

## **COUNCIL**

**4 MARCH 2010**

### **REPORT ON OVERVIEW AND SCRUTINY ACTIVITY**

Report from: Neil Davies, Chief Executive

Author: Julie Keith, Head of Democratic Services

#### **Summary**

This report provides a summary of the work of the Council's Overview and Scrutiny Committees since the last report to Council on 14 January 2010.

#### **1. Policy and Budget Framework**

1.1 The Council's constitution allows for reports on overview and scrutiny (O&S) activity to be reported to Council meetings.

#### **2. Business Support Overview and Scrutiny Committee**

##### **2.1 2 February 2010**

###### 2.1.1. Work programme

It was agreed that the Assistant Director, Housing and Corporate Services would report back her investigations in relation to the petition asking that the scheme manager at Longford Court, Rainham should not be replaced, to both Health and Adult Social Care and Business Support Overview and Scrutiny Committees. The petition had been already considered by Health and Adult Social Care Overview and Scrutiny Committee on the basis that staffing at sheltered housing fell within its remit. Members of the Committee felt that as sheltered housing fell under the terms of reference of Business Support it was better placed there.

###### 2.1.2. Attendance of the Portfolio Holder for Customer First and Corporate Services

The Portfolio Holder for Customer First and Corporate Services addressed the Committee on the following topics:

- The draft Sustainable Communities Strategy
- The Comprehensive Area Assessment

- The Contact Centre and Customer First
- Sickness levels
- A new apprenticeship scheme and plans for a pre-apprentice scheme
- ICT
- Plans for a new Council website
- In relation to bereavement services a new Mercury Abatement Scheme

She responded to questions on:

- The Council's apprenticeship scheme
- Effects of the cold weather on the Contact Centre and Bereavement Services
- Proposals for the Council to receive e-petitions
- Statistics relating to the results of the customer experience surveys
- The lack of public toilet facilities at the new Register Office (she undertook to report back on this and also on whether statistics relating to the results of the programme of customer experience surveys included lost calls).

#### 2.1.3. Treasury Management Strategy Statement and Annual Investment Strategy

Members noted the Treasury Management Strategy, Treasury Management Practice statements and schedules and asked detailed questions of the Chief Finance Officer before recommending the report to Cabinet.

#### 2.1.4. Capital and Revenue Budget Monitoring 2009/2010

The Committee noted

- The spending and funding forecasts
- The additions to the capital programme
- The virements
- The forecast outturn position for 2009/2010

#### 2.1.5. Draft Capital and Revenue Budget Proposals 2010/2011

Members noted the comments and requests from individual Overview and Scrutiny Committees together with their own comments in relation to the Business Support Directorate and forwarded them to Cabinet for their consideration.

#### 2.1.6. Draft Council Plan

Members put forward a number of comments to the Cabinet in relation to the draft Council Plan. They felt the statement, contained within the delivering priorities section of the plan, that the first new houses on

Rochester Riverside would start to be built within 2010/22 was unrealistic. They also noted the progress made in the last two years to better align financial and service planning and considered this linkage would be further enhanced if draft performance targets were included as part of the plan when it and the draft budget were considered. Members were also pleased to note that the outcome “treating elderly people with dignity and respect” was contained within the updated draft plan.

#### 2.1.7. Housing Revenue Account Capital and Revenue Budgets 2010/2011

The Committee agreed the recommendations to Cabinet contained in the report and requested the Assistant Director, Housing and Corporate Services to provide Members with an example of breakdowns for service charges for leaseholders and information in relation to how many garages were unlet and for how long.

### **3. Children and Adults Overview and Scrutiny Committee**

#### **3.1. 19 January 2010**

##### 3.1.1. Work programme

- A Medway Youth Parliament representative is to be invited to participate in the Healthy Eating Task Group
- Information on school closures during adverse weather will be included in the Member item being presented to Regeneration, Community and Culture Overview and Scrutiny Committee on 18 March 2010

##### 3.1.2. Member item – Academies update

Richard Odle, Medway Youth Parliament representative explained that he had requested the item in order to receive a progress update on all three academies running or proposed in Medway.

The Principal of Strood Academy updated Members on progress and developments at the academy, which opened in September 2009. He spoke about the positive aspects of being an academy and the challenges faced. He then responded to Members’ questions on the following:

- Programmes for students who had previously followed an accelerated curriculum at Chapter School
- The role of Medway Council in relation to the academy
- Curriculum arrangements
- Future of the Carnation Road building once the new building is in place
- Rewards for good attendance
- Community use of school, particularly for adult literacy courses to help parents support their children

### 3.1.3. Care Quality Commission Annual Healthcheck of NHS Trusts

The Interim Director for Integrated Commissioning, NHS Medway updated Members on progress with the Child and Adolescent Mental Health Service (CAMHS), which had not been detailed within the report. She then responded to Members' questions and stated that a great deal of work was being done to improve performance against the targets not currently achieved. A briefing note was requested giving full details on actions being taken against the targets referred to in the report and a briefing session organised to allow officers and NHS Trusts to advise Members further on this and address any concerns.

