

COUNCIL

24 JULY 2014

REPORT ON OVERVIEW AND SCRUTINY ACTIVITY

Report from: Neil Davies, Chief Executive

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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 24 April 2014.

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 summary of business conducted. For further detail please refer to the minutes of each Committee which are published on the Council's website using the weblinks under each section. The agendas and reports for each meeting are also available online via the same weblinks.

1.2 Hard copies can also be supplied on request and are also available at Chatham, Gillingham and Strood Libraries.

2. Business Support Overview and Scrutiny Committee

2.1 3 July 2014

<http://democracy.medway.gov.uk/ieListDocuments.aspx?CId=123&MId=2947&Ver=4>

2.1.1 **Report title** Hot Food Takeaways in Medway: A Guidance Note

Business type Policy development / pre-decision scrutiny

Outcome

(a) The Committee noted the responses received on the consultation on the draft Hot Food Takeaway guidance note.

(b) The Committee passed on their appreciation to the Young Inspectors for all their hard work in relation to the consultation on this guidance note.

- (c) The Committee supported the introduction of the guidance note as part of an integrated package of health interventions.
- (d) The Committee supported the restriction of opening times for new hot food takeaways within 400m of schools and noted that it was intended that new takeaways near secondary schools would be restricted at lunchtimes and for the period after school and new takeaways near primary schools would be restricted from opening in the period after school.
- (e) A briefing note to be sent to the Committee on “Saved” Policy R18 and the extent to which this has been used previously to minimise the clustering and operating hours of takeaways and the scope for it to be invoked more proactively in the future.
- (f) A briefing note be sent to the Committee clarifying the position on A3 and A5 use classes, the potential for further work to restrict the number of premises being designated with A5 use class with particular reference to shops owned by the Council and the Council’s response to restaurants and cafes with A3 use class which subsequently expand to offer takeaway food.
- (g) The Committee wished Therese Finn – Policy Planning Officer good wishes for the future.
- (h) The Committee asked for an investigation into the possibility of there being no minimum square meter requirement for developer contributions under Section 106 agreements for all new takeaway premises designated with A5 Use Class.

Outcome of Cabinet consideration (15 July 2014)

The Cabinet approved the changes as set out in paragraph 4.27 of the (Cabinet) report and in the amended guidance note (attached as Appendix 1 to the Cabinet report) with adoption of the document as a material consideration in the determination of planning applications for hot food takeaways in Medway.

2.1.2 **Report title** **Update on Medway Norse**

Business type Service review

Outcome

The Committee noted the report and agreed that:

- (a) Information about Medway Norse and its activities should become a regular feature in Medway Matters.
- (b) Officers to investigate the possibility of Norse becoming the possible contact for Councillors wishing to engage contractors to deliver ward based initiatives to be funded from the Ward Improvement Fund.

- (c) Medway Norse should initiate discussions with as many large public sector organisations as possible including hospitals, Kent Police and the University of Kent and that the Acting Managing Director should personally pursue dialogue with Medway NHS Foundation Trust as soon as possible. The Committee to be provided with a Briefing Note on progress.
- (d) Medway Norse should inform Councillors and residents of any changes in service or provision in relation to grounds maintenance.
- (e) A representative of Quadron be invited to the meeting of the Committee when the next Medway Norse update report is being considered.
- (f) The Committee be supplied with a copy of the sales and marketing plan mentioned in paragraph 3.30 of the report.
- (g) A site visit to the Pier Road depot be arranged for the Committee once work on the site is complete.

Outcome of Cabinet consideration (15 July 2014)

The Cabinet noted the report.

