth Parliament's current campaign on curriculum for life, which included financial skills, be referred to the Medway Youth Parliament.

A further update on progress in implementation of the Fair Access to Credit Task Group recommendations was requested to both the Business Support and Regeneration, Community and Culture Overview and Scrutiny Committees in 12 months time.

2.2.4 Members Item – Medway Community Learning OFSTED Report

Councillor Maple thanked Officers for producing at short notice, a report on the outcome of the recent OFSTED inspection of the Medway Adult Learning in which the service had been judged to be inadequate.

The service was now required to provide a clear improvement plan to the Skills Funding Agency within 6 weeks of the inspection and a number of actions were outlined.

Members agreed that the report be noted and the actions taken to far to improve the service be supported and that a further report on progress against the improvement plan be brought back to the committee in September 2013.

2.2.5 Council plan monitoring 2012/13 – quarter 3

The Committee considered a monitoring report which set out performance against the Council's Key Measures of Success for the third quarter of 2012/13.

The Committee made the following requests and recommendations:

- That the terminology used for key measures of success relating to schools should be clarified as 'Schools in Medway' and 'Medway Schools' have different meanings
- That measures of success relating to local authority support to schools should be reviewed to see if information can be included to demonstrate the impact of support provided and the difference it makes;
- That a briefing note should be supplied to Committee members
 - 1) the suggestion that the Council should ensure that care leavers have opportunities to take up apprenticeships with the Council and
 - 2) Information as to the content of the Citizen's Panel Survey and the reasons why only 50% of surveys had been returned.
- That F4 which measures user satisfaction with events should be expanded to provide details of the economic impact of events.

2.2.6 Revenue budget monitoring 2012/13 – quarter 3

The Chief Finance Officer introduced a report detailing the revenue budget forecasts as at the end of Quarter 3 (April – December 2012) and highlighting the major financial risks remaining in respect of the 2012/13 General Fund revenue budget.

Members noted the report on the forecast outturn position for the revenue budget 2012/13 and proposed management action to reduce the potential deficit. Members asked if an exercise could be undertaken to assess the cost to the Council of one day's inclement weather.

2.2.7 Capital budget monitoring 2012/13 – quarter 3

The Chief Finance Officer introduced a report setting out capital budget monitoring for the period ending December 2012 with an outturn forecast for 2012/13.

Members noted spending forecasts, information about budget virements and additions to the capital programme. It was requested that future reports should include a brief commentary on Member Priority Schemes for projects involving expenditure of over £50,000.

2.2.8 Six month review of Corporate Risk Register

The Quality Assurance and Client Manager reported upon the 6 monthly review of the Council's Corporate Risk Register and drew attention to a number of proposed amendments proposed by risk owners.

The Committee noted and supported a number of proposed amendments to the Council's Risk Register and suggested the following additional changes:

- The addition of a risk section relating to welfare reform either as a separate risk or by being more explicit in current risks.

- SR21 be changed to 'Procurement and Tendering'.
- SR17 Delivering Regeneration be amended or a new risk be created to reflect the impact on the Council's regeneration programme should development not proceed due to external factors outside the Council's control. For example, a major developer going into liquidation
- Officers consider a change to Risk 32 (Outsourcing) from C2 to B2.

2.2.9 Topics for in-depth scrutiny reviews – Priorities and Timetable

The Head of Democratic Services introduced a report setting out a proposed programme of in-depth scrutiny reviews for 2013/14 with indicative timescales.

The Committee agreed the following programme of reviews for 2013/14:

- Health Inequalities across Medway wards and how to direct investment where it is most needed
- Impact of Welfare Reforms
- Preventing Looked After Children from becoming criminalised
- Housing in Medway – demand, supply and affordability

A number of issues raised by members during informal discussions about topics for in-depth reviews were also added to Overview and Scrutiny work programmes.

2.2.10 Work Programme

The Democratic Services Officer introduced the report and drew attention to the publication of the latest Forward Plan on 18 March.

