

Medway Council
Meeting of Business Support Overview and Scrutiny
Committee

Thursday, 7 July 2016

7.00pm to 9.20pm

Record of the meeting

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

Present: Councillors: Carr (Chairman), Avey, Freshwater, Griffiths, Maple, Murray, Opara, Royle and Wildey

Substitutes: Councillors:
Bhutia (Substitute for Clarke)
Franklin (Substitute for Tejan)
Purdy (Substitute for Etheridge)

In Attendance: Rob Dennis, Head of Property and Capital Projects
Noel Filmer, Head of Valuation and Asset Management
Stephanie Goad, Assistant Director Transformation
Jan Guylor, Head of Legal Services/Deputy Monitoring Officer
Wayne Hemingway, Democratic Services Officer
Ian Price, Managing Director, Medway Norse
Carl Rogers, Head of Category Management, Place
Phil Watts, Chief Finance Officer

139 Apologies for absence

Apologies for absence were received from Councillors Clarke, Etheridge, Hall and Tejan.

140 Record of meeting

The record of the meeting held on 14 April 2016 and the record of the Joint Meeting of Committees held on 18 May 2016 were agreed and signed by the Chairman as correct.

141 Urgent matters by reason of special circumstances

There were none.

142 Declarations of interests and whipping

Disclosable pecuniary interests

There were none.

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Other interests

Councillor Griffiths declared an interest in agenda item 6 (Update on Medway Norse) because he is a member of the Danecourt School Trust and the School uses Medway Norse SEN Transport provision.

The Assistant Director, Transformation stated that, with reference to agenda item 6 (Update on Medway Norse), she is a (Council appointed) Director of Medway Norse.

143 Call In - Various Land Disposals

Discussion:

Members considered a report regarding a call-in received from six Members of the Council of Cabinet's decisions (87/2016 – 7 June 2016) in relation to various land disposals. The Committee was requested to consider the Cabinet decisions and decide either to take no further action or to refer the decision back to Cabinet for reconsideration.

Councillor Maple, the Lead Member for the call-in, explained the reasons for the call-in as outlined in paragraph 2.2 of the report. In particular, he made the following points to the Committee:

That the Labour Group rarely used the call-in procedure in comparison, nationally, to opposition groups on other Local Authorities.

That the Labour Group was not opposed, in principle, to the disposal of land.

That the Labour Group recognised the Council's financial situation.

That given the Portfolio Holder for Resources had indicated that further reports may be submitted to Cabinet on land/property disposals, it was necessary to establish a set of principles for the process for such disposals, including how consultation should be undertaken.

That there were a variety of complex matters considered by the Cabinet on 7 June and that the form of consultation would be different for each of the matters.

That the Cabinet's decision and reasons for decision had not made reference to consultation nor the improvement of any facilities.

That the Cabinet had agreed consultation on proposals on a different matter at the same meeting (decision no. 84/2016 - Short Breaks Provision for Children with Disabilities and the Local Offer), and that the Cabinet should have formally agreed to consultation on the various land disposals.

That, in conclusion, the Cabinet should be asked to reconsider decision 87/2016 with a recommendation to start a public conclusion on the seven sites.

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Members then raised a number of questions and comments which included:

Concern was expressed that the Council's service departments had not objected to the proposals (paragraph 7.1 of the Cabinet report) which suggested that there had not been any analysis on the impact of the disposals on the Council's strategies (e.g. Council Plan, Housing Strategy) or existing services.

That there had not been any reference to consultation with partners about whether any of the sites could be used to become community facilities.

That comparison with the issue with Short Breaks Provision was not appropriate given the scale and nature of the particular issues relating to short breaks provision.

That there was general support for the proposals, however, individual schemes needed to be looked at closely, for example, parking provision at Luton Road Shoppers Car Park, recognising that any improvement would be positive.

That the individual proposals presented to the Cabinet would have benefitted from being more developed and that it had been unhelpful that such a wide range of proposals had been included in one report and that any future proposals to Cabinet should be in single reports or grouped by type.

That there had been no analysis of the social impact of the disposal of Aburound House. The Head of Valuation and Asset Management informed the Committee that it was no longer used by the current leasee for operational purposes, however, the leasee had expressed an interest in acquiring the lease from the Council.

That there was some merit in some of the proposals, however, further detail was needed, as well as consultation being undertaken.

During discussion, the Head of Valuation and Asset Management confirmed that that Cabinet had agreed to delegate authority to the Chief Legal Officer, in consultation with the Leader and Portfolio Holder for Resources, to make the decisions set out in decision no. 87/2016.

Councillor Gulvin, Portfolio Holder for Resources, was invited by the Chairman to address the Committee to explain the basis for the Cabinet's decisions:

That it was not the intention to dispose of the community facilities at White Road and Hook Meadow without ensuring that community facilities were reprovided as part of the process.

That the redevelopment of the White Road site would enable the provision of much needed social housing as well as the reprovision of the community facilities.

