

COUNCIL

17 OCTOBER 2013

REPORT ON OVERVIEW AND SCRUTINY ACTIVITY

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Summary

This report provides a summary of the work of the Council's Overview and Scrutiny Committees since the last report to Council on 25 July 2013.

1. Policy and Budget 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.

2. Business Support Overview and Scrutiny Committee

13 August 2013

2.1.1 Procurement Strategy

Members questioned the Head of Category Management, Strategy and Operational Support, on the outcome of the consultation on the draft Procurement Strategy. The draft Strategy was recommended to the Cabinet for approval but further information was requested on the following:

- A briefing note demonstrating how the category management approach had been used to deliver intelligent spending, using the recently awarded Homecare contract as an example;
- A breakdown of how the £230 million budget was made up, which was then spent with third parties per annum;
- Information on the differentiation between prices paid in contracts for products and how this compared with retail prices;
- A report on progress and impact of the Procurement Strategy, if approved by Cabinet, to the Committee in six month's time.

2.1.2 Mobilisation Update about Medway Norse

The Committee questioned the Head of Category Management, Strategy and Operational Support on the transfer of facilities management to the joint venture company, Medway Norse, which had been agreed by the Cabinet in March 2013.

The Committee noted the report and requested that the Corporate Client's contact details and the Client Care Booklet for Medway Norse be circulated to all Members.

2.1.3 Revenue Budget Monitoring 2013/2014 – Quarter One

The Chief Finance Officer responded to Members' questions in relation to the revenue budget monitoring report for the first quarter. The Committee deferred consideration of an overspend in home to school transport for special educational needs children to the next meeting.

Two recommendations were made to the Children and Young People Overview and Scrutiny Committee. The first suggested that the Committee should consider the overspend of £2.2m within the Children's Care division at its next meeting. The second was for the Children and Young People Overview and Scrutiny Committee to consider at its next agenda planning meeting whether to consider a briefing note or report to that Committee on the issues raised at the meeting relating to Doncaster Council's children social care services and the impact this could have on the future of children's services in Medway.

2.1.4 Council Plan Monitoring 2013/2014 – Quarter One

The Assistant Director, Communications, Performance and Partnerships and the Assistant Director, Housing and Regeneration responded to Members' questions about the Council Plan. Further information was requested on the following:

- A breakdown of the status of each of the providers of temporary accommodation (eg home owner, private sector);
- A breakdown of the types of affordable housing and how much was achieved through section 106 agreements;
- A report on establishing a shared communications and marketing service to the next meeting as pre-decision scrutiny.

2.1.5 Capital Budget Monitoring 2013/2014 – Quarter One

The Chief Finance Officer introduced the report on capital budget monitoring for the first quarter. The report was noted and the Committee requested an update on when contact was made with schools about asbestos management.

2.1.6 Work Programme

Members agreed that the review of the implementation of the recommendations from the Supporting Accommodation Task Group should be scheduled for the December meeting. A briefing note will be provided on long term empty properties ahead of the Committee meeting in February 2014.

19 September 2013

2.2.1 Medway Adult and Community Learning Ofsted – Update on Improvements

The Assistant Director, Organisational Services, updated Members on the improvements made to the Medway Adult and Community Learning Service in response to the findings of the Ofsted inspection of the service in March 2013, which rated the service inadequate. She then responded to Members' comments and questions. The Committee requested a further update before the next Ofsted visit takes place and asked for a structure chart of the service to be included within the report.

2.2.2 Implementation of charges for the production of paper copies of planning applications to parish councils

The Development Manager introduced the report, which had been referred by Rural Liaison Committee following concerns about the introduction of charges for paper copies of planning applications to parish councils. He responded to Members' questions, which also included a wider concern about broadband availability on the Peninsula.

2.2.3 Annual review of Risk Management Strategy and six monthly review of the Council's Corporate Risk Register

The Quality Assurance and Client Manager introduced the report and undertook to refer comments made by the Committee back to the Strategic Risk Management Group for consideration. The Strategy was then recommended to the Cabinet, as set out at Appendix A to the report, along with the amendments proposed to the Risk Register detailed at section 3 of the report.