Members agreed to add the following items to its work programme:

- End of year Performance Report
- Statement of Accounts 2012/13
- Treasury Management Outturn report
- Charging Parish Councils for copies of planning applications
- IT in Medway
- Participatory Budgeting
- Further 12 month review report on the Fair Access to Credit

3. Children and Young People Overview and Scrutiny Committee

3.1 15 January 2013

3.1.1 Attendance of Portfolio Holder for Children's Services

The Portfolio Holder for Children's Services attended the committee and outlined the main achievements and priorities within his portfolio. He then answered questions on a number of issues including:

- The level of funding for 1:1 tuition at Key Stage 2,

- Sharing of best practice in schools after Ofsted inspections via meetings involving headteachers, chairs of governors, cabinet members and opposition spokespersons
- Phonics
- Learning from best practice in schools in other local authority areas
- Partnership working between the Williamson Trust and The Hundred of Hoo Academy
- Improvements necessary at Key Stage 2
- Young musicians and the scope for a Medway Youth Orchestra
- Capacity in the School Improvement and Challenge Team
- Plans for Free Schools in Medway

Members thanked the Portfolio Holder for his attendance.

3.1.2. Medway Safeguarding Children Board Business Plan 2012/2013

The Medway Safeguarding Children Board (MSCB) Independent Chair presented a report, which highlighted the position against the Board's strategic objectives and progress for 2012/13. Members requested that future reports include a glossary of terms.

The Committee welcomed and noted the report and recommended the MSCB to work with agencies to develop a policy ensuring CAF's were initiated within one month.

3.1.3. Announced inspection of safeguarding and looked after children in Medway 2011 – progress update

The Committee considered a report providing an overview of progress in respect of the announced Ofsted and Care Quality Commission inspection undertaken in 2011 and plans to respond to the new Ofsted Framework for inspection. The Committee was advised there was unannounced Ofsted inspection currently underway that the Council would be notified of the outcome of this in February 2013.

Members noted the report and requested:

- a report back on the findings and relevant action plan following the current unannounced Ofsted inspection;
- a briefing note on safeguarding training at the Medway NHS Foundation Trust.

3.1.4. Year 1 phonics check – outcomes from 2012 and actions to address key issues

The Committee considered a report on the outcomes of the Year 1 Phonics Check in Medway during 2012 where the Council had been ranked bottom nationally. The Committee received details of the actions taken since and still to be taken to raise attainment in 2013 and beyond.

3.1.5. School admission arrangements 2014

The Committee was consulted on the co-ordinated admission schemes and arrangements for primary and secondary schools in 2014. Members asked a number of questions including clarification of information requested from parents who select a school under denominational preference and the scope for a maximum distance qualification being linked to the sibling over subscription criteria to apply to families who have moved a considerable distance away from the school.

The Committee also discussed the options for the Medway Test in 2014.

Members recommended the proposed school admission arrangements for 2014 to Cabinet for approval and recommended the Cabinet to opt for Option A in relation to the Medway test which would allow for the test to be undertaken by children who attend Medway primary/junior schools in their own school during the week.

3.1.6. Work programme

Members agreed to add an update on the School Organisation 2011-16 and a report on the adoption service to the work programme. Members requested a briefing note on the Child and Adolescent Mental Health Service to be produced.

Members agreed that an update on the implementation of improving performance at Key Stage 2 Task Group recommendations be added to future provisional test and examination results reports.

3.2 **26 March 2013**

3.2.1 Raising the age of participation in learning

The Committee considered a report on progress in Medway towards meeting the duty on all young people to participate in education or training, including an update about those young people not participating in learning.

The Chief Executive of Medway Youth Trust answered questions from Members, which related to: -

- Variable provision of independent advice and guidance (IAG) in schools;
- Sharing of best practice via workshops led by the Department for Education which allowed learning nationally and scope to contact authorities whose performance was exceptional compared to others to learn any best practice from those areas specifically;
- the legal duty of all schools to provide Independent advice and guidance;
- The budget reduction of £290,000 from the Council's contract with Medway Youth Trust generating a need to prioritise the most vulnerable young people and targeting of those furthest from engagement;

- The commitment that no ward in Medway would exceed a level of 10% of young people not being in employment, education or training (NEET) by 2014 (currently three wards exceeded this figure);
- Partnership working to address raising the participation age (RPA) and the commitment to reduce the number of NEETs in Medway; an example of this being the success of the 100/100 apprenticeship scheme;
- The particular success of RPA Strategies in areas where they were owned and held account for at the most senior level in local authorities;

Medway Youth Parliament also provided the Committee with an update on their work relating to careers advice.