### 3.1.4. Portfolio Holder for Community Services in attendance

The Portfolio Holder for Community Services addressed the Committee on progress and developments with the Medway Adult and Community Learning Service (MACLS) including:

- Income and expenditure of the service with a forecasted surplus
- Levels of adult learners was consistent
- High enrolment from residents from disadvantaged wards – currently 35%
- Approximately 18% of participants were from an ethnic minority group
- Approximately 27% of learners were above the age of 50
- The service was going to be moved under Organisational Services, within the Council so there could be better connection between workforce development within the Council and the courses provided by MACLS.

He then responded to a number of questions, which included:

- The future of the service and whether it would be transferred to Mid Kent College
- How learners from disadvantaged backgrounds choose courses
- Request for an analysis of who is using MACLS by ward
- Promotion of MACLS to Council staff and other partners in Medway

### 3.1.5. Draft Capital and Revenue Budget proposals 2009-2010 and Draft Council Plan 2010-2013

Members asked officers a number of questions, which included:

- How schools end up being in deficit and what support is provided to them
- Further information in relation to Targeted Capital Fund
- Concern about uncertainty of funding for 2011/2012
- Costs relating to the development of Rivermead Hospital School

- Costs from forthcoming closures and amalgamations of schools following the primary reorganisation programme

The Director of Children and Adults explained the reasons schools find themselves in a deficit situation were principally; falling rolls, maintaining the curriculum offer for students and running an uneconomic site. Where schools did have a deficit budget, the Council worked to ensure each school had a clear and robust action plan to reduce the deficit in a managed and progressive way, while securing the education of pupils at the school. A briefing note was requested to provide more information on schools with deficit budgets.

### 3.1.6. Call in – Outcome of the consultation on the future of Delce Infant and Junior Schools

Councillor Esterson explained that the reason for calling in the decision to amalgamate Delce Infant and Junior schools was that the Labour Group did not agree with the Cabinet decision.

The Head teachers and the Chairs of Governors from both Delce Infant School and Delce Junior School spoke against the amalgamation. Councillor Murray as Ward Member emphasised to the Committee that the two schools should remain as they currently were. Members then made a number of comments on the proposed amalgamation and recommended the Cabinet to not proceed for the following reasons:

- The forthcoming provision of a Sure Start Centre
- A new housing estate locally
- Overwhelming parental support to keep the schools as they were
- Standard of both schools were above local and national average
- Increasing rolls and no surplus places at the junior school
- A school of 630+ pupils was too big for a primary school
- The ingress of pupils from St Peter's would be difficult if these schools were amalgamated and this could risk lowering standards

## 3.2. **11 February 2010**

### 3.2.1 Work Programme

- Reports on LAA performance monitoring and quarter three Council Plan Monitoring would be brought to the Committee in March 2010.
- An interactive session on the Common Assessment Framework (CAF) would be provided before the start of a future meeting.
- Detail on recent teenage conception data would be brought to the next meeting of the committee.

### 3.2.2 Member Item – school governors and school budgets

Councillor Smith had requested the Medway Governors' Association (MGA) to explain the implications for all pupils of Council decisions and

school deficit budgets. Representatives from the MGA updated Members on a meeting of the Schools' Forum, which had taken decisions on whether the Council could or could not increase its central expenditure limit. A total gap of £2.8 million was considered and it had agreed to fund some of the budget pressures from the Dedicated Schools Grant (DSG), but not all. They also raised concern that the problem of too many surplus places had not been fully addressed, which would add pressure to schools and could cause problems, particularly with regard to school budgets.

Members then asked a number of questions relating to schools with deficit budgets, how they were supported and where responsibility lay if a school closed with a deficit.

The Committee requested that the report and decisions of the Schools' Forum meeting on 11 February 2010 be circulated to the Committee and that a broader report on the issues be brought to a future meeting.

### 3.2.3 Portfolio Holder for Children's Social Care in attendance

Councillor Wildey, Portfolio Holder for Children's Social Care addressed the Committee outlining the main achievements within areas of his portfolio:

- Increased capacity within the team to manage increased referrals;
- The Medway Safeguarding Children Board (MSCB) which had recently completed its first Serious Case Review;
- Increases in the number of looked after children;
- The Old Vicarage and its renovations.

