



BUSINESS SUPPORT OVERVIEW & SCRUTINY COMMITTEE

4 JULY 2019

WORK PROGRAMME

Report from: Perry Holmes, Chief Legal Officer

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Summary

This report advises Members of the current work programme and allows them to adjust it in the light of latest priorities, issues and circumstances and provides an opportunity to shape and direct the Committee's activities over the year.

1. Budget and Policy Framework

1.1 Under Chapter 4 – Rules, paragraph 21.1 (xv) General terms of reference, each overview and scrutiny committee has the responsibility for setting its own work programme.

2. Background

2.1 Appendix 1 to this report sets out the existing work programme for this Committee. One of the Committee's functions is to provide guidance and leadership on the development and co-ordination of the scrutiny function for all Overview and Scrutiny Committees. Appendix 2 sets out the work programmes for the other Overview and Scrutiny Committees.

3. Agenda Planning Meeting

3.1 Members will be aware that Overview and Scrutiny Committees hold agenda planning meetings on a regular basis. These give officers guidance on information Members wish them to provide when scrutinising an issue. The agenda planning meeting took place on 6 June attended by the Chairman, Vice-Chairman and Opposition Spokesperson.

3.2 Members discussed the Committee's work programme and agreed the following:

- a) that the Committee be recommended to add the following items to the work programme for pre-decision scrutiny:

- Housing Allocations Policy – 22 August
 - Draft Homelessness and Rough Sleeping Strategy – 24 October
 - Housing Enforcement and Licensing Policy - 28 November
- b) that a report on new Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities be added to the agenda for this meeting (see agenda item 7).
- c) that an update on a public rights of way claim following the sale of Council land at New Road, Chatham (previously considered by the Committee in April and August 2018) and, also, the topic for the next Task Group be included in this report (see paragraphs 3.4-3.7 and 3.8-12).
- 3.3. Members also asked the Chief Legal Officer to arrange a briefing for new Members on Medway Commercial Group, Medway Norse, Medway Development Company and the shared services arrangements the Council has entered into in recent years and, also, for a briefing on the Council's property portfolio, including the rationale for the recent purchase of the Pentagon Centre.

Public rights of way claim at New Road, Chatham

- 3.4 The Committee considered a Member's item in April 2018 concerning the freehold disposal of land adjoining Union Place Car Park, New Road, Chatham and requested an update on the issue of the possible right of way in respect of land adjoining the car park and also requested planning officers to investigate whether the fences and gates erected by the new owner required planning permission.
- 3.5 The Committee considered a progress report on the status of this rights of way claim in August 2018. At that point officers were still investigating the matter and no decision on the status of the claim had been made. Members therefore asked for a further progress report when there were further developments, and also recommended that the Head of Planning take enforcement action in respect of the gates and fences already erected on the land, having been advised that these required planning permission.
- 3.6 Officers have now successfully secured a permissive path agreement with the landowner and identified funds to make the route safe for pedestrians. These works took place in late March and the path is now open for use for people who use the local businesses.
- 3.7 The issue of the fences and gates was investigated by planning officers. Technically, as both exceed 2 metres in height then planning permission should have been obtained. However, as they are only slightly above 2 metres in height and given the landowner's co-operation in helping to agree the permissive path agreement, it was not felt it would be a good use of public money to take enforcement action as the appearance of any replacement fences and gates would not be materially different.

Task Groups

- 3.8 In November 2017, following a criteria based selection process, this Committee agreed that the next round of Task Group topics should be as follows in priority order:
- Review 1: The Impact of Social Isolation for the Council (Health and Adult Social Care Overview and Scrutiny Committee).
 - Review 2: Support for Carers (Health and Adult Social Care/Children and Young People Overview and Scrutiny Committees).
 - Review 3: Physical Activity (Health and Social Care, Children and Young People, Regeneration, Culture and Environment Overview and Scrutiny Committees).
 - Review 4: Town Centres for the 21st Century (Regeneration, Culture and Environment and Business Support Overview and Scrutiny Committees).
- 3.9 [The Impact of Social Isolation Task Group](#) completed its work in January 2019.
- 3.10 At the agenda planning meeting for this Committee meeting it was agreed to recommend that Physical Activity should be the subject of the next Task Group Review, followed by Town Centres, on the basis that a new Joint Carers Strategy 2019-2024 was adopted by the Cabinet and Medway CCG in June 2019 and it would be more timely to undertake a review of progress against the six key priorities in the Strategy once the joint delivery plan has been developed and implemented. It would be too early at this time for carers and other stakeholders to provide feedback on their experience in the context of the new Strategy.
- 3.11 For ease of reference the rationale and criteria based assessments for topics 2-4 in the current programme of Task Group reviews are attached at Appendix 3.
- 3.12 If the Committee approves Physical Activity as the next Task Group review it is recommended that the Task Group should comprise 7 Councillors (4 x Conservative and 3 x Labour) drawn from the Health and Adult Social Care (HASC), Children and Young People (CYP) and Regeneration Culture and Environment (RCE) Overview and Scrutiny Committees as follows with the HASC Overview and Scrutiny Committee designated as the lead Committee:
- HASC O&S Committee – 2 Con (one of whom will be Chairman of the Task Group) and 1 Lab
 - CYP O&S Committee – 1 Con and 1 Lab
 - RCE O&S Committee – 1 Con and 1 Lab

Portfolio Holders – Holding to Account

3.13 On an annual basis each Portfolio Holder is held to account by the relevant O&S Committee(s) on matters within their portfolio. The proposed timetable for this Committee is as follows:

