

**Medway Council**  
**Meeting of Business Support Overview and Scrutiny**  
**Committee**

**Thursday, 27 October 2016**

**6.30pm to 8.35pm**

**Record of the meeting**

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

**Present:** Councillors: Avey, Carr (Chairman), Clarke, Etheridge (Vice-Chairman), Freshwater, Griffiths, Hall, Maple, Murray, Opara, Royle, Tejan and Wildey

**In Attendance:** Mark Breathwick, Medway Homechoice and Allocations Team Manager  
Stephanie Goad, Assistant Director Transformation  
Perry Holmes, Chief Legal Officer/Monitoring Officer  
Tomasz Kozlowski, Assistant Director Physical and Cultural Regeneration  
Anna Marie Lawrence-Lovell, Performance Manager  
Michael Turner, Democratic Services Officer  
Phil Watts, Chief Finance Officer

**395 Apologies for Absence**

There were none.

**396 Record of Meeting**

The record of the meeting held on 25 August 2016 was agreed and signed by the Chairman as correct.

**397 Urgent Matters by Reason of Special Circumstances**

There were none.

**398 Declarations of Interests and Whipping**

Disclosable pecuniary interests

There were none.

Other interests

There were none.

**399 6 Monthly Review of the Council's Corporate Business Risk Register and Annual Review of the Strategic Risk Framework**

**Discussion:**

Members considered a report regarding the 6 monthly review of the Council's Corporate Business Risk Register and the annual review of the Strategic Risk Framework.

Members made the following comments:

- **Risk SR26 (Children's Social Care)** – A Member commented that in his opinion the narrative did not recognise the current situation whereby budgets were being continually increased, followed by regular overspends.
- **Proposed new risk (Shape of Local Government in Kent)** – A Member referred to ongoing discussions about the shape and structures of local government in Kent. While this was probably a low risk, it was suggested that Cabinet consider adding it to the risk register given the inevitable impact on Medway.
- **Risk SR03b (Finances)** – referring to the risk surrounding the Council's ability to deliver a balanced budget without recourse to reserves, a Member asked what actions were being taken to mitigate against this risk. The Chief Finance Officer replied that a number of mitigating actions were contained in the Medium Term Financial Plan, including the opportunities the digital transformation agenda would bring, addressing pressures in social care, alternative delivery models, income generation and property rationalisation. The details behind these would be reported through the budget setting process. In response, another Member queried the value of the risk management process if the information about what was being done to mitigate risks was held elsewhere. He suggested that a better approach would be to combine risks and mitigations in one place so that Members could see the current position regarding a risk, what was being done to mitigate it, what the timescales were and what the residual risk would be at the end of the process. The Chief Finance Officer commented that officers recognised this issue and were looking to embed financial risks into the corporate risk register so there was a more joined up approach to risk.

Referring to the budget setting process, a Member commented that a weakness of the system was that details of the budget were not made known to non-executive Members until too late in the process with the result that proper scrutiny was not possible and the budget was out of date and inadequate at the point it was agreed.

- **Risk SR25 (Adult Social Care Transformation)** – Noting the high risk rating for this, a Member queried whether the Council had the resilience or the capacity to deal with the Sustainability and Transformation Plan

## Business Support Overview and Scrutiny Committee, 27 October 2016

and the need to pool budgets and also commented that the details about mitigation seemed light.

- **Risk SR17 (Delivering Regeneration)** – A Member asked what the Council was doing to ensure there was sufficient affordable housing for workers in Medway. Reference was made to the recommendations from the Housing Task Group and it was noted that a report on progress in implementing these would be considered by the Committee in January 2017.

### Decision:

The Committee agreed to note the report and forward to Cabinet the comments made in respect of Risk SR26 (Children's Social Care), Risk SR03b (Finances), Risk SR25 (Adult Social Care Transformation) and the suggested new risk regarding the shape of local government in Kent.

## 400 Council Plan Quarter 1 2016/17 Performance Monitoring Report

### Discussion:

Members considered a report which summarized the performance of the Council's Key Measures of Success for Quarter 1 2016/17, as set out in the Council Plan 2016/17.