2.2.4 Housing Revenue Account (HRA) Development Programme

The Assistant Director, Housing and Regeneration, and the HRA Development Manager introduced the report to Members and explained that currently officers are focusing on the first two work streams, developing additional housing on HRA owned garage sites and on surplus General Fund Land. In terms of garage sites officers confirmed they were also considering the site at Davenport Avenue.

Members raised a number of points and questions on the programme and officers undertook to bring back further information on the remodelling of homes for independent living and data on garage site usage. Officers agreed to continue communication with residents and

Ward Councillors and to explore the potential of using the garage site at Winchester Way for a small housing development.

The Committee recommended Cabinet to ask Full Council to approve the addition of a £5.5m housing development programme to the Council's Capital Programme funded by utilising the £5.5m borrowing headroom available to the Housing Revenue Account.

2.2.5 Medium Term Financial Plan 2014-2017

The Chief Finance Officer introduced the Medium Term Financial Plan, which reviewed the major financial issues facing the Council during the current and next six years. Members raised a number of queries including:

- Concern about the financial risk relating to dilapidation costs at the Compass Centre
- A analysis of options which could be undertaken to mitigate the financial deficit
- A need for contingencies to be put in place particularly relating to social care and personal budgets to mitigate against the situation whereby a service user is prohibited from using that money to buy services from the Council.

The Committee recommended the Cabinet to approve the underlying aims of the Medium Term Financial Plan. The Committee also recommended that the Cabinet instruct Portfolio Holders and Directors to identify savings and efficiencies to achieve a balanced budget.

2.2.6 Work programme

The work programme detailed at Appendix 1 to the report was agreed with the proviso that discussion should take place at the next pre-agenda meeting about the volume of business scheduled for 5 December 2013 Committee meeting. It was recommended that the Audit Committee undertake the scrutiny of the mid-year review of the Treasury Management strategy to relieve pressure on the agenda for the December meeting. The Children and Young People Overview and Scrutiny Committee was recommended to consider at its next pre-agenda meeting how it will scrutinise schools in relation to performance.

2.2.7 Business case for establishing a communications shared service

Members considered an exempt report into a proposal relating to a shared communications service with East Sussex County Council and recommended Cabinet to agree the proposals subject to:

- The partnership working in line with the Medway Council Procurement Strategy and
- A protocol being developed to ensure that decisions of a certain level continue to be taken by the Cabinet, for example the creation of new posts.

The Committee also recommended that an update report be provided to the Committee on progress with the proposals in six month's time.

3. Children and Young People Overview and Scrutiny Committee

26 September 2013

3.1.1. Medway Safeguarding Children Board (MSCB) Annual Report 2012 and Business Plan 2013/14

The Vice-Chairman of the MSCB introduced the report, highlighting that an independent review of the board had taken place, following the Ofsted inspection of local authority arrangements for the protection of children which took place in January 2013, and that there had been a number of recommendations which had been accepted.

The committee then commented on the following

- Safeguarding against online exploitation;
- Learning from serious case reviews (SCRs);
- Measuring improvement;
- New quoracy rules for Child Protection Conferences (CPCs).

3.1.2. Ofsted inspection of Local Authority arrangements for the protection of children – update report

The Director of Children and Adult Services introduced the report and explained the changes that had taken place in relation to Ofsted frameworks and offered to bring a further report to the committee on the new framework that had just been published.

The committee were advised that there were three key areas that actions fell under as follows:

- Staffing – stabilising permanent staff and reducing the use of agencies;
- Social workers and managers needed to rebuild their confidence and professional curiosity;
- Improvements to multi-agency network.

The Committee was advised that appointments to Assistant Director posts within the Children and Adults Directorate Management Team had been made and the new permanent Assistant Directors were now in post. There was also an active marketing campaign ongoing to recruit vacancies for social workers. The Children's Trust was being replaced with the Medway Children Action Network, which would enable a re-focus of multi-agency working.

