

Medway Council
Meeting of Business Support Overview and Scrutiny
Committee

Thursday, 20 June 2013

6.30pm to 7.50pm

Record of the meeting

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

Present: Councillors: Avey, Bright, Clarke (Chairman), Pat Gulvin (Vice-Chairman), Irvine, Juby, Maple, Royle, Mackness, Wildey, Griffiths, Murray and Price

In Attendance: Stephanie Goad, Assistant Director Communications, Performance and Partnerships
Mick Hayward, Chief Finance Officer
Perry Holmes, Assistant Director Legal and Corporate Services/Monitoring Officer
Andy Larkin, Finance Support Manager
Genette Laws, Head of Category Management Team
Teri Reynolds, Democratic Services Officer

107 Record of meeting

The record of the meeting held on 3 April 2013 and the record of the joint meeting of all committees held on 15 May 2013 were agreed and signed by the Chairman as correct.

The Democratic Services Officer also provided an update on outstanding actions from the record of the last meeting and the Chairman explained that in future, the Chairman, Vice-Chairman and Opposition Spokespersons would be updated on this at pre-agenda meetings.

108 Apologies for absence

There were none.

109 Urgent matters by reason of special circumstances

There were none.

110 Declarations of disclosable pecuniary interests

Councillor Griffiths explained that, due to the broad nature of topics within item 8 (End of year performance report 2012/13), if discussions under this item related to Medway Community Healthcare, for which he was a non-executive

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director, or Danecourt School, as his wife worked at the school, these were disclosable pecuniary interests and he would leave the room if raised.

Councillor Price explained that, due to the broad nature of topics within item 8 (End of year performance report 2012/13), if discussions under this item related to the Sunlight Centre Trust, this was a Disclosable pecuniary interest and he would therefore leave the room if raised.

111 Treasury Management Outturn Report 2012/13

Discussion:

The Finance Support Manager introduced the report and explained that, due to the timing of the report, the draft performance indicators and year end outturn figures may be subject to change but it was not anticipated that there would be significant change. He also referred to section 8 of the report and explained that the title should have referred to the year 2012/13 and not 2011/12.

Members then asked questions and made comments, which included: -

- A suggestion that future reports include information on debt maturity analysis;
- With reference to paragraph 4.3 of the report, which discussed the mixed economy relating to the use of in-house and external Fund Manager services, a suggestion that a quantum of local authorities who use only in-house and who use a mix be provided.

Officers undertook to provide information on debt maturity analysis in future reports and would provide a quantum of local authorities that use just in-house and a mixture of in-house and external fund manager services in the mid-year review report.

Decision:

The committee noted the report and agreed that: -

- Future reports include information on debt maturity analysis;
- The mid-year review report includes information on the quantum of local authorities that use just in-house and a mixture of in-house and external fund manager services.

112 Procurement Strategy

Discussion:

The Chairman commented that the draft strategy would be sent out for consultation, if Cabinet approve the draft on 9 July 2013, and that this would include a Supplier Event on 26 July 2013. He therefore proposed that the committee defer consideration of the strategy until after the consultation exercise, so that Members would have the benefit of the outcome of that process also.

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Members supported this approach but made the following suggestions for changes to the draft, which would be considered by Cabinet: -

- That the strategy should have a greater recognition of third sector and cooperative models;
- That the strategy include more commentary regarding the tension between a desire to increase work with small to medium enterprises (SMEs) and also the intention to reduce the number of suppliers the Council holds contracts with;
- That some of the quotes used in the draft strategy be replaced with more modern quotes, with a focus on the third sector and that more females be used for equality purposes, as currently all quotes provided were from men.

The Assistant Director, Legal and Corporate Services undertook to incorporate these comments into the draft strategy.

Decision:

The consideration of the Procurement Strategy is deferred until after the consultation event and that the event be advertised to all Members of the Council.