- **Project 6.4 - (Encouraging the delivery of homes through investigation of new financial models and release of Council owned sites)** - In response to comments from Members about the need for the Council to do more to deliver homes through new models such as a land trust, officers advised that investigations had begun into developing new affordable housing by forming a joint venture, housing company or other vehicle. A report would be submitted to Cabinet on this matter and the Chief Legal Officer undertook to provide a briefing paper on this initiative.
- **Project 7.1 (Preventing homelessness)** – A Member asked for a breakdown of the 170 households who had been assisted in the first quarter of 2016/17 and what types of intervention had taken place.

Referring to the Key Performance Indicator that showed the demand for temporary accommodation had remained constant, a Member expressed the view that it was preferable for people to be in temporary accommodation rather than living in tents as had recently happened in Gillingham. He asked for details of what support and guidance the Council gave to such vulnerable people. Officers assured Members that the Council had decided to take possession of council land in Gillingham as people were living in an unsafe environment and this had been done in a compassionate way with support offered to the individuals involved.

## Business Support Overview and Scrutiny Committee, 27 October 2016

A Member noted that all of the housing key performance indicators (KPIs) had been met or exceeded and yet it was clear to many people that there was a serious housing crisis in Medway in terms of affordability and the quality of accommodation available. He argued that, in the light of this, the adequacy of the KPIs should be reviewed to make sure they were capturing everything that the Council needed to know. In response, officers commented that the KPIs measured the performance of the housing service and many of the wider economic issues raised were outside the control of the Council. There were however other Council initiatives which the Council was involved in which were aimed at addressing these wider issues. A Member responded that, nevertheless, this should not prevent wider issues being measured. The Assistant Director –Transformation commented that the number of indicators had been reduced to those which the Council had direct influence over. However, there would be a refresh of the Council Plan next year and she undertook to look at how some of the wider issues raised could be reflected.

A Member referred to tenants in the private sector being afraid to raise issues with the council about poor quality accommodation in case they were evicted. Officers advised that the Council worked actively with landlords on standards and would take action where necessary. Legislation to prevent retaliatory evictions existed but perhaps the Council could do more to raise awareness amongst tenants.

- **Number of households living in temporary accommodation –** A Member asked what the Council was doing differently to achieve such a low level of number of households in B&B type temporary accommodation compared to other councils in the south east. Officers advised that the Council had spent approximately £2m in improving the provision of temporary accommodation. A Member commented that some families living in B&B temporary accommodation did not have access to a fridge or cooker and asked if the new temporary accommodation referred to had suitable facilities. Officer assured Members that the properties purchased were suitable for family living.
- **Ways of working 3: Working in partnership where this benefits our residents –** a Member noted that volunteers and community wardens from the community had also helped with the community clear up days and expressed concern about the future of the highly valued community wardens, given the budget pressures facing the Council.

With regard to the Dickens 2020 project, a Member asked that the bid include the only property in Medway in which Dickens had lived, which was in Chatham.

In response to a question about why there was no mention of the Fuse Festival, the Assistant Director Physical and Cultural Regeneration undertook to provide a response on this.

## **Business Support Overview and Scrutiny Committee, 27 October 2016**

- **Ways of working 2: Digital services so good that everyone who can use them prefer to do so** – in response to a request for an update on this initiative, the Assistant Director – Transformation advised that the new online processes for pest control would go live in December and would then be rolled out to other environmental services. The foster carer and bulky waste collection changes were scheduled to go live in the fourth quarter of 2016/17.

### **Decision:**

The Committee agreed to:

- a) Note the report;
- b) Note that a briefing will be provided to Members on the investigation of new financial models to encourage the delivery of homes and release of Council owned sites;
- c) Note that, in relation to Project 7.1 (Preventing homelessness), a breakdown will be provided of the 170 households who had been assisted in the first quarter of 2016/17 and what types of intervention had taken place;
- d) Note that officers will look at how some of the wider social and economic issues raised by Members could be reflected in the KPIs as part of the refresh of the Council Plan in 2017;
- e) Note that the Assistant Director Physical and Cultural Regeneration will clarify the current position regarding the Fuse Festival.