The committee noted the report and in particular the advice that a successful raising participation age strategy needed support amongst all stakeholders across Medway and should be owned by senior leaders at the local authority. The Committee asked for data regarding NEETs to be provided with a breakdown of gender and ethnicity.

3.2.2 Portfolio Holder for Corporate Services in attendance

The Portfolio Holder for Corporate Services attended and answered questions from the committee on a range of issues including:

- Vacancy for an Independent Reviewing Officer
- Participation of children and young people (CYP) in Child Protection Conferences (CPCs)
- Relationship with the IRO service
- Capacity of IROs to identify issues
- Support for staff and impact of the vacancy
- Use of volunteers
- Confidence in capacity to improve

The Portfolio Holder was thanked for his attendance.

3.2.3 Portfolio Holder for Children's Social Care in attendance

The Portfolio Holder answered questions from Members on a number of topics including:

- Improving the Corporate Parenting Group
- Performance of the Looked After Children Service
- Member support and leadership
- Confidence about prospects for improvement

The Portfolio Holder was thanked for his attendance.

3.2.4 Outcome of unannounced inspection of local authority arrangements for the protection of children

The Committee received a report on an inspection of Medway's arrangements for the protection of children, which took place between 7

and 16 January 2013 and judged the Council to be inadequate. The report highlighted the findings of the inspection and next steps including the establishment of an Improvement Board, which would meet monthly.

The Committee asked a range of questions covering the membership of the Improvement Board, the go live date for the new children and adult electronic management system and the transition of data to the new system and the level of re-referrals.

Members noted the report and the arrangements in place to respond to the findings of the Inspection.

3.2.5 Quarter 3 Council Plan Monitoring

The Committee considered a monitoring report, which set out performance against the Council's Key Measures of Success for the third quarter of 2012/13.

The Committee asked a number of questions on a range of topics including:

- Impact of welfare reform on reliance on bed and breakfast accommodation;
- Increased attendance figures at Sure Start Children Centres in Medway and successes of Key Stage 1 results;
- Attendance of governors at training, recognising that in-school training can be more convenient
- Scope for inclusion of the recent Ofsted inspection in the Council's performance indicators under the Council Plan.

Members noted the report.

3.2.6 Work Programme

The committee noted the additions to the work programme as detailed in the report and requested officers to circulate the consultation on the review of overnight short breaks and programme consideration of this at a future meeting of the committee.

4. Health and Adult Social Care Overview and Scrutiny Committee

4.1. 29 January 2013

4.1.1. Update on the proposed integration between Medway NHS Foundation Trust and Dartford and Gravesham NHS Trust

The Chief Executive of Medway NHS Foundation Trust updated the committee on the current position with regards to the proposed merger with Dartford and Gravesham NHS Trust. The members thanked the Chief Executive and asked a number of questions relating to the response of Monitor to the merger, availability of specialist staff, impact on staff pensions, terms and conditions, sustainability of the Trust and capacity of A and E and maternity units at both hospitals. Members also received assurances about action underway to consult staff , address

the lack of parking at MMH and ensue there was no loss of Medway specific data.

4.1.2. Hospital Mortality figures – Medway NHS Foundation Trust

The Committee received a report on mortality figures at Medway Maritime hospital following the rating of Medway Foundation Trust as being the tenth worst “hospital standardised mortality ratio” in the country out of 145 hospitals. The Committee was advised of measures being taken by the Trust in response to the mortality report which includes strengthening of board to ward governance and the serious incident system, a patient safety programme and electronic Enhanced Revalidation.

The Committee discussed the action plan being developed by a multi-disciplinary working group set up at the request of the Hospital and chaired by the Director of Public Health. The Committee was advised that the action plan included the following:

- Case note review of deaths in 10%-20% risk group with pneumonia, hip fracture, stroke;
- Case note review of deaths of patients readmitted within 7 days of discharge;
- A review of coding practice;
- Promotion of key messages from Board to staff about the importance of quality of care;
- Listening into Action – a programme to facilitate patient safety conversations with staff and identify solutions;
- Learning lessons from complaints;
- Clinical audits leading to improvement in quality;
- Consideration of external exemplar input.