2.1.3 Report title Procurement Strategy Review Six Months On

Business type Policy development

Outcome

- (a) That the Council's progress against the measures of success in the Procurement Strategy be noted.
- (b) That further reporting to the Committee be annually on the anniversary of the Procurement Strategy with effect from September 2015.
- (c) That a copy of the booklet "How to do business with Medway" be supplied to the Committee.
- (d) That the Councillors be included in the future engagement and consultation with Small and Medium Enterprises.
- (e) A briefing note to be supplied to the Committee alternative measures to control the Council's small spends.
- (f) A report be submitted to the Committee on the progress in facilitating suppliers bidding as a consortium or partnership.

2.1.4 Report title Update on Discussions with the Gambling Commission

Business type Policy development

Outcome

The Committee:

- (a) noted the report.

- (b) welcomed the meeting to be held with local businesses on 23 July 2014 to pursue the idea of a Medway Responsible Gambling Partnership.
- (c) thanked Councillor Juby and Councillor Maple for all their hard work on this initiative.

2.1.5 Report title Petitions

Business type Community issue

Outcome

The report was noted.

2.1.6 Report title Work Programme

Business type Work programming

Outcome

The Committee:

- (a) noted the report and the items identified for inclusion in the work programme;
- (b) agreed the changes to the work programme as set out in paragraph 3.2.1: and
- (c) noted the work programmes of all overview and scrutiny committees (set out in Appendix 2 of the report).

3. Children and Young People's Overview and Scrutiny Committee

3.1 June 2014

<http://democracy.medway.gov.uk/ieListDocuments.aspx?Cid=378&Mid=2965&Ver=4>

3.1.1. Report title Outcomes of Consultation for the Proposed Prescribed Alterations at Danecourt Special School

Business type Pre-decision scrutiny

Outcome

The Committee:

- (a) requested that the Director of Children and Adults Services include Danecourt Special School as a potential site for respite care provision as part of the review of Medway Council's short break provision and noted that a report on the review will be considered at a future meeting of this committee, prior to Cabinet consideration; and
- (b) noted the report and forwarded it to Cabinet for consideration.

Outcome of Cabinet discussion (15 July 2014)

The Cabinet noted the responses to the informal consultation process together with the comments of the Children and Young People Overview and Scrutiny Committee and instructed the Director of Children and Adults Services to commence the period of statutory representation of the proposals for the expansion of Danecourt Special School as set out in section 11.2 of the (Cabinet) report, when statutory notices and full proposals will be published.

The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with Portfolio Holder for Children's Services (Lead Member), to determine whether to approve the proposals at the end of the statutory consultation period if no objections are received. However, if any objections are received during that time then a report will be prepared and presented to Cabinet for determination.

3.1.2. Report title Sure Start Children's Centres and Early Childhood Outcomes 2013-14

Business type Service review

Outcome

The Committee thanked the Strategic Manager Early Years and noted the report.

3.1.3. Report title Safeguarding Peer Review

Business type Service review

Outcome

The Committee:

- (a) requested an all Member briefing on the work of the safeguarding team, referral processes, signs and safeguarding thresholds;
- (b) noted the report.

3.1.4. Report title Work Programme

Business type Work programme

Outcome

The Committee:

- (a) noted the report and agreed the work programme set out at Appendix 1, subject to the Review and Update of the School Organisation Plan now being considered on 18 September, rather than 15 July 2014

owing to a change in the timetable for Cabinet;

- (b) requested that the report on Child and Adolescent Mental Health Services (CAMHS), due at the next meeting of the Committee, includes information on the provision of services during the transition period between adolescence and adulthood;
- (c) noted that a Briefing Note on schools obtaining Academy status in Medway will be circulated to members of the Committee for information in September;
- (d) noted that a further election process for Parent Governor Representatives will commence in September 2014;
- (e) noted that a Briefing Note on recent legislative changes regarding Young Carers had been circulated to the Committee by email on 2 June 2014.