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That the Hook Meadow site was no longer fit for purpose and that redevelopment was necessary to allow the re-provision of community facilities.

That there would be extensive consultation in respect of these sites and that this would represent an opportunity to ask local residents what they would like to see provided.

That some of the sites (e.g. Whiffens Avenue and land at the Esplanade) represented a good opportunity to provide housing.

That the re-provision of disabled car parking spaces in Rochester would provide a better mix of parking (spaces would be re-provided at Northgate, Almond Place and at Rochester Station) whilst allowing the development of the Kings Head site which used to have buildings at that location.

In response to a question, the Portfolio Holder confirmed that the Hook Meadow and White Road community centres would be re-provided as part of the proposals.

In response to a question, the Portfolio Holder accepted that it had been unhelpful to submit one report to Cabinet given that some of the proposals in the report were more complex than others, and that it would be appropriate for any future disposals to be submitted either in single reports or in reports grouped by type.

He also stated that Members would be able to consider these matters when presented to the Planning Committee for consideration, noting that, on certain occasions, it may be appropriate for the Council to apply for planning permission prior to the disposal of some of the sites.

In response to a question, the Portfolio Holder stated that he would expect Ward Members to be involved in consultation.

The Committee considered a proposal that the cabinet reconsider the decisions with a recommendation to start a public consultation on the seven sites, as set out in paragraph 2.2 of the report. On being put to the vote, the proposal was lost.

Decisions:

- (a) The Committee recommended to Cabinet to reconsider decision no. 87(iii)/2016 as follows:

“To close the Hook Meadow Community Centre, Library and Changing Rooms, Chatham, and declare them surplus, appropriate them and dispose of them on the best terms reasonably obtainable whilst entering into any necessary agreements concerning the re-provision of the community facilities at Hook Meadow as set out in paragraph 3.3 above”.

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- (b) The Committee recommended to Cabinet to reconsider decision no. 87(iv)/2016 as follows:

“To close the White Road Community Centre, Chatham, declare it surplus, appropriate it and dispose of it on the best terms reasonably obtainable whilst entering into any necessary agreements concerning the re-provision of the community facilities at White Road Community Centre, as set out in paragraph 3.4 above”.

- (c) The Committee agreed that each of the proposals is reported back to the Committee before any decision is taken.

144 Update on Medway Norse

Discussion:

Members considered a report which outlined Medway Norse’s achievements and performance up to the final quarter in its third year of trading. Ian Price, Managing Director, Medway Norse, was in attendance for this item.

Members raised a number of questions and comments which included:

Rochester Adult Education Centre - That the Managing Director’s assistance in relation to the proposed closure of the café at the Rochester Adult Education Centre had been appreciated.

Medway Norse budget - That there should be a role for the Committee in scrutinising Medway Norse’s budget proposals. The Managing Director stated that he would be willing to attend each Committee meeting if appropriate and that the issues for consideration could flow from the Medway Norse quarterly Board Meetings and discussion at the Committee’s agenda planning meetings.

Growth of Medway Norse - The Managing Director explained Medway Norse’s policy in relation to bidding for contracts, e.g. cleaning and grounds maintenance contracts.

Weed control on the highway - The Managing Director confirmed that Veolia would have responsibility for weed control on highways and that Medway Norse’s responsibility was for greenspaces only.

Grass cutting - In response to Members’ concerns on specific issues, the Managing Director confirmed details of the grass cutting rotas but given the current growth levels, owing to the weather, there were insufficient resources to increase grass cutting capacity. He also stated that there would be occasions where different contractors had responsibility for grass cutting for adjacent sites.

SEN Transport - the Managing Director confirmed that Medway Norse was responsible for the in-house delivery of some SEN Transport services and that further growth in this area was planned from September 2016.

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Staffing issues and pension costs - In response to a question, the Managing Director stated as a result of a recent proposal, one Medway Norse employee had chosen to take voluntary redundancy with three employees redeployed elsewhere. He confirmed that pension costs were budgeted for.

Decision:

- (a) The Committee noted the report.
- (b) The Committee agreed that an update on Medway Norse be considered for each meeting of the Committee subject to discussion at the Agenda planning meeting as to the content of each report.

145 Procurement Strategy 2016-2021

Discussion:

Members considered a report which set out proposals for the new Procurement Strategy 2016-21. The report stated the Strategy would be submitted to Cabinet on 9 August 2016 for approval.

Members raised a number of questions and comments which included:

Child Sexual Exploitation (CSE) and Domestic Abuse - Whilst it was positive that (CSE) and domestic abuse had been referenced within the Strategy, consideration should be given to including such references within the introduction and measures of success and that reference also be made to the White Ribbon campaign within the Strategy.

Innovation Centre - That consideration should be given to setting a target for companies moving out of the Innovation Centre as they grow and develop. It was noted that officers would give further consideration to this suggestion.