The Committee asked for six monthly updates on the action plans.

4.1.3. Development of priority action delivery plans for the Joint Health and Wellbeing Strategy for Medway

The Committee considered delivery plans for the priority actions in the Joint health and Wellbeing Strategy noting that one priority action had been agreed under each theme as a focus for action in 2013/14. The Committee noted there are five themes each with a designated Board Member and officer:

- Give every child a good start – lead Member – Cllr Wildey, lead officer – Marilyn Roe;
- Enable our older population to live independently and well – lead Member – Dr Fargher, lead officer Wendy Alleway;
- Prevent early death and increase healthy years of life – lead Member – Dr Green, lead officer Simon Truett;
- Improve physical and mental health wellbeing – lead Member – Cllr Mackness, lead officer Sallyann Ironmonger;
- Reduce health inequalities – lead Member – Cllr Maple, lead officer Dr Julia Duke-MacRae.

Members noted the draft delivery plans for the priority actions of the Joint Health and Wellbeing Strategy for Medway 2012-2017 and asked if Fire Service support could be included in the work of theme 2 relating to dementia.

4.1.4. Capital and Revenue budget 2013/2014 Update

The Chief Finance Officer updated the committee on developments relating to the capital and revenue draft budget for 2013/2014.

Members agreed to note the draft capital and revenue budgets for 2013/2014, proposed by cabinet on 27 November 2012. It was suggested that regular budget monitoring should be added to the work programme for the committee at the points at which Council Plan monitoring were considered.

4.1.5. Work Programme

Members noted the content of the minutes of the Joint Health Overview and Scrutiny Committee with Kent held on 3 July 2012 in relation to acute inpatient adult mental health redesign

It was noted that meeting of the Chairman and spokespersons would be arranged for the week commencing 18 February to discuss topics for in-depth scrutiny for the forthcoming year.

A briefing note was requested on the Medway CCG authorisation with details of the CCG's response to the conditions set.

4.2 **9 April 2013**

4.2.1 Report of the Mid-Staffordshire NHS Foundation Trust Inquiry: Implications for Medway Council

The Committee received a report on the specific recommendations from the Francis Inquiry into serious failings at Mid Staffordshire NHS Foundation Trust insofar as they are aimed at Local Authorities.

A detailed discussion took place around the implications and the Committee put forward a number of views including:

- The importance of openness in reporting and sharing of clear information with Members
- redevelopment of protocols around consultation on reconfiguration and ways of communicating with partners
- The Francis Inquiry was a 'wake-up call' for all organisations involved in care and it was hoped that all new organisations being developed would remember to put the patient first

Regular updates to the Committee on actions flowing from the Inquiry were requested commencing with a report in October 2013. Further information on the tendering process for Healthwatch was requested

along with a simple organisation chart setting out the new system following reform of the NHS.

4.2.3 NHS powerpoint – Mid Staffordshire Inquiry

The Director of Nursing, Kent and Medway Area Team, NHS England and the Chief Nurse from NHS Medway Clinical Commissioning Group attended and gave a presentation setting out the broad outline of the initial response from the NHS to the Francis Inquiry.

Members made a number of comments and observations as follows:

- Compassion could not be taught in the general training of nursing staff. It was agreed that there needs to be careful scrutiny of nurses during the training process to ensure they have the right mix of skills
- There was a degree of cynicism around the ambitious targets being set by the NHS as to whether in reality the service improvements could be achieved
- It was emphasised that in order to allow sufficient opportunity for showing compassion the right staffing levels would need to be in place
- The point was made that for the Patient Advice and Liaison Service to be effective, it needed to be independent from the NHS
- An assurance was given that the GPs who are now commissioning services in the NHS are much closer to the needs of patients and will witness first-hand the outcome of their commissioning.
- It was agreed that 'soft' intelligence was important and the Quality Surveillance Group locally would be the place where concerns were shared and acted upon
- From a Member's perspective it was agreed it was important for them to understand the NHS system better in order to navigate constituents to the correct place

A further update was programmed for the October 2013 meeting.