The committee then commented on the following: -

- Findings from staff exit interviews;
- Capacity issues due to inducting new staff;
- Timescales for newly qualified social workers to become fully qualified;
- Accommodation offer for social workers;

- The fact that not all looked after children knew about the Children in Care Council or how to complain;
- The Child and Adolescent Mental Health Service.

3.1.3. Ofsted Inspection of Looked After Children

This was discussed under the previous item.

3.1.4. Management action relating to the forecast overspend within the Children's Social Care division

The Committee was provided with the context and an explanation for the current projected overspend in Children's Social Care and the management action being taken to reduce it. £1.2m of the overspend related to Looked After Children (LAC) placement costs with Independent Fostering Agencies (IFAs) and specialist residential provision. An additional £1m of the overspend related to increased staffing costs through additional agency staff.

The Assistant Director, Children's Social Care confirmed the service was committed to not increasing the overspend and was looking to reduce it at each quarter, particularly as more permanent staff are recruited although this would need to be done in a sensible way to maintain a safe level of service.

3.1.5. Special Educational Needs and Disability (SEND) Pathfinder

Officers introduced the report and explained key changes to SEND legislation, which was expected through a new Code of Practice, due to be published in mid October 2013. Education, Health and Care Plans were now being provided to families instead of statements which were more helpful in enabling all agencies to be joined up around the child and had been positively received by families and professionals.

The Committee then commented on the following: -

- Families only having to attend one meeting wherever possible;
- Accessing data through the system 'Frameworki' and confirmation that the social care and SEN teams are working together to share information;
- Clarification of the 'local offer' and that would include supporting families in the options available and in using personal budgets effectively;
- Sustainability of the programme.

The Committee requested that an item is added to a forthcoming meeting of the Committee, and any other relevant Overview and Scrutiny Committees, relating to the local authority's approach to personal budgets and direct payments.

3.1.6. Council Plan Monitoring 2013/2014 – Quarter One

The Director of Children and Adults introduced the report to the Committee and updated Members on the validated Key Stage 2 data which had been received and ranked Medway, along with 12 other

authorities, seventh from its previous place at the bottom of the league tables for Key Stage 2. The Committee congratulated the School Challenge and Improvement Team, along with schools and pupils on this improvement.

The Committee then commented on the following: -

- Governor training – availability issues for Councillors due to Committee commitments and better advertisement and use of other training provided;
- Validated phonics data which would be available shortly;
- Clarification of the use of floorwalkers, who were assisting social care staff in training to use the new system, 'Frameworki'.

3.1.7. Work Programme

The Committee agreed the work programme, subject to the addition of: -

- The Local Authority's approach to personal budgets and direct payments;
- The new Ofsted single framework

The Committee also agreed to hold a briefing on children's health issues in Medway immediately before the Committee's next meeting on 10 December 2013.

4. **Health and Adult Social Care Overview and Scrutiny Committee**

20 August 2013

4.1.1. Outcome of NHS Consultation on Acute Mental Health Inpatient Beds Redesign in Kent and Medway

Following a lengthy debate the Committee agreed to report the matter to the Secretary of State on the following grounds:

- The local authority was not satisfied that the consultation on acute beds had been adequate on the grounds of seriously flawed data presented by the NHS, limited options and other errors made throughout the consultation process and;
- The local authority considered that the proposal would not be in the best interests of the health service in the area of Medway.

Delegated authority was given to the Deputy Director, Customer Contact, Leisure, Culture, Democracy and Governance to take the necessary steps to make the report in consultation with the Chairman and opposition spokespersons of the Committee. West Kent Clinical Commissioning Group were also to be notified of the decision to report to the Secretary of State by 3 September 2013.

4.1.2. Portfolio Holder Held to Account

The Portfolio Holder for Adult Services informed the Committee of highlights within his portfolio and responded to questions on the following topics:

- Community care;
- Health;
- Older people;
- Public Health;
- Services for people with a learning disability;
- Telecare/telemedicine;
- Reviews for people who have personal budgets/direct payments;
- Public Health implications in Council reports;
- Problems faced by people applying for a mortgage but being refused on the basis that a direct payment was not classified as stable income;
- Respite care for carers of people with physical or learning disability;
- Visits to recently privatised homes;
- Budget pressures.

