

COUNCIL

18 JULY 2019

PUBLIC QUESTIONS

Report from: Neil Davies, Chief Executive

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Summary

To set out the public questions received for this meeting.

1. Background

1.1 Section 8.3 of the Council Rules, as laid out in the Council's Constitution, sets out the rules for the receipt of public questions as follows:

- At any one meeting no person or organisation may submit more than one question. Members of the public who have not submitted questions before will be given priority over those who have. Any questions that have not been answered at the meeting within the time limits will be answered in writing after the meeting.

1.2 Section 8.6 of the Council Rules sets out the procedure to be followed at the meeting as follows:

- The Mayor will invite the questioner to put the question to the member named. The person to whom the question has been put will normally answer the question verbally after the question has been put. The time allowed for answers to each question at Council meetings shall not exceed three minutes. If a questioner who has submitted a question is unable to be present, the question will be answered in writing after the meeting. There is no provision for supplementary questions.

1.3 The questions received for this meeting are set out below in the order they were received, allowing for the rules above.

Public questions

7A Zi Fincham of Gillingham will ask the Chairman of the Health and Adult Social Care Overview and Scrutiny Committee, Councillor Wildey, the following:

Regarding the closure of Sunlight Centre Surgery - the CCG agreed and promised the Health and Adult Social Care Overview and Scrutiny Committee (twice) that all Sunlight Surgery services will be reinstated until at least 2020. DMC, as per the CCG's intentions, has taken control of the surgery. However, instead of keeping their promises they are reducing services and withholding them.

For example:

- No new patients allowed to sign on – despite DMC's promise this is not the case;
- Walk in service being removed from the Sunlight surgery – despite CCG promises this would not happen – notice texted to patients on 24th May with effect from 1st June - forcing patients needing same day GP appointments to be directed to other surgeries - such as St Mary's Island;
- The telephone system for Twydall and the Sunlight (and presumably the other DMC surgeries) have been centralised at St. Mary's Island – so patients of each surgery cannot directly contact their surgery;
- There have been many problems with repeat prescriptions being issued on time or at all – with patients, for example my husband and I waiting up to a week for repeat prescription provision;
- Patient prescriptions being issued from St Mary's Island, The Pentagon, Balmoral Gardens, surgeries that DMC also run (as my own repeat prescriptions can evidence) – suggesting that personal data is being shared between the surgeries without patient knowledge, agreement or consent which suggests a data protection breach;
- No patient (as far as I am aware) has been asked if they are happy or in agreement with their personal medical data being shared with any surgery other than the one they are registered with – for example, I have not been approached with information of this nor my agreement or consent been sought;
- My surgery file, and that of my husband, should both hold letters written approximately 2 years ago (perhaps more), specifically stating that we do not agree to the sharing of our medical data with anyone other than those treating us directly (meaning the GP we are registered under), should only be done after we have given our specific consent, and only after we have received and agreed prior a

satisfactory request and explanation of the reason for wishing to do so – DMC should be aware of these, and others' similar letters – yet DMC appear to be ignoring such specific wishes;

- No services have been reinstated as promised at the Sunlight Surgery – such as phlebotomy clinic/ Asthma clinic/ small injuries clinic – all existing at the Sunlight Surgery before 1st April 2019;
- The Surgery Manager put in place by DMC from 1st April 2019 has now left and another member of staff has been appointed as Assistant Practice Manager (as informed in answer to the FOI letter) - but to date this information has not been publicly notified or advertised to patients of the surgery in any shape or form; (I have as of today's date, 3rd July, just received an email from the Assistant Practice Manager introducing herself and inviting me to a meeting – taken long enough