- Leader of the Council – April 2020
- Deputy Leader and Portfolio Holder for Community Services – January 2020
- Portfolio Holder for Business Management - October 2019
- Portfolio Holder for Resources – November 2019

4. Forward Plan

4.1 The current Forward Plan of forthcoming Cabinet decisions was published on the Council's website on 10 June.

<https://democracy.medway.gov.uk/mgListPlanItems.aspx?PlanId=339&RP=115>

Title of Decision	Anticipated Decision Date
Recruitment Freeze This report will bring forward vacant posts for Members' approval.	9 July, 6 August, 3 & 24 September and 22 October 2019
Pentagon Centre and Mountbatten House NEW This report will provide details of further development and regeneration opportunities following the acquisition of the Pentagon Centre, Chatham, including acquisition of Mountbatten House.	9 July
Council Plan Performance Monitoring Report - Quarter 4 and End of Year 2018/19 This report will provide details of end of year performance for 2018/19 against priorities set out in the Council Plan.	9 July 2019 (on work programme for August)
Treasury Management Outturn 2018/19 This report will provide an overview of treasury management activity for 2018/19. This report will be initially considered by the Audit Committee on 27 June 2019.	9 July 2019

<p>Medway Commercial Group Ltd - Six Monthly Report and Business Plan Progress and Updates</p> <p>This report will set out details of performance for the latest monitoring period for Medway Commercial Group Ltd.</p>	<p>6 August 2019</p>
<p>Capital Budget Monitoring 2019/20 - Quarter 1</p> <p>To report on the latest monitoring position.</p>	<p>6 August 2019 <i>(on work programme for August)</i></p>
<p>Revenue Budget Monitoring 2019/20 - Quarter 1</p> <p>To report on the latest monitoring position.</p>	<p>6 August 2019 <i>(on work programme for August)</i></p>
<p>Housing Allocations Policy NEW</p> <p>This report will set out details of the Housing Allocations Policy for Cabinet approval.</p>	<p>24 September 2019</p>
<p>Council Plan Monitoring and Risk Register Review Quarter 1 2019/20</p> <p>This report will provide details of Quarter 1 performance for 2019/20 against the priorities set out in the Council Plan and will bring forward the latest risk management review.</p>	<p>24 September 2019 <i>(on work programme for October)</i></p>
<p>Medium Term Financial Strategy 2019-2024</p> <p>This report will provide details of a review of the major financial issues facing the Council during this and the next four years. It also provides a framework for the more detailed preparation of the 2020/2021 Revenue Budget.</p>	<p>24 September 2019</p>
<p>Treasury Management Strategy Mid-Year Review Report 2019/20</p> <p>This report will set out the mid-year review of the Treasury Management Strategy, in accordance with the Chartered Institute of Public Finance Accountancy's (CIPFA) Code of Practice.</p>	<p>24 September 2019</p>

5. The Co-ordinating Role of the Business Support Overview and Scrutiny Committee

- 5.1 Under Medway's Constitution, Chapter 4 – Rules – paragraph 22.2 (xxiii) this Committee has the overall responsibility *to provide guidance and leadership on the development and co-ordination of the scrutiny function for all overview*

and scrutiny committees, including guidance on priorities for scrutiny activities'.

5.2 To assist the Committee in fulfilling this role, it has been agreed that a regular overview of business discussed by the other overview and scrutiny committees should be presented at these meetings. Whilst each overview and scrutiny committee is able to determine its own work programme, this Committee may wish to comment on common themes and the balance of business being covered by each Committee. The work of overview and scrutiny committees can include:

- items raised by Members
- work on matters referred for review by the Council
- pre-decision scrutiny of items on the Cabinet's Forward Plan selected by the Committee for discussion
- policy review and development
- pre-budget scrutiny
- consideration of petitions
- consideration of called-in Cabinet decisions.

5.3 Appendix 2 to this report sets out the current work programmes of the other three overview and scrutiny committees.

6. Financial and legal implications

6.1 There are no financial or legal implications arising from this report.

7. Recommendations

7.1 The Committee is asked to:

- (a) note and identify items for inclusion in the work programme (Appendix 1);
- (b) note the work programmes of the other overview and scrutiny committees (Appendix 2);
- (c) agree that Physical Activity should be the topic for the next Scrutiny Task Group review with a membership of 7 Councillors (4 x Conservative and 3 x Labour) drawn from the Health and Adult Social Care (HASC), Children and Young People (CYP) and Regeneration Culture and Environment (RCE) Overview and Scrutiny Committees, noting that the HASC Overview and Scrutiny Committee will be the lead Committee;

- (d) authorise the Head of Democratic Service to appoint the Members of the Physical Activity Task Group once nominations have been received from Group Whips in consultation with the relevant Overview and Scrutiny Committee Chairmen and Opposition Spokespersons;
- (e) agree to add the following items to the work programme for pre-decision scrutiny:
 - Housing Allocations Policy – 22 August
 - Draft Homelessness and Rough Sleeping Strategy – 24 October
 - Housing Enforcement and Licensing Policy - 28 November
- (f) agree to add to the work programme the timetable for holding Portfolio Holders to account as set out in paragraph 3.13.

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Appendices:

Appendix 1 - Business Support O&S work programme
Appendix 2 - Other O&S Committee work programmes
Appendix 3 - Topics for In-Depth Scrutiny Reviews

Background papers

None.