4.1.3. Accident and Emergency Pressures

The Chief Executive of Medway NHS Foundation Trust and the Clinical Director from Medway Maritime Hospital's Accident and Emergency Department (A&E) attended the meeting to introduce this item. They explained the measures being put in place in an attempt to address the peak in demand in A&E, which included staffing changes and visits to other A&E departments to ascertain good practice.

Members asked extensive questions around the staffing in A&E, waiting time targets, condition of some of the public areas and communication with the public in particular.

4.1.4. Review into Quality of Care and Treatment at Medway NHS Foundation Trust

The Chief Executive of Medway NHS Foundation Trust updated the Committee on the review being carried out at the hospital into the quality of care and treatment. As part of the detailed questioning around the review the Chief Executive accepted that the Committee would want to have an ongoing role in monitoring progress of the Mortality Working Group. It was agreed that the mortality figures would be kept under review by means of regular updates including a report in six month's time.

4.1.5. Re-commissioning of Drug and Alcohol Services for adults

The Director of Public Health and the Head of Commissioned Services from Kent County Council introduced a report on the re-commissioning of the drug and alcohol service for Medway. The Committee put forward a number of suggestions and it was stated that the six week consultation period would commence once the delegation agreement with Kent County Council had been signed. The Committee could, therefore, have further input to the consultation.

4.1.6. Medway Adult Mental Health Social Work: First Year Review and Options for the future

The Committee questioned the Principal Officer, Mental Health on his report reviewing the first year of bringing the adult mental health social work back into the Council. The Committee recommended to Cabinet that the team should remain in Council management and be reviewed again in 2016 to provide some stability. Further recommendations to the Cabinet were made around operational working arrangements between the Council's housing teams, adult mental health social work team and local NHS mental health teams to respond to the risk of homelessness to vulnerable adults with mental health problems, and request that management positions be recruited to immediately. The Committee felt it was essential that Medway has at least the national average of acute beds locally to ensure that service users needs are met and other services are not over burdened. Regular updates were requested over the next three years.

4.1.7. Quarter One Performance report

It was decided that, due to the lateness of the hour, Members would submit any questions on the quarter one performance report to the Deputy Director, Children and Adults outside of the meeting.

4.1.8. Work Programme

The Committee agreed to receive information on the Local Welfare Provision and an update on physiotherapy by means of a briefing note. It was also agreed there would be an update on NHS 111 and public access defibrillators should be programmed for the 18 December 2013 meeting.

5. Regeneration, Community and Culture Overview and Scrutiny Committee

14 August 2013

5.1.1. Petitions

In accordance with the Council's petitions scheme, Mr McLennan (the lead petitioner) for the 'Say NO to Rochester Airport Masterplan' petition addressed the Committee and raised a number of questions in relation to the following topics:

- Ensuring residents safety;
- The consultation process;
- Economic strategy;
- Financial investment.

Mr McLennan then responded to a number of questions from Members following which the Committee noted the concerns raised and the responses to a number of other petitions set out in paragraph 3 of the report.

5.1.2. Rochester Airport Masterplan Consultation

Members generally welcomed a report on the Rochester Airport Masterplan Consultation but raised a number of points and issues in particular on the following topics:

- Financial justification;
- Number of movements at the airport;
- Land at Woolmans Wood;
- Impact on residents.

Concern was expressed that the Masterplan did not recognise the loss of amenity space to residents and did not address road access sufficiently. A proposal for a Community Impact Study was put forward but lost. The Cabinet was recommended to adopt the Masterplan and the improvements and employment opportunities welcomed by the Committee.

5.1.3. Attendance of the Portfolio Holder for Front Line Services

The Portfolio Holder for Front Line Services gave a report on activities and progress on work areas within his portfolio and was asked questions in particular around the following topics:

- Planning and winter maintenance;
- Capital projects;
- Recycling;
- Chatham Bus Station;
- Road Safety;
- Parking;
- Buses and Smart ticketing;
- Medway Tunnel and LED Lighting;
- Darnley Arches, Strood;
- Gun Lane, Strood – timing of traffic lights;
- Station Road, Rainham – Pavements/Shop Fronts.

