

COUNCIL

27 APRIL 2017

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 26 January 2017.

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 using the web links under each section.

2. Business Support Overview and Scrutiny Committee

2.1 31 January 2017

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=123&MId=3389>

2.1.1 **Report title: Attendance of the Deputy Leader and Portfolio Holder for Housing and Community Services**

Outcome:

The Committee noted that a briefing note on the possibility of the post office co-locating in Luton Library would be provided.

2.1.2 **Report title: Attendance of the Portfolio Holder for Business Management**

Outcome:

The Committee thanked the Portfolio Holder for Business Management for his attendance.

2.1.3 **Report title: Call-In: Business Rate Relief**

Outcome:

The Committee agreed that no further action be taken in respect of Cabinet decisions 163 and 164/2017.

2.1.4 **Report title: Call-In: Traded Services - Category Management and Staffing Agency**

Outcome:

The Committee requested that officers be asked to seek clarification from external audit on the LGPS implications for MCG when staff were transferred from the Council.

2.1.5 **Report title: Housing Revenue Account - Capital and Revenue Budgets 2017/18**

Outcome:

The Committee made a number of recommendations to Cabinet as set out in the report.

The Committee noted that officers will explore whether equalising garage rents for council tenants and non-council tenants would lead to an increase in income.

The Committee noted that officers will clarify the wording in the HRA business plan about bad debt assumptions due to the roll out of Universal Credit.

Cabinet Decision:

These matters were addressed in the addendum report to Cabinet on 7 February 2017.

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee, in particular:

- a) To note that officers will explore whether equalising garage rents for council tenants and non-council tenants would lead to an increase in income.
- b) To note that officers will clarify the wording in the HRA business plan about bad debt assumptions due to the roll out of Universal Credit.

3/2017

The Cabinet recommended to Council:

- a) A proposed rent decrease of 1% for the housing stock set out in Appendix A (based upon 52 collection weeks).
- b) A rent increase of 5% for garages.
- c) That the current policy of charging higher rent where a tenant has a taxable income per annum of £60,000 be retained and no change to the threshold.
- d) That the service charges and increases as set out in Appendix B to the report for 2017/18 be approved.
- e) That the revenue budget for the HRA Service for 2017/18 as set out in Appendix C to the report be approved.

- f) That the future provision for the repayment debt be based on annuity based payment as opposed to minimum revenue payment of 2% on the HRA opening outstanding debt.
- g) To use remaining allowable balance of 1-4-1 capital receipts (for the capital receipts received during 2017/18 from Right to Buy (RTB) sales) to be used to fund towards the 2017/18 HRA planned Capital Programme.
- h) That Members approve the revised 30 year HRA Business Plan model as attached at appendix E to the report.

Council Decision:

Council made the final decisions on the Housing Revenue Account - Capital and Revenue Budgets 2017/18 on 23 February 2017.

2.1.6 **Report title: Housing (Demand, Supply and Affordability) Task Group - Progress Report**

Outcome:

The Committee agreed to note the progress made against the Task Group recommendations.

2.1.7 **Report title: Medway Commercial Group Limited - First Year Quarter 2 Report**

Outcome:

The Committee agreed to note the achievements and performance of Medway Commercial Group Limited (MCG) for the second quarter of 2016, as detailed in the report.

2.1.8 **Report title: Procurement Strategy**

Outcome:

Members noted the progress made against the previous Procurement Strategy 2013-16 and the progress against the new strategy 2016-21.

2.1.9 **Report title: Draft Capital and Revenue Budget 2017/18 (Report back from other Overview and Scrutiny Committees)**

Outcome:

The Committee agreed to forward the comments from individual Overview and Scrutiny committees, as set out in Section 3 of the report, to Cabinet on 7 February 2017, highlighting in particular the concerns of the Regeneration, Culture and Environment O&S Committee that the information provided on the draft budget contained insufficient information to enable the Committee to undertake a robust review of the capital and revenue budgets.

Cabinet Decision:

The Cabinet noted the recommendations from overview and scrutiny committees as summarised in the Addendum Report.

- 5/2017 The Cabinet agreed to recommend to Council that the net revenue budget summarised at Appendix 2 to the report, amounting to £293.044 million, should be adopted and that this be funded by a 4.994% increase in Council Tax for 2017/18 with the equivalent Band D figure at £1,296.56. Final proposals to address the £958,400 deficit would be reported to Council on 23 February 2017.
- 6/2017 The Cabinet agreed to recommend to Council the capital budget proposals, as set out in Appendix 4 to the report.
- 7/2017 The Cabinet agreed to recommend to Council the fees and charges set out in Appendix 6 to the report.
- 8/2017 The Cabinet agreed that the Chief Finance Officer be requested to calculate the formal requirements under Sections 30 to 36 of the Local Government Finance Act 1992 for resolution by Special Council on 23 February 2017.