113 Update on Discussions with Gambling Commission

Discussion:

The Assistant Director of Legal and Corporate Services introduced the report, which provided Members with an update on discussions with the Gambling Commission about Fixed Odds Betting Terminals and problem gambling. He explained that arrangements were being made to bring together partnership working with the Council and members of the Medway Gaming and Betting Industry to sign up to a voluntary code of conduct and it was hoped this would be in place in July.

The Assistant Director then, on the request of a Member, gave an update on a recent court decision involving Newham Council where the Council had refused an application on the basis of crime and disorder. The decision had been lost when taken to appeal.

A Member reiterated the concerns relating to the planning laws and suggested that Members find ways of lobbying Central Government where possible. In response the Assistant Director, Legal and Corporate Services explained that once the partnership work was in place and the voluntary code of conduct had been signed up to he would undertake to raise the issue with the Leader of the Council to raise with local MPs.

Decision:

- (1) The committee noted the progress made and requested an update report in six months time.

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- (2) The committee also recommended that Members raise concerns about the need for changes in the planning legislation, which currently places betting shops and food outlets in the same class, with their local MPs.

114 End of Year Performance Report 2012/13

Discussion:

The Assistant Director, Communications, Performance and Partnerships introduced the report highlighting to the committee performance over 2012/13 against the Council priorities. She also explained that the member development session in relation to scrutiny of performance monitoring could not be held on 8 August 2013 as originally hoped and therefore new dates were being explored for early September 2013. In addition, following a query from a Member it was acknowledged that indicator references 87 and 88 were wrongly assigned to the Regeneration, Community and Culture Overview and Scrutiny Committee and these should have been assigned to the Business Support Overview and Scrutiny Committee.

The Chairman then explained his concerns that this committee would duplicate performance monitoring scrutiny and shared his view that council plan monitoring reports should be presented to the relevant overview and scrutiny committees (OSCs) first and should then be presented to this committee along with any specific areas, which those committees feel are not being sufficiently addressed.

The Committee then debated the suggestion with some Members feeling that scrutiny of council plan monitoring should sit with the Business Support OSC solely and that any areas of concern should be specifically referred to the relevant OSC. Others felt that this was not an effective way for the OSCs to scrutinise areas within their remit.

Members all acknowledged that the other committees, in particular the Regeneration, Community and Culture OSC had very large remits in comparison to Business Support OSC and therefore a suggestion was made to attempt to address the imbalance by moving housing into the remit of Business Support OSC (where it had sat previously before it was moved into the Regeneration, Community and Culture Directorate).

In response officers confirmed that OSCs currently mirrored the Council's directorates but that this could be departed from and the terms of reference of OSCs changed if formally agreed by full Council.

Decision

- (1) That subject to advice from officers, and agreement by the Regeneration, Community and Culture Overview and Scrutiny Committee, Council be recommended to agree that housing be moved from the remit of that committee to the remit of the Business Support Overview and Scrutiny Committee.

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- (2) That, to avoid duplication, the scrutiny of Council Plan Monitoring by the Business Support Overview and Scrutiny Committee is carried out once the other overview and scrutiny committees have scrutinised the Council Plan Monitoring information relevant to each committee's remit, subject to the outcome of the Member development session on scrutinising performance information in September.

115 Work Programme

Discussion:

The Democratic Services Officer introduced the report and highlighted to the committee the additions to the Cabinet Forward Plan, as set out at paragraph 4.4 of the report.

Decision:

The committee agreed to: -

- (1) agree the committee's work programme as attached at Appendix 1;
- (2) agree that scrutiny of the Procurement Strategy take place at 13 August 2013 meeting after consultation had been held;
- (3) agree that scrutiny of the annual review of risk management strategy and six monthly review of Council's Corporate Business Risk Register take place at the September meeting of the committee;
- (4) agree that scrutiny of the Medium Term Financial Plan take place at the September meeting of the committee;
- (5) note the work programmes of the other overview and scrutiny committees.

Chairman

Date:

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