4.2.4 Health scrutiny – changes to legislation

The Head of Democratic Services introduced a report setting out changes to the health scrutiny legislation. Members reflected on the recommendations and some Members expressed concern about the proposed requirement to notify full Council of any decision to make a referral to the Secretary of State on a contested service reconfiguration before a referral is made.

A query was raised about the possibility of a conflict of interest for those officers who have a voting role on the Health and Wellbeing Board and who also attend Overview and Scrutiny Committees dealing with health scrutiny. It was agreed that this should be considered further and advice provided

A recommendation was made to the Council for its meeting on 25 April as follows:

- To agree to continue to discharge the function of health scrutiny via the Health and Adult Social Care and Children and Young People Overview and Scrutiny Committees;
- To delegate the right of referral of a contested service reconfiguration to the Secretary of State to the relevant Overview and Scrutiny Committee where the detailed work on any proposed service reconfiguration will take place; and
- To agree that the membership of the Health and Adult Social Care Overview and Scrutiny Committee and the Children and Young People Overview and Scrutiny Committee should each include a representative of Healthwatch to ensure that the views of the public and people who use services continue to be represented at Overview and Scrutiny Committee meetings (noting that the Healthwatch representative should not also be a member of the Health and Wellbeing Board).

4.2.5 2012/2013 Quarter 3 Performance Monitoring

The Assistant Director, Adult Social Care explained highlighted areas of the Council's performance in particular referring to additional measures being put in place to boost performance in relation to carers' assessments. Further details were requested in relation to numbers of carers involved and in connection with the number of people receiving support from the Mental Health Social Work team.

4.2.6 Phlebotomy service changes

The Chief Operating Officer, NHS Medway Clinical Commissioning Group outlined details of changes to the phlebotomy service following receipt of notice from Medway NHS Foundation Trust that they no longer wished to provide GP referred phlebotomy.

Consultation was ongoing with service users around the specification for the revised service and Members requested further details to the next meeting on proposed locations and opening times. It was also agreed the changes do not constitute a substantial variation or service development.

4.2.7 Relocation of the physiotherapy service

In the absence of a presenter for this item it was deferred to the next meeting of the Committee.

4.2.8 Local Welfare Provision in Medway

The Assistant Director, Adult Social Care, introduced the report and explained the need for an urgent report in order to allow the Committee an opportunity to comment on the specification for the Local Welfare Scheme.

Members questioned the process of appointing an interim organisation to provide the service and the Assistant Director set out further details of the operation of the scheme in Medway.

4.2.9 Work Programme

The following was agreed:

- The progress in relation to the NHS Kent and Medway Joint Health Scrutiny Committee on mental health inpatient services review was noted.
- The Clinical Accountable Officer, NHS Medway CCG undertook to advise who would bring the report on patient transport to the Committee.
- It was agreed that a date should be set for the dementia update and the report should be extended to include information about the services for the elderly in Medway
- A Member briefing on obesity should be organised for the Committee and an invitation be extended to Children and Young People Overview and Scrutiny Committee to the briefing
- Further discussions would take place between relevant Members and Officers about the scrutiny of children's health.

5. Regeneration, Community and Culture Overview and Scrutiny Committee

5.1. 31 January 2013

5.1.1. Attendance of Portfolio Holder for Community Safety and Customer Contact

The Portfolio Holder for Community Safety and Customer Contact attended the meeting and responded to Members' questions on the following topics:

- Environmental health checks on food, following the recent national publicity about horsemeat found in burgers;
- A recent re-structure in the police force;
- Developing CCTV system further to include other Local Authorities;
- Were all CCTV cameras operational;
- Environmental enforcement, particularly for litter, was a high priority in town centres but could this be enforced in other urban areas, especially school routes;
- Concern regarding the reporting and enforcement of dog fouling;
- Whether the council or the DVLA have responsibility for untaxed vehicles;
- Information on the Prison service and how it worked with the council;
- Would the restructure of the Community Safety service have an impact on service delivery.

Members thanked the Portfolio Holder for Community Safety and Customer Contact for attending the meeting.