2.1.10 **Report title: Draft Capital and Revenue Budget 2017/18**

Outcome:

The Committee agreed to:

- a) Note that Cabinet has instructed officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2017/18 and beyond, and;
- b) Note the proposals outlined in the draft capital and revenue budgets in so far as they relate to the services within the remit of this committee.

Cabinet Decision

As set out in 2.1.9 of this report.

2.1.11 **Report title: Council Plan Refresh 2017/18**

Outcome:

The Committee agreed to:

- a) Note the proposed changes to programmes, key measures of success and targets as summarised in Appendix A to ensure the delivery of the Plan remains focused, informative and relevant, and;
- b) Ask that Cabinet consider the comments in relation to sub indicators and revising upwards the target for the number of net additional homes provided.

Cabinet Decision

These matters were addressed in the addendum report to Cabinet on 7 February 2017.

The Cabinet noted the comments of the Business Support Overview and Scrutiny Committee.

4/2017 The Cabinet recommended to Full Council the proposed changes to programmes, key measures of success and targets as summarised in Appendix A to the report subject to the target level set for NI154 (Net additional homes provided) being removed for 2017/2018 on the basis set out in paragraph 2.2 of the addendum report.

Council Decision

Council made the final decision on the Council Plan Refresh 2017/28 on 23 February 2017.

2.1.12 Report title: Work programme

Outcome:

The Committee asked for a briefing note to clarify the situation in terms of where pension liabilities sat following the transfer of staff from the Council to MCG.

The Committee:

- a) Noted the report;
- b) Noted 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) Noted 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) Noted 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) Noted that the Assistant Director Physical and Cultural Regeneration will clarify the current position regarding the Fuse Festival.

2.2 **13 April 2017**

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=123&MId=3390&Ver=4>

- 2.2.1 **Report title: Attendance of the Leader of the Council**
- 2.2.2 **Report title: Attendance of the Portfolio Holder for Resources**
- 2.2.3 **Report title: 6 Monthly Review of the Council's Corporate Risk Register**
- 2.2.4 **Report title: Council Plan Quarter 3 Performance Monitoring**
- 2.2.5 **Report title: Capital and Revenue Budget Monitoring Round 3**
- 2.2.6 **Report title: Update on Medway Norse**
- 2.2.7 **Report title: Universal Credit and Welfare Reforms – Six Monthly Progress Report**
- 2.2.8 **Report title: Petition – Homeless people in Medway**
- 2.2.9 **Report title: Work Programme**

The above reports were considered by the Business Support Overview and Scrutiny Committee at its meeting on 13 April 2017 and are listed here to enable the Council to discuss any issues arising at this meeting. However it was not possible to finalise and publish the minutes of the Business Support Overview and Scrutiny Committee meeting on 13 April 2017 in time for the Council meeting on 27 April 2017.

3. Children and Young People Overview and Scrutiny Committee

3.1 **9 March 2017**

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=378&MId=3397&Ver=4>

- 3.1.1 **Report title: Attendance of the Portfolio Holder for Children Services - Lead Member (Statutory Responsibility)**
Outcome:
The Portfolio Holder for Children's Services (Statutory Responsibility) was thanked for his attendance.
- 3.1.2 **Report title: Attendance of the Portfolio Holder for Educational Attainment and Improvement**
Outcome:
The Portfolio Holder for Educational Attainment and Improvement was thanked for his attendance.
- 3.1.3 **Report title: Medway's Annual School Performance Report for 2016**
Outcome:
The Committee noted the Annual Schools' Performance Report.

3.1.4 **Report title: Home to School Transport Policy for Mainstream Children and Children with Special Education Needs and Disabilities (SEND)**

Outcome:

The Committee recommended the Home to School Transport Policy for Mainstream and SEND Children to Cabinet for approval.

Cabinet Decision:

The Cabinet noted the comments of the Children and Young People Overview and Scrutiny Committee, as set out in paragraph 7 of the report.

24/2017 The Cabinet agreed the proposed Home to School Transport Policy for Mainstream Children and for Children with Special Educational Needs and Disabilities (SEND), as set out in Appendix 1 to the report.

25/2017 The Cabinet agreed that implementation of the Policy is:

- Effective from September 2017 for children with Special Educational Needs and Disabilities (SEND).
- Effective from September 2018 on a phased basis for mainstream children.

3.1.5 **Report title: Short Breaks Provision for Children with Disabilities and the Local Offer**

Outcome:

The Committee noted the report and recommended Cabinet to:

- 1) Introduce Direct Payments for short breaks from April 2017;
- 2) Agree changes to the eligibility criteria, as outlined in section 6.13 of the report;
- 3) Agree to carry out a public consultation in respect of the proposed move of the overnight short break service at Aut Even to Parklands.