Voluntary Sector - Clarification was sought on the level of support the Voluntary Sector should receive for free given the commercial approach by the service suggested in the Strategy. The Head of Category Management (Place) explained the level of support given to the Voluntary Sector which included support and advice at the annual "Meet the Buyer" event.

Purchasing cards - In response to a question about the potential for fraud, the Head of Category Management (Place) explained the procedures that were in place to control any expenditure on purchasing cards. He also explained that there was an opportunity to earn cash back on the use of such cards.

Decision:

The Committee agreed to forward its comments on the Procurement Strategy 2016-21, as set out above, to the Cabinet on 9 August 2016.

146 Council Plan End of Year Q4 2016/16 Performance Monitoring Report

Discussion:

Members considered a report which summarised performance of the Council's key measures of success for quarter 4 (end of year) 2015/2016, as set out in the Council Plan 2015/16.

Members raised a number of questions and comments which included:

NI156 – Number of households in temporary accommodation - Clarification was sought as to how improvements on this indicator had been reached. The Assistant Director, Transformation stated that the improvement in this indicator was a result of the prevention activity undertaken, the aim of which was to reduce the numbers of people presenting themselves as homeless.

Key Project: New Council Homes for Medway / Homelessness - Whilst completion of one property in quarter 4 should be applauded, significant work was required to increase the number of new homes in Medway.

Whether the Council had given any consideration to the development of Land Trusts. This would enable the Council to grant a leasehold to developers for the provision of affordable housing and the Council would also be able nominate people to live in such housing. The Chief Finance Officer stated that Members and officers had recently visited Wokingham to look at such a scheme and that this type of scheme would form part of the Council's considerations for future housing provision.

A Member asked if further consideration could be given to "Housing Matters", the Council's magazine for tenants and leaseholders, to include more informative articles on the future provision of housing.

A Member expressed concern as to the recent death of a homeless person in Chatham, as reported in the Medway Messenger.

Clarification was sought on the completion date for Centenary Gardens (Phase II). The Assistant Director, Transformation, undertook to report back to Members on this.

It was confirmed that of the 172 affordable homes delivered during the period, that 23 homes had been built by the Council with the remainder being built by private developers.

The Committee expressed disappointment that there were no Housing officers present at the meeting.

Rochester Airport - Clarification was sought on the timelines for the Planning Committee's consideration of the planning application and a decision on the business case. The Assistant Director, Transformation stated that she would report back to Members on these matters.

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Whether the government funding of £4m for the development of Rochester Airport needed to be paid back by a certain date if no development had been undertaken and the impact that this may have on the £4m originally set aside by the Council and subsequently used for other purposes. The Chief Finance Officer indicated that there would be no requirement to return Local Growth Fund (LGF) funding for the Rochester Airport phase 1 infrastructure, as a result of delays in project delivery.

The potential impact of the delay on Rochester Airport Ltd was also discussed.

Referrals to the Local Government Officer (LGO) - Comparative data was requested for future reports so the Council's performance could be measured against other Local Authorities. The Assistant Director, Transformation, stated that the LGO published an annual report, therefore, it would be possible to include comparative data in future performance monitoring reports.

Delivering fair and responsive services - It was confirmed that Medway Council was in the Stonewall Top 100 Employers for 2016.

Street Scene Enforcement Team - Clarification was sought on the range of fines applicable for flytipping. The Assistant Director, Transformation, undertook to report back to Members on this.

User satisfaction with events – Clarification was sought on whether the Fuse Festival was taking place this year. The Assistant Director, Transformation, undertook to report back to Members on this.

The Assistant Director, Transformation, undertook to ensure, in general, that updated information would be included in future reports as far as possible.

Decision:

The Committee noted the quarter 4 end of year 2015/2016 performance against the key measures of success used to monitor progress against the Council Plan 2015/16.

147 Petitions

Discussion:

Members considered a report which provided details of two petitions which fell within the remit of this Committee.

In relation to the petition regarding disabled toilet facilities, the Committee noted that there should be no charge for the use of disabled toilet facilities located in Council leisure facilities.

Decision:

The Committee noted the report.

148 Work Programme

Discussion:

Members considered a report advising the Committee of the current work Programme.

Members discussed a proposal that reports be submitted to the August meeting regarding the financial impact on the Council of the EU referendum decision, the government consultation on business rates retention and rate relief for charities and the voluntary sector. It was also suggested that Members be provided with some background information on these matters before the meeting.

Decision:

- (a) The Committee agreed the work programme, as set out in Appendix 1 to the report, subject to the following issues being reported to the Committee on 25 August 2016:
 - (i) The financial impact on the Council of the EU referendum decision;
 - (ii) Government consultation on business rates retention;
 - (iii) Rate relief for charities and the voluntary sector.
- (b) The Committee noted the work programmes for all Overview and Scrutiny Committees, as set out in Appendix 2 to the report.

Chairman

Date:

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