5.1.2. Annual review of waste contracts: year 2

Representatives from Veolia and FCC gave presentations and answered questions on the work carried out within the past year. The Members asked questions, which included:

- The apprenticeship scheme that Veolia ran for young people who were not in education, or employment or on a training scheme;
- Consideration of the fuel used by the Veolia fleet of vehicles due to their effect on the environment;
- Could parked vehicles be moved to allow access for street cleaners to the edge of the road;
- What happened to dead animals collected from the roads
- Disposal of plasterboard
- Traffic and pedestrian management at Capstone HWRC
- Quality of the service provided by HWRC staff;
- Height platforms in front of waste containers.

Members thanked representatives from the waste contractors Veolia and FCC for their presentations and the answers they had provided to Member's questions

5.1.3. Member's Item: Darnley Arches, Strood

Councillor Igwe introduced his Member's Item to the committee with regards to the Darnley Arches in Strood. He voiced concern that not all the questions raised had been answered in the report, including no mention of the date when the council became aware it could not meet the original agreement, that there was no indication in which year the £153,836 had been spent and no timescale for the future proposals. The Director of Regeneration, Community and Culture advised that the council had found out in October 2012 that Network Rail could not build the pedestrian subway.

Members agreed to refer the matter to the Portfolio Holder for Front Line Services and the Portfolio Holder for Strategic Development and Economic Growth, in consultation with the Ward Members, for further consideration with officers prior to the work proposed in the report.

Members requested that a briefing note be provided with a breakdown of the £153,836 spent on scoping and designing works.

5.1.4. Housing planned maintenance programme – update report

The Assistant Director of Legal and Corporate services introduced the report, which included a presentation setting out the procedure followed from when identifying work required through to completion and payment of the contractor. Members advised that the further information requested from the previous meeting was more meaningful and that they had held a productive meeting with the Assistant Director.

Members noted the report and the progress made to date.

5.1.5. Housing Revenue Account revenue and capital budget 2013/2014

The Chief Finance Officer introduced the report and answered Members questions relating to the likely impact of welfare reform on rent arrears, problems facing tenants already in debt and the need for smaller units of accommodation for people affected by changes to the welfare benefits system.

Members agreed to recommend to Cabinet:

- The proposed revenue and capital budgets for 2013/2014, inclusive of an average rent increase of £2.90 per week;
- Service charges for 2013/14 reflect the costs incurred in providing that service, where possible, and that where costs are not fully recovered, the uplift is such that costs can be fully recovered by 2014/15, using above inflation increases to do so. The average increase will be 5% or £0.38;
- To request officers to develop proposals for utilising headroom with the intention to submit a further report later in the year;
- Approve the repayment of debt based on a minimum revenue payment of 2% on outstanding debt.

5.1.6. Planning Policy – urban development

The Committee considered a report setting out planning policy on urban development following concerns raised by a member that urban areas did not have such a high level of protection as rural areas in planning policies. The Committee supported the idea of workshops involving Councillors and Officers and the Youth Parliament to look at how current policies could be improved once the Core Strategy is in place.

5.1.7. Cultural activities programme

The Assistant Director, Customer First, Leisure, Culture, Democracy and Governance gave a presentation to Members, which included the priorities set out in the Cultural Strategy including:

- The 2012 Year of Celebration;
- Olympic and other sporting events held in Medway;
- The Diamond Jubilee River Festival and the current 'Enjoy Medway' campaign.

Members endorsed the presentation and report and asked for a review of the Cultural Activities programme to be submitted on an annual basis.

5.1.8. Work programme

Members agreed to note the report and to add a Member's Item report on traffic flow in Chatham town centre to the work programme as soon as possible and that this is not include as part of the in-depth review into 'De-cluttering Town Centres'.