Cabinet Decision:

The Cabinet agreed that Direct Payments are used as the main tool for Short Breaks from April 2017.

- 26/2017 The Cabinet agreed to change the eligibility criteria for Direct Payments in relation to Short Breaks outlined in paragraph 6.12 of the report from the original criteria in paragraph 2.5.2 of the report.
- 27/2017 The Cabinet agreed to grant delegated authority to the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children's Services (Lead Member), to consider and determine requests for funding from current providers of Short Breaks during the transitional period (2017/18) as set out in paragraph 12.2 of the report.
- 28/2017 The Cabinet agreed to undertake discussions with the Medway Clinical Commissioning Group (CCG) regarding the proposed changes to the overnight Short Breaks provision.
- 29/2017 The Cabinet agreed to an eight-week public consultation to gain feedback from all interested parties in respect of the proposal.
- 30/2017 The Cabinet agreed that a report is submitted to Cabinet in due course providing feedback from both the Clinical Commissioning Group and the public consultation on the proposed move of the overnight Short Breaks service from Aut Even to Parklands, along with a business case including building and service delivery costs for the Parklands site to enable Cabinet to make an informed decision about the proposed changes to the in-house Short Breaks provision.

31/2017 The Cabinet agreed to delegate authority to the Director of Children and Adults Services, in consultation with the Portfolio Holder for Children's Services (Lead Member), to determine the future use of the Aut Even site on the basis set out in paragraph 3.18 of the report, subject to the outcome of the public consultation on overnight Short Breaks provision.

3.1.6 **Report title: Council Plan Quarter 3 2016/17 Performance Monitoring Report**

Outcome:

The Committee noted the report.

3.1.7 **Report title: Work programme**

Outcome:

- 1) The Committee agreed the work programme as set out at Appendix 1 of the report subject to adding the following to the June meeting:
 - Re-commissioning of Child Health services;
 - Medway Youth Parliament – outcome of the MYP Annual Conference 2016.
- 2) The Committee agreed that the membership of the task group set up to carry out the next scrutiny review into employment opportunities for 18-21 year olds (including apprenticeships), is set up as follows:
 - That the membership is drawn from members of both this committee and the Regeneration, Culture and Environment Overview and Scrutiny Committee on a political ratio of 3:2.
 - That the allocation of Members to the task group is made via the Group Whips, Chairmen and Opposition spokespersons of both committees.

4. Health and Adult Social Care Overview and Scrutiny Committee

4.1 16 March 2017

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=131&MId=3403&Ver=4>

4.1.1 Report title: Sustainability and Transformation plan - Transforming Health and Social Care in Kent and Medway

Outcome:

The Committee:

- i) Noted the update provided on the Kent and Medway Health and Social Care Sustainability and Transformation Plan and the Case for Change document and commented on the progress made.
- ii) Agreed that an update on the STP, including the Case for Change, would be presented to the June 2017 meeting of the Committee.

4.1.2 Report title: Medway CCG Operational Plan 2017 to 2019

Outcome:

The Committee reviewed and commented on the contents of the Medway NHS CCG Operational Plan.

4.1.3 Report title: Medway Mental Health Strategy - Progress Update Paper

Outcome:

The Committee noted and commented on the progress made on the development of the Medway Mental Health Strategy and agreed that the draft Strategy be brought to the Committee for consideration in June 2017.

4.1.4 Report title: Adult Substance Misuse Recommissioning

Outcome:

The Committee:

- i) Noted the report and commented on the proposal to proceed with the recommissioning of redesigned specialist treatment services (Option 3) during 2017 for a contract start date of 1 April 2018.
- ii) Agreed that following a needs assessment, which would include patient and stakeholder engagement, the recommended service model would be presented to the Committee prior to contract award.

Cabinet Decision:

The Cabinet noted the comments from the Health and Adult Social Care Overview and scrutiny committee, as summarised in the Addendum Report.

41/2017 The Cabinet agreed the commencement of the procurement of new adult substance misuse specialist treatment services for Medway on the basis set out in paragraph 4.2 of the report, with a contract start date of 1 April 2018.

4.1.5 **Report title: Dementia Task Group Report - 'How far has Medway gone in becoming a Dementia Friendly Community'**

Outcome:

The Committee:

- i) Considered the report and recommendations made by the Dementia Task Group, set out at Appendix 1 and noted the comments from the Health and Wellbeing.
- ii) Agreed to remove the word "diagnostic" from recommendation 22 of the Task Group report, as recommended by the Health and Wellbeing Board.
- iii) Agreed to refer the recommendations and content of the report to Cabinet on 9 May, subject to any comments made by the Regeneration, Culture and Environment Overview and Scrutiny Committee.