Members then asked the Portfolio Holder a number of questions, which included: -

- Developments and improvements to the Child and Adolescent Mental Health Service;
- The Foster Plus programme;
- The role of Family Liaison Officers within schools;
- Common Assessment Frameworks;
- Numbers of Health Visitors within Medway and information on their home visits;
- The work of the outreach teams.

### 3.2.4 School admission arrangements 2011-12 and in-year admission scheme 2010-11

Members were updated on additional responses received since the report had been published. In relation to the Primary School arrangements an additional response had been received, supporting the proposals and suggesting that each school have a nominated member of the admissions team as a point of contact through the process, which could be included. In relation to secondary school arrangements an additional response had been received which requested that the sharing of pupil lists be brought forward. The officer explained that this could be

difficult in practical terms but he was committed to providing the information to schools as soon as possible, even if before the deadline. In relation to in-year admission arrangements, two additional responses had been received which requested further information on what happens if there is no agreement between a school and a parent and suggested the use of electronic forms, which would be considered.

Officers then answered questions from the Committee, which included: -

- the process for schools to receive applications when they are full;
- timescales for considering admission applications;
- how multiple birth children are prioritised for admission.

The Committee recommended the proposed arrangements to Cabinet, as outlined in the report but with consideration of applying the criteria relating to multiple birth children above other criteria only when the children were at risk of being separated.

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

##### **4.1. 21 January 2010**

###### **4.1.1 Petitions**

Members sympathised with the views of residents who attended the meeting from Marlborough House, Rainham, Longford Court, Rainham and Esmonde House, Gillingham to protest against the Council decision to change scheme managers at sheltered housing every two years. They explained that under the mission statement for sheltered housing the Council had undertaken to discuss all changes with residents but this had not happened. The Committee accepted that communication with the residents had not been satisfactory and requested the Assistant Director, Housing and Corporate Services takes no further action on implementing the policy until such time as she has conducted further research with all sheltered housing managers and residents and reported back to the Committee.

###### **4.1.2. Supporting People Strategy**

Minor amendments were suggested to the Supporting People Strategy and the Committee requested that the Cabinet should take note of concerns about the funding for supporting people which was no longer ring fenced.

A briefing note was requested to give more details of the number of supporting people contracts which were with the private sector, who they were with, what they contained and how they were monitored.

#### 4.1.3. Primary Care Strategy

The Director of Commissioning and Performance, NHS Medway introduced the NHS Medway Primary Care Strategy and responded to Members' questions.

NHS Medway is looking at the needs of all Medway residents with respect to accessing a GP surgery and other services in primary care. The aim was to ensure that all residents would be able to be within 10 minutes walking distance of key primary care services. In places like the Hoo peninsula it was not possible but alternatives were being sought. The Director of Children and Adults explained that the Council was working in partnership with NHS Medway in an attempt to find suitable premises.

Encouragement was given to NHS Medway to publicise more widely the places where the public can access primary care services.

#### 4.1.4. Alcohol Strategy

The Senior Public Health Manager, at the request of the Committee, undertook to strengthen the strategy to emphasise the measures currently in place such as the Alcohol Control Zones and the work of the Licensing Panels. The Strategy was then recommended to Cabinet for formal adoption.

#### 4.1.5. Draft Capital and Revenue Budget

No specific comments were made on the draft capital and revenue budget prior to submission to Business Support Overview and Scrutiny Committee.

#### 4.1.6. Protocol for working with Medway LINK

The final version of the protocol for working with Medway's Local Involvement Network (LINK) is to be forwarded to the LINK for formal adoption. The protocol will be reviewed after 6 months in operation and then annually as suggested by Medway LINK.

#### 4.1.7. Work programme

In order to increase the impact of the Committee's work a change of direction was suggested. This will involve regular one item themed 'Select committee' style meetings commencing at the 23 March 2010 meeting which will consider the topic of support for carers. A small task group was set up to plan and research for this meeting and they will also carry out informal discussions with carers prior to the March meeting. It was also agreed that the Strategic Commissioning Plan, report on the Care Quality Commission feedback and the Member's item on Celebrating Age Festival would be deferred to the next meeting (Note: since that meeting the first two items will now be dealt with by informal



evening briefings. The first item on 8 April and the second will be in May). The Local Area Agreement item will be dealt with in March and the diabetes and renal reports were removed from the work programme.