5.2 11 April 2013

5.2.1 The Leader in attendance

The Leader addressed the Committee and answered questions for the area of his portfolio that fell within the remit of the Committee, including questions relating to:

- The regeneration of Rochester Airport;
- The relocation of Rochester Train Station;
- The campaign against the Thames Estuary airport;
- The Rochester Riverside development and design of the first build;
- Extension to the platform at Strood Train Station;
- Plans relating to the new Community Hub on Strood High Street;
- Communication with traders relating to the closure of Darnley Arch;
- Use of remaining section 106 agreement from the Morrisons development;
- The third Thames crossing and ensuring this maximises the benefit to Medway;
- Improvements to the Chatham public realm and Chatham Train Station;
- Impact the Paramount Studies development at Swanscombe could have on the events city proposals for Chatham;
- Transport infrastructure relating to events city, including a rapid transit link.

The Leader was thanked for his attendance and the answers that he provided to the committee.

5.2.2 Petitions

The committee considered a report which detailed responses to petitions received and a petition referral relating to allocation of parking permits in New Road

Bryan Fowler (lead petitioner) and James Jefferies (petitioner) raised the following points:

- Did not believe that the decision of the allocation of parking permits by Cabinet for Central Chatham included residents of Carton House.
- Requested the Council to apply the reasonableness test and apply the decision made at Cabinet.
- That there were 35 marked bays for Gibraltar Terrace, for 47 residential homes, therefore there was already high demand for spaces.
- Commuters that have permit passes for the same zone use the bays as free parking when going to the station.
- Due to the area being restricted to permit holders only until 10pm the spaces were often used in the evenings by people attending Crystals nightclub and therefore requested an extension to the time restrictions beyond 10pm.

Councillor Maple addressed the Committee on the issue as Ward Member. He felt the wider question was the size of the permit zones in Medway. Some residents drive from one end of the zone and park at the other end due to the large size of the zones. Carton House had its own parking spaces underneath the building and therefore felt those residents should not have access to allocated parking bays and parking permits.

Members discussed the petition and the wider impact of the parking permit zones and comments included:

- Agreement that controlled parking zones are currently too wide;
- Perception of abuse of the current system as purchasing the permits was a cheap way to park in Central Chatham;
- The need to check whether residents of Carton House have been consulted when the original consultation took place;
- Requested that a breakdown as to the cost of consultation be provided.

The Assistant Director, Frontline Services explained that consultation on the parking permit zone would cost in the region of £100,000 - £150,000 and that residents of Carton House were able to apply for parking permits as they are on New Road itself, which is within zone C. With regards to the hours of the parking zones he undertook to consider lengthening the enforceable hours.

After discussion Members suggested an informal cross-party working group involving officers and Members from the relevant wards (Chatham Central and River) should look into the parking permit zones and report back to the Committee.

5.2.3 Community Safety Plan 2013-16

The Head of Safer Communities introduced the report and explained to Members that the strategic assessment findings will be reported for scrutiny by this Committee on an annual basis, and the Community Safety Plan plan itself would need to be referred to Cabinet and Council only where changes needed to be agreed.

Members discussed the plan and raised a number of points including:

- Reduction in the number of fixed penalty notices (FPNs) for littering offences, and more work being needed to bring those to justice who chose to ignore the law, especially with regards to fly tipping.
- Domestic abuse and the difficulty in offenders attending courses, which can cost in excess of £300. Further work should be done with local partners to see how courses can be funded for those who can't afford it. A briefing note on this was requested.
- Contact to be made by the Council with the new Police and Crime Commissioner to see if there could be collaboration to look at alcohol and drug issues, as the PCC had earmarked £500,000 for this.
- Report on Drug and Alcohol Services be shared with Members
- Addition of the new road safety centre, to be built with the new Rochester fire station.

- Powers of PCSOs should be increased to address low level crime.
- The need for further work with regards to addressing anti-social behaviour.
- Dog fouling and behaviour to be looked at as this was a problem in Medway.

In response officers explained there were a number of options that could be considered with regards to excluding dogs from certain spaces and dogs being required to be kept on leads and that there is national legislation within the Clean Neighborhoods and Environment Act that the council could follow with regards to dog control.

In addition officers stated that the council had participated in a multi-agency framework to commission independent domestic abuse advisors, which included improving support for victims and offenders of domestic abuse.

The Committee agreed to note the report and draft Community Safety Plan 2013-16 and recommend the Cabinet to forward the plan to Full Council for approval.