The Committee thanked the Portfolio Holder and welcomed the offer of a report on improvements to Darnley Arches to a future meeting.

5.1.4. 2013/2014 Quarter One Performance Monitoring

Members welcomed the report and raised a number of points and questions which included:

- Decline in satisfaction with road maintenance;
- Local Development Framework (land at Lodge Hill/Chattenden);
- Open top tour bus;
- Riverside 1 – improved customer satisfaction rates.

The Committee noted the report and welcomed the benchmarking methodology provided as an appendix to the report.

5.1.5. Kent Downs Area of Outstanding Natural Beauty (AONB) Management Plan

The Committee was informed that the current Kent Downs AONB Management Plan expired in April 2014 and the Kent Downs AONB Unit had carried out a review to ensure that a new plan was in place by April 2014.

Following revisions to the draft plan, the Council would be required to formally adopt the management plan as part of its policy framework. A final report would be presented to Cabinet in late 2013/early 2014. Members noted the report and supported the aims and objectives of the Kent Downs Area of Outstanding Natural Beauty Management Plan 2014/2019.

5.1.6. Work Programme

The Committee agreed to visit Chatham Bus Station in the middle of November, prior to a report being presented to them in December.

A number of items were added to the work programme as follows:

- An annual update on domestic abuse;
- A summary report on the early findings following the Rochester Airport Masterplan consultation;
- A Member's item on car-parking enforcement and resident parking permits;
- A report to a future meeting on the proposed improvements at Darnley Arches, Strood.

The transfer of housing issues to Business Support O&S Committee was noted.

3 October 2013

5.2.1 Attendance of the Portfolio Holder for Strategic Development and Economic Growth

The Portfolio Holder for Strategic Development and Economic Growth gave a report on activities and progress on work areas within her portfolio and was asked questions in particular around the following topics:

- TIGER Loans Fund;
- Local Development Framework;
- Free car parking/The Portas Initiative;
- Youth Unemployment;
- Broadband Development;
- Strood Community Hub;
- Implications if development at Lodge Hill does not proceed;
- City Deal;
- Shop occupancy rates.

The Committee thanked the Portfolio Holder for her attendance.

5.2.2 Member's Item: Use of the bus lane, Canal Road, Strood

Councillor Hubbard presented an item supporting a proposal to allow use of the bus lane in Canal Road in Strood by taxis on the basis that this is a strategic transport link, the Council has an integrated transport policy and taxis are allowed to use all other bus lanes in Medway. He argued that the change would enable taxis to access Medway City Estate more quickly and relieve pressure of traffic flow in Commissioners Road and other residential roads in Strood, such as Banks Road and Station Road.

Members were informed that the consultation period closed on 3 October and further responses may come in over the next few days. Initially residents in 28 properties likely to be directly affected had been consulted. Eight responses had been received; four in agreement and four against. At the request of the Councillor Hubbard residents in a further 32 properties in Commissioners Road had then been consulted. Of the twelve responses received, nine were in agreement and three disagreed with two neutral returns.

An alternative view was expressed by Councillor Etheridge who referred to assurances originally given to residents of Canal Road that the bus lane would not be extended for use by taxis or other vehicles. She also argued there was a possibility taxis would still use residential roads in Strood even if the bus lane was available to them.

Members noted the provisional findings of the consultation and agreed to receive a further report outlining proposals at the next meeting of the Committee to include scope for minor works that could be undertaken to mitigate the impact on residents in Canal Road.

5.2.3 Member's Item: Parking

Councillor Osborne introduced an item he had requested on parking. He expressed a view that the Council had an aggressive stance on parking enforcement based on the number of Penalty Charge Notices (PCN's) issued in Kent and Medway in comparison to other areas (and cited London as an example) and the high number of appeals against PCNs in Medway. Councillor Osborne referred to information provided in the report showing a fall in the number of PCNs issued by the CCTV cars and questioned whether the cars were now cost-effective in terms of future revenue projections. He also drew attention to a significant rise in PCNs issued for bus lanes and queried whether the number of double yellow lines in Medway should be reviewed.