## **4.2. 18 February 2010**

### **4.2.1. Work programme**

Members noted there would be an informal evening briefing on 8 April 2010 with the Chief Executive and officers of NHS Medway on the Strategic Commissioning Plan, the Operating Plan and Transforming Community Services. The Chief Executive of NHS Medway would be requested to provide a timeline for statutory consultations with the Committee on any specific emerging service reconfigurations under the agreed protocol so that Members have a chance to comment before decisions are taken by the PCT.

Delegated authority was granted for the Head of Democratic Services in conjunction with the Chairman and spokespersons to respond to an NHS consultation relating to car parking and to nominate a list of attendees for a regional scrutiny event.

A task group was set up comprising Councillors Avey, Gilry, Gulvin and Sheila Kearney to work on gathering further evidence for the carers' themed meeting on 23 March 2010.

### **4.2.2. Annual performance assessment of adult social care**

The Committee were informed about the results of the recent Care Quality Commission annual performance assessment of adult social care, which rated the Council as a three star authority. The Assistant Director, Adult Social Care responded to Members' questions.

Additionally the Chief Executive of NHS Medway updated the Committee on the current position with regards to 'A' block at Medway Maritime Hospital. Further details would come back to the Committee on this matter as part of consultation on the review and redesign of acute mental health beds in Medway and Swale.

### **4.2.3. Council Plan monitoring report third quarter**

The Performance Manager, Adult Social Care introduced the Council Plan monitoring report for the third quarter of 2009-2010 and gave Members an updated appendix. She illustrated the variations in National Indicators and pointed out those that were meeting national but not local targets.

### **4.2.4. Attendance of Portfolio Holder – Adult Social Care**

The Portfolio Holder for Adult Social Care addressed the Committee outlining his main achievements, which related to:

- The successful appointment of the new Assistant Director, Adult Social Care
- Performance relating to the Care Quality Commission annual performance assessment of adult social care
- Fair Access to Care
- The transformation agenda relating to personalisation
- Partnership working with the NHS
- The Carers' Strategy, Carers' helpline and Carers' Partnership Board
- Positive Ageing Plan
- Extra Care Housing
- Services for people with physical and learning disabilities
- Telecare and telemedicine
- The Launch of Better Medway
- His personal ideas in relation to a scheme whereby retired people could teach practical skills to children who were struggling with academic studies

He was then questioned in relation to the above and:

- The use made of the £500,000 to assist those who had moderate needs and whether this would be extended into the next year's budget
- The Member item relating to Celebrating Age Festival
- New legislation proposed relating to care for the elderly – Personal Care at Home Bill 2009 and its implications

The Director of Children and Adults undertook to provide Members with further details about expenditure and take up of the £500,000 to assist people no longer entitled to services under the new rules adopted under Fair Access to Care.

#### 4.2.5. Member item – Celebrating Age Festival

Councillor Murray introduced her Member item relating to the suggestion that Medway holds a Celebrating Age Festival similar to the one held in Brighton.

There was a wide debate on the topic and a number of views put forward. Councillor Murray encouraged Members to adopt a more positive profile of growing older by supporting a Celebrating Age Festival. Other Members felt that the suggestion of segregating older people was unhelpful and it was far better to encourage integration with younger people.

The Director of Children and Adults suggested that more could be done to raise the profile of older people more positively and to promote more widely the things that the Council was already doing.

## **5. Regeneration, Community and Culture Overview and Scrutiny Committee**

### **5.1. 13 January 2010**

#### **5.1.1. Petitions**

Members heard from the lead petitioner Mr Boucher about two deaths due to a road traffic accident in Station Road Strood and he requested that traffic calming measures are installed.

Councillor Hubbard as ward member represented the views of other Strood residents who had expressed concerns about the road particularly since the development and positioning of Evelyn Close. He said he did not recognise some of the information in the report, which conflicted with other information he had received. He also stated that although no formal outcome had been reached on the two deaths, residents were keen to have safety measures put in place.

Officers undertook to report back on the causes of the accidents together with ideas for improvement. The Director of Regeneration, Community and Culture also undertook to speak to Kent Police about early disclosure of their reports.

#### **5.1.2. Parking Standards Review**

Members passed comments to the Cabinet that they had received constant objections about insufficient parking at new developments and that this interim measure was encouraging. Members also mentioned the possibility of encouraging underground parking facilities in the future.

Members recommended the adoption, on an interim basis, of the amended draft residential parking standards detailed in the report taking into account the consultation comments and those of the Committee. They also endorsed that the amended draft residential parking standards be used for pre-application advice with immediate effect.