5.2.4 Housing Allocations Policy

The Head of Strategic Housing Services introduced the report to Members explaining that the Council is required to have an allocations policy to set out how it will allocate social housing.

A Member commented on the eligibility criteria and the income that is taken into account. The Head of Strategic Housing Services explained that the wording used for income is general and could include assets, personal income etc.

Another Member raised the supply and demand balance of the housing waiting list and how this relates to the proposed policy, but acknowledged that this would be considered within the in-depth review into the Housing in Medway – demand, supply and affordability.

The Committee recommended the Cabinet to adopt the revised Housing Allocations Policy and to delegate authority to the Director of Regeneration, Community and Culture, in consultation with the Portfolio Holder for Housing and Community Services, to agree wording changes where these are of a minor nature.

5.2.5 Community Infrastructure Levy

The Committee considered the report and raised a number of points including:

- Concern that Medway might be missing out on charging a levy to some large commercial developments that could take place, for example, expansions to the National Grid in Grain and a new power station in Kingsnorth;
- Concern that the charge for residential dwellings was excessive and that if charges are reduced it could encourage further development;

- Uncertainty relating to the fact that zone A included Rochester Riverside and yet Strood Riverside, Temple and Strood Town Centre were similar areas and yet had not been split out into zone A;
- Concern that brown field sites and run down sites won't be developed, as the charge might be too high.
- If the price of the levy is too high it might create more opportunistic builds, for example in back gardens.
- Query as to why the differentiation for Zone A between the charge for up to 14 dwellings and 15 plus dwellings was less than the differentiation for Zone B.
- Suggestion that the words "whether a new building or an extension" be amended or removed to avoid confusion.

The Assistant Director, Housing, Development and Transport responded to queries raised. With regards to the charges being proposed these were based on figures provided from a viability consultant and were in line with other local authorities and were on the more conservative side as the Viability Consultant had advised they could be higher. He also undertook to check the differentiation with the Viability Consultant.

The Director of Regeneration, Community and Culture alerted the Members to the fact that the cost of the infrastructure is £747 million and the identified funding is currently £154 million, which meant that the Council and others still had to make up £574 million from the levies.

The Committee agreed that a further report on the Community infrastructure Levy be brought back before formal adoption in 2014.

5.2.6 Six month review of Fair Access to Credit Task group report

The Chairman of the Fair Access to Credit Task Group introduced a report setting out an update on progress on the Committee's recommendations from the Fair Access to Credit in-depth review agreed by Cabinet on 4 September 2012.

Another Member of the task group spoke, informing Members of the discussion relating to this at the Business Overview and Scrutiny Committee, as referred to at section 2.2.3 above.

One Member asked if there had been any response from the banks to letters sent. The Assistant Director, Frontline Services confirmed that no banks had contacted the Council.

The Committee requested all Members receive a briefing note on assisting a Credit Union in Medway and requested an update report on progress in 12 months time.

5.2.7 Council Plan Monitoring 2012-13 – quarter 3

The Performance and Intelligence Manager introduced the report and highlighted the areas of performance for quarter three.

The Committee then discussed a range of topics including:

- Unemployment rates and that in future this data be provided with numbers as well as percentages;
- A need to ensure that residents' views relating to street cleaning are listened to and actioned;
- Options to help alleviate the problem of parked vehicles when trying to clear fallen leaves;
- The need for a theatre in Medway to attract people to the area;
- Congratulations were given on the heritage lottery fund achieved for Eastgate House;
- Street cleaning – speaking to neighbouring local authorities for areas bordering Medway;
- Street washing – work would be done to encourage helping residents via neighbourhood groups to wash down fronts of houses/front walls;
- Street cleaning – the tree grates in Chatham need replacing as they are very difficult to clean.

The committee noted the report.

5.2.8 Work Programme

The Democratic Services Officer updated the committee on the outcome of Business Support Overview and Scrutiny Committee relating to the choice of in-depth review topics in relation to this committee including the additional items recommended for inclusion on the work programme as referred to in section 2.2.9 above.

The committee agreed to add the following items to the work programme: -

- High marginal cost of bus travel
- Long term empty properties
- Community Officer Service
- Community Infrastructure Levy
- Update on the Fair Access to Credit Task Group

Background papers

None

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