## **401 Member's Item - Council Land at Hall Wood and Hook Wood, Lordswood**

### **Discussion:**

Members considered a report which set out a response to a request from Councillor Wildey for action regarding the protection of amenity land and ancient woodland, which is owned by the Council at Hall Wood and Hook Wood in his constituency of Lordswood and Capstone, following the receipt of correspondence from concerned local residents.

Councillor Wildey commented that he had brought this item forward at the request of local residents who were concerned at the prospect of a loss of amenity at the sites if the planning application for housing at Gibraltar Farm was approved. He added that he felt these sites, as council owned ones, needed extra protection from developers.

In response to a request for advice about the position of Members of the Committee who were also Members of the Planning Committee, the Chief Legal Officer commented that the Gibraltar Farm planning application was

## **Business Support Overview and Scrutiny Committee, 27 October 2016**

currently with the planning inspectorate and a decision was awaited. He advised Members who sat on the Planning Committee not to discuss the planning application but any discussions about the issues around loss of amenity and how the sites could be protected would not amount to predetermination.

A Member spoke in support of the recommendation in the report and commented that Capstone Valley was not designated. He suggested Cabinet could take this opportunity to review any other non designated green spaces in Medway and also consider if there were any further means to protect the two sites, such as designating them as Assets of Community Value. It was also suggested that, as part of this review, the designation of Rede Common could be looked at urgently.

Other Members supported the idea of protecting the land and that there was cross party recognition of the importance of Capstone Valley as a significant site which should be protected from development. A Member expressed his discomfort with the idea that the sites should be designated as village greens when, in his view, they were clearly not village greens. It was suggested that instead a review take place of the Council's open spaces to look at what could be protected, with sites of minimal value considered for development. The point was also made that as these sites were in Council ownership they were not at risk of being developed. The recommendation in the paper risked setting a precedent and could trigger many other applications which, if not dealt with consistently, would be unfair to others in a similar situation. By looking at these sites in isolation there was a danger of an inconsistent approach developing to protecting open spaces. Preferably, such a review should take place separately from the Local Plan process so that it could be concluded more quickly.

The Chief Legal Officer undertook to look at whether the sites in Lordswood were capable of being listed as assets of community value. He advised Members that approximately 18 months ago there had been an attempt to force the Council to sell part of the sites but this had been successfully rejected.

In response, Councillor Wildey made the point that there was more pressure for development in the Capstone Valley than other areas and therefore a greater need for these sites to be protected.

It was then proposed that, given there were no current plans or prospect of the development or disposal of the Hall Wood and Hook Wood sites, the Council should look at this from a strategic perspective with a review of all of its significant open spaces to consider their future designations and how these can be maintained into the future.

### **Decision:**

The Committee agreed to recommend to Cabinet that, given there are no current plans or prospect of the development or disposal of the Hall Wood and Hook Wood sites, the Council look at this from a strategic perspective and carry

## **Business Support Overview and Scrutiny Committee, 27 October 2016**

out a review of all of its significant open spaces to consider their future designations and how these can be maintained into the future.

### **402 Work Programme**

#### **Discussion:**

Members considered a report regarding the Committee's current work programme.

A Member referred to the recent closure of Dickens World in Chatham. Noting that the business owed the Council £75,000, he commented that he wished to discuss at the next agenda planning meeting where the Council sat in terms of priority amongst other creditors to receive this money back and what the process was for this. Subject to this, it was possible he may ask for a Member's item on this specific issue and the wider issues it raised.

With regard to the 5 January 2017 meeting where the outcome of the business rate relief consultation would be discussed, a Member suggested that oral evidence from a range of bodies such as the Federation of Small Businesses, the National Volunteer Association, charities and the voluntary sector be sought. In connection to this item it was also noted that the Monitoring Officer would be providing advice to all Members on interests in advance of the February budget Council meeting, given that many Members would be in a position of control or influence on charities and businesses affected by the changes.

#### **Decision:**

The Committee agreed to:

- a) note the current work programme (Appendix 1 to the report);
- b) agree the changes to the current work programme as set out in paragraph 3 of the report;
- c) note the work programmes of all overview and scrutiny committees (Appendix 2 to this report).

### **Chairman**

#### **Date:**

**Michael Turner, Democratic Services Officer**

Telephone: 01634 332817

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)