4. Health and Adult Social Care Overview and Scrutiny Committee

4.1 **24 June 2014**

<http://democracy.medway.gov.uk/ieListDocuments.aspx?CId=131&MId=2994&Ver=4>

4.1.1. **Report title Petitions**

Business type Community issue

Outcome

- (a) It was agreed that, in relation to the Delce Medical Centre petition:
 - (i) a letter be sent to the GMC, on behalf of the Committee, requesting a speedy resolution to the dispute with Dr Elapatha in the interests of the patients of the Delce Medical Centre;
 - (ii) Healthwatch Medway are asked to facilitate a meaningful discussion between NHS England, Kent and Medway with the patients of Delce Medical Centre with the proviso that Dr Elapatha gives consent to the disclosure of the relevant documentation;
 - (iii) NHS England, Kent and Medway should be invited to attend a future meeting of the Committee to discuss plans for the future provision of primary care
- (b) The Council's response to the petition relating to Izzatt Day Service was noted.

4.1.2. **Report title** **Acute mental health inpatient beds review update**

Business type Community issue

Outcome

The Committee agreed that:

- (a) A further report should be brought to the next meeting to update the Committee on progress addressing a range of issues raised during the debate;
- (b) Discussion should take place between the Senior Public Health Intelligence Manager and the Director of Transformation and Commercial Development about the most appropriate format for reporting data back to the Committee to ensure a consistent method for monitoring progress

4.1.3. **Report title** **Update on report of the Mid Staffordshire NHS Foundation Trust Public Inquiry: Implications for Medway Council**

Business type Community issue

Outcome

It was agreed that the Director of Children and Adults consults with the Chairman of both the Health and Adult Social Care O&S Committee and the Children and Young People O&S Committee together with the Director of Public Health, the Chief Operating Officer of the NHS Medway CCG and the CQC to agree the format of Member training on health scrutiny and roles and responsibilities. This training should take place shortly after the release of the CQC report relating to Medway NHS Foundation Trust.

4.1.4. **Report title** **Support for carers**

Business type Community issue

Outcome

- (a) The Deputy Director, Adult Services was thanked for his report;
- (b) It was agreed that officers should give consideration to reporting back to the Committee on using a health equity audit around the topic of carers with protected characteristics.

4.1.5. **Report title** **Quality of care and value for money – adult social care in Medway**

Business type Community issue

Outcome

- (a) The report was noted;
- (b) It was agreed that a briefing note would be provided on the topic of Medway College of Social Care.

4.1.6. **Report title** **Adult Social Care – Annual Complaints and Compliments Report – April 2013 to March 2014**

Business type Annual report

Outcome

The Deputy Director, Adult Services and the Business Improvement Manager were thanked for their report.

4.1.7. **Report title** **Work programme**

Business type Work programme reports

Outcome

It was agreed that:

- (a) the following reports be added to the work programme:
 - a consultation on a proposed change to the dermatology service to be reported to the 19 August 2014 meeting
 - the Annual Public Health report for the December 2014 meeting
- (b) a discussion between the Chairmen of this Committee and Children and Young People's Overview and Scrutiny Committee should take place to consider how best to take forward the issues raised above which affect both Committees.

5. Regeneration, Community and Culture Overview and Scrutiny Committee

5.1 **26 June 2014**

<http://democracy.medway.gov.uk/ieListDocuments.aspx?CId=132&MId=3056&Ver=4>

5.1.1. **Report title** **Annual Scrutiny of the Community Safety Partnership**

Business type Holding to Account

Outcome

It was agreed that:

- a) The representatives of the Community Safety Partnership be thanked for attending the meeting to report on the work of the Community Safety Partnership for 2013 – 2014.
- b) The Assistant Director – Front Line Services be requested to discuss with the partners of the Community Safety Partnership the issue of pavement parking.
- c) It be noted that the Chief Constable is currently reviewing powers granted to PCSOs and that Superintendent Richards will provide an update on the full range of PCSO powers in the near future.
- d) It be agreed that the annual scrutiny of the Community Safety Partnership should take place at the same time that the Committee considers the findings of the Strategic Assessment and Action Plan, noting that the effect in 2014 will be the scrutiny of the Community Safety Partnership in December 2014.