Discussion at Regeneration, Culture and Environment Overview and Scrutiny Committee:

As set out in 5.1.4 of this report.

4.1.6 **Report title: Council Plan Quarter 3 - 2016/17 Performance Monitoring Report**

Outcome:

The Committee considered the quarter 3 2016/17 performance against the key measures of success used to monitor progress against the Council Plan 2016/17.

4.1.7 **Report title: Work programme**

Outcome:

The Committee:

- a) Considered whether any changes needed to be made to the work programme attached at Appendix 1. It was agreed to add items on the Kent and Medway Sustainability and Transformation Plan and the Medway Mental Health Strategy to the Work Programme for June 2017 meeting.
- b) Agreed the suggested additions and changes to the Committee's work programme, as set out in paragraph 3 of the Work Programme report.

5. Regeneration, Culture and Environment Overview and Scrutiny Committee

5.1 28 March 2017

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=437&MId=3535&Ver=4>

5.1.1 Report title: Petitions

Outcome:

The Committee:

- a) Noted the petition responses and appropriate officer actions set out in paragraphs 3 and 4 of the report.
- b) Thanked the petitioner for attending the meeting and requested that officers:
 - Undertake a review of the area and investigate whether there are any parking restrictions currently in place with a view to pursuing more robust enforcement;
 - Investigate possible actions to restrict the parking of commercial vehicles on the corner of junctions where they create a blindspot for drivers exiting the junction e.g. the provision of double yellow lines on the corners of junctions;
 - Investigate whether there is capacity for provision of additional parking areas to be provided in the locality, including the possible conversion of green verges into parking bays.
- c) Requested that the outcome of the above be the subject of a future report and that the lead petitioner be kept informed of progress.

5.1.2 Report title: Attendance of the Portfolio Holder for Business Management

Outcome:

The Committee thanked Councillor Turpin for attending the meeting and answering questions and noted the correction to the name of the company named in paragraph 5.3 of the report.

5.1.3 **Report title: Annual Review of Waste Contracts**

Outcome:

The Committee:

- a) Noted the annual service updates provided by the two contractors set out in Appendices 1 and 2.
- b) Agreed that a briefing note be provided setting out the reasons why the survey methodology for measures of public satisfaction had changed from a monthly tracker to use of the Citizens Panel and why the satisfaction level for street cleaning is significantly below the satisfaction target in 2015/16.
- c) Requested officers to undertake further meetings with Tesco and other companies sited in proximity to the Hoath Way roundabout to discuss ways of reducing litter from their premises and Members be advised of the outcome.
- d) expressed their best wishes to Melanie Tong and thanked her for the work that she had undertaken at Veolia in Medway.

5.1.4 **Report title: Dementia Task Group - How far has Medway gone in becoming a dementia friendly community?**

Outcome:

The Committee:

- a) Noted the recommendations made by the Dementia Task Group as set out at Appendix 1 of the report together with the comments from the Health and Wellbeing Board and the Health and Adult Social Care Overview and Scrutiny Committee for referral to Cabinet on 9 May 2017 with the following comment:

The Regeneration, Culture and Environment Overview and Scrutiny Committee supports the recommendation that Dementia Friends awareness sessions be offered to elected Members, staff and Parish Councils and requests that such sessions also be offered to Medway Council's partners e.g. NORSE.

- b) Noted that officers will follow up the issues raised concerning the bus timetable display boards and toilets at the Chatham Waterfront Bus Station.

5.1.5 **Report title: Council Plan Quarter 3 2016/17 Performance Monitoring Report**

Outcome:

The Committee noted the quarter 3 2016/17 performance against the key measures of success used to monitor progress against the Council Plan 2016/17.

5.1.6 **Report title: Work Programme**

Outcome:

The Committee:

- a) Noted the current work programme.
- b) Agreed the following changes to the work programme in line with the suggestions at the pre-agenda meeting:
 - The report on information on the levels of finance needed to be invested in the highways network in order to maintain current levels of technical performance be scheduled for report in August 2017.
 - The Annual Review of Waste Contracts be submitted to Committee in March 2018 on the basis that this will be 12 months from the current report.
 - A report on Street Licensing – Placing objects on the Highway be scheduled for the August meeting of the Committee.
- c) Noted that the next Scrutiny Task Group will review Employment Opportunities for 18 – 21 year olds including apprenticeships and agreed that the membership should be on the basis of 3 Conservative Group Members and 2 Labour Group Members (noting that the UKIP Group will not be taking up their place on this occasion).

Contact for further details:

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Appendices

None

Background papers

None