The Committee was advised by officers that:

- CCTV Cars currently target schools at the beginning and end of the day and are used for enforcement in other high risk areas in Medway during the remainder of the day including areas where road safety is an issue or where Community Enforcement Officers (CEOs) are at risk of assault;

- Benefits of the CCTV cars are their capacity to respond quickly over a large area and their use to protect CEOs from verbal and physical abuse as well as their visibility in terms of deterring parking offences;
- Static cameras were now in place at Chatham bus station and in the bus lane at Canal Road and the road layout at Chatham Bus station has been modified to deter drivers;
- 326 requests had been received for visits to schools in 2012/13;
- Of the 15,470 appeals received in 2012/13, 5326 had been upheld. 78 appeals had been referred to the external adjudicator and of these, 46 had been upheld. The Council upholds a significant number at stage one of the appeals process.

The Committee thanked officers for the report and commended the Council's Community Enforcement Officers for the work they are doing. It was agreed the information in the report should be in the public domain and a briefing note was requested providing details of the PCNs issued in the vicinity of schools and a breakdown of visits made to schools by the mobile CCTV cars.

5.2.4 Rochester Airport Masterplan Consultation – Update

The Committee discussed a report providing a preliminary overview of the responses received so far to the consultation on the Masterplan. The Committee was advised that around 900 responses had been received. 746 were on pre-printed forms distributed to local residents and of these 92% expressed strong disagreement to the proposals. 17% of responses had been submitted independently. Of these, 29% were in strong disagreement, 3.5% in disagreement, 15% in support and 51% in strong support.

The Committee was advised that a report including a schedule of responses to consultation would be submitted to the Cabinet on 26 November 2013 and a final report would be presented to Full Council on 23 January 2014.

A motion to ask the Cabinet to reconsider its proposals in light of the outcome to the consultation was moved and lost on being put to the vote.

Members noted the responses to the consultation and asked that any further reports should include a scattergram map showing where residents who responded to the consultation lived.

5.2.5 Darnley Arches, Strood

The Committee considered an update of the planned work at Darnley Arches in Strood. Members welcomed the proposals and supported the proposed option but asked for additional provision to secure pedestrian safety in the detailed design, particularly in Northcote Road.

Officers agreed to meet with Ward Members to review the detailed design at a later stage. The Committee supported the recommended option with additional priority to be given to pedestrian safety and an

opportunity for members of the Committee to comment on the final design by email once finalised after a Ward Member meeting and consultation with Strood Town Centre Forum.

5.2.6 Review of NI167 – Measurement of journey times

The Committee discussed the current method of measuring journey times along key transport routes and supported proposed enhancements.

It was agreed to recommend the Director of Regeneration, Community and Culture to alter the method of reporting journey times on Medway's highway network and that this was to be amended to focus on individual key routes and average journey times on the network along a revised collection of routes, and that this be done in consultation with a small group of members from the committee on the ratio of 2:1:1. Members asked that officers report back on the operation of additional cameras to enable the effective monitoring of key routes.

5.2.7 Petitions

The Committee discussed a petition calling for the re- location of a bus shelter on Woodlands Road, outside Woodlands Academy. Although the officer response had stated that the re-location of other bus stops in Medway have a higher priority the Committee asked officers to organise a site visit to the bus shelter in Woodlands Road during school hours to review concerns raised by Ward Members and the lead petitioner . Members suggested the cost of re-location could be met partially from ward improvement funds. The Committee agreed the site visit could also be used to review traffic and parking issues between Sturdee Avenue and the traffic lights in Woodlands Road. Ward Members for Twydall and Gillingham South will be invited to attend.

The Committee noted the report on petitions received and the appropriate officer action and recommended that officers meet the lead petitioner in relation to the bus shelter outside Woodlands Academy, and review other issues in that area during school hours.

5.2.8 Work programme

The Committee reviewed its work programme and added a members item on the possibility of introducing a volunteer scheme known as Snow Angels in Medway which would involve local residents assisting the Council with clearing snow and ice in residential areas.

Background papers

None

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