#### **5.1.3. Draft Capital and Revenue Budget Proposals 2010/2011**

Comments were made that the Members' Priorities Fund was mainly spent on projects within the Regeneration, Community and Culture directorate and requested further information setting out details of the schemes the funds had been spent on since the fund was created.

Members also asked officers to investigate Committee requests over the last year for matters to be included in the budget setting process to enable the Committee to see whether they had been actively considered in the setting of the draft budget.

Concern was expressed over the £290,000 shortfall for the financing costs of the Innovation Centre and on further investigation it was

established to be a recurrent pressure for the 25 year period of the financing loan. Officers advised that when the Innovation Centre was originally envisaged, the business plan gave levels of income that were now no longer attainable and the long term revenue position was that it would not meet the borrowing costs (over 25 years) to finance the capital cost of building the centre. Occupancy of the centre was anticipated to be around 90% by 2014. It was currently over 40%.

The above comments were forwarded to Business Support Overview and Scrutiny Committee. Briefing notes were requested detailing Members Priority Fund and Committee requests for funding over the last year.

### 5.1.3. Work programme

The Air Quality Management Action Plan and Waste Strategy Review were deferred until later in the year. The following reports were listed for consideration on 18 March 2010:

- Rochester Riverside Management Company
- Gateway 3 Contract Award – waste disposal and collection service
- Medway Renaissance – all Chatham and Gillingham projects (including Medway Park)
- Member's item – winter gritting schedule and associated deployment of contractor resources

A task group (2 Conservative, 1 Labour, 1 Liberal Democrat) was set up to agree terms of reference and undertake an in-depth review of the effectiveness and future of Partners and Communities Together (PACT) schemes within Medway.

A briefing note was also requested for all Members of the Council regarding the location of salt bins in Medway, the cost of providing new bins, the cost of their maintenance and the security of salt bins to avoid them being stolen.

## **5.2. 16 February 2010**

### 5.2.1 Scrutiny of the Community Safety Partnership

The Chairman of the partnership gave a presentation setting out the background to how the partnership had originally been set up compared to how it currently operated, together with why Medway was now a safer, place to live, work and play in than ever before.

The committee scrutinised the Chairman of the partnership on a comprehensive range of issues including: PACTs; the operation of the SOS bus; the partnership's priorities; new technology for use by police officers; the public's perception of how the police and local authorities are dealing with anti-social behaviour and crime issues; 'safe highways

home' routes for students; involvement of other partners in the partnership's work; diversity issues and hate crime.

### 5.2.2 Attendance of the Portfolio Holder for Community Services

The Portfolio Holder for Community Services addressed the Committee outlining his main achievements, which related to:

- Grass cutting contract
- Play Builder programme
- Jackson' Recreation Ground
- Partnership with Hadlow College at Cozinton Nursery
- Tennis academy
- Improvement of the driving range at Dean Gate Golf Club
- Free swimming initiative had seen a 130% increase for under 16's and 150% for people over 60 years of age
- Medway Park – events later this year
- Medway Festivals and summer concerts

He then responded to questions in relation to:

- The long term vision for Eastgate House and the maintenance of its garden areas
- The progress in gaining sponsorship for the modern pentathlon event
- Public transport links to leisure facilities
- New allotment facilities
- Reduction in income at leisure centres
- Energy saving devices at Medway Park and other council owner facilities.

### 5.2.3 Work Programme

- Reports on LAA performance monitoring would be brought to the Committee in March 2010
- The result of the consultation process for the Gun Wharf Masterplan, Chatham would be brought to the Committee in June 2010
- The Community Safety Partnership Plan review to be considered as pre-decision scrutiny at the June meeting.

## Background papers

None

## Contacts for further details:

Julie Keith	Head of Democratic Services Telephone: 01634 332760 Email: <a href="mailto:julie.keith@medway.gov.uk">julie.keith@medway.gov.uk</a>
Rosie Gunstone	Overview and Scrutiny Co-ordinator Telephone: 01634 332715 Email: <a href="mailto:rosie.gunstone@medway.gov.uk">rosie.gunstone@medway.gov.uk</a>
Teri Hemmings	Overview and Scrutiny Co-ordinator Telephone: 01634 332104 Email: <a href="mailto:teri.hemmings@medway.gov.uk">teri.hemmings@medway.gov.uk</a>
Peter Holland	Committee Co-ordinator Telephone: 01634 332011 Email: <a href="mailto:peter.holland@medway.gov.uk">peter.holland@medway.gov.uk</a>
Caroline Salisbury	Overview and Scrutiny Co-ordinator Telephone: 01634 332013 Email: <a href="mailto:caroline.salisbury@medway.gov.uk">caroline.salisbury@medway.gov.uk</a>