5.1.2. **Report title** **Flood and Water Management Act 2010 – Roles and Responsibilities and the Local Flood Risk Management**

Business type Pre-decision scrutiny

Outcome

Outcome

The Committee thanked the Flood Risk Management Officer for her report and agreed the following:

- a) The new responsibilities added to the Employee Delegation Scheme be noted.
- b) The progress of the Local Flood Risk Management Strategy be noted.
- c) The Committee's appreciation be extended to those staff involved in the recent flood risk which involved work beyond the call of duty.
- d) It be noted that flood risk will form part of the Guide to Developer Contributions at a future date.

5.1.3. **Report title** **Rochester Riverside Masterplan**

Business type Pre-decision scrutiny

Outcome

- a) The Committee welcomed the vision for a high quality development at Rochester Riverside and noted that the revised Development Brief and Masterplan for Rochester Riverside and the results of the consultation and comments will be considered as part of the review period and incorporated into the development work for the final version of the Brief.
- b) It was agreed that this Committee's comments be submitted as follows:
- Officers be requested to investigate provision of an open air entertainment area within the area;
 - Officers investigate the provision of mooring facilities for visiting small craft;
 - It be noted that Officers have confirmed that a good level of secure cycle parking provision will be provided within the development;
 - The level of parking provision within the development should conform to the Council's Interim Parking Standards;
 - The proposed development should include provision of a primary school on site; and
 - Castle View Estate not be made a through road within the development.

5.1.4. **Report title** **De-cluttering Strood High Street - Update**

Business type Policy development

Outcome

- a) The Committee expressed its appreciation to officers for the work undertaken on the Strood High Street project and noted the report and the work underway to reduce the number of obstructions to pedestrian movements and improve the visual appearance of Strood Town Centre; and
- b) Prior to undertaking a consultation on the proposed works within Strood High Street, Officers meet with Ward Councillors and Parish Councillors to discuss the proposals.

5.1.5. **Report title** **Update to Guide on Developer Contributions**

Business type Pre-decision scrutiny

Outcome

The Committee agreed that the revised Developer Contribution Guide 2014 (for consultation) and the representations received be noted.

Outcome of Cabinet discussion (15 July 2014)

The Cabinet agreed to adopt the updated 2014 draft Guide to Developer Contributions, as set out in Appendix 1 to the (Cabinet) report subject to 4.1 (page 19 of the guide) being amended to read:

“The Council target is up to 25% of homes to be affordable homes on any site meeting the Council’s size thresholds.”

The Cabinet agreed to delegate authority to the Director of Regeneration, Community and Culture, in consultation with the Portfolio Holder for Strategic Development and Economic Growth, to make any minor amendments needed to the draft Guide to Developer Contributions, prior to adoption.

5.1.6. **Report title** **Petitions**

Business type Community Issues

Outcome

The Committee noted the Officers response to the petitions and that as the petitioners had not sought a review of the matter by this Committee, the report was for information only.

5.1.7. **Report title** **Work programme**

Business type Work programming

Outcome

In line with the decisions/suggestions from the agenda planning meeting the Committee’s work programme be updated as follows:

- The inclusion of a programme of attendance by the Leader and Portfolio Holders for 2014/15.
- The inclusion of a Member’s Item in August from Councillor Osborne relating to wi-fi access across Medway.
- The outcome of the consultation process for the Medway Statement of Community Involvement to be reported in August.
- The inclusion of Capital and Revenue Budget monitoring in December.
- The reporting of Quarter 3 Performance Monitoring to be scheduled for April 2015 not January 2015.

- The removal of the report on the Community Infrastructure Levy from the list of reports for which dates have yet to be determined.
- High marginal cost of bus travel be reported on 18 December 2014; and
- A report on the Community Officer Service be reported on 18 December 2014.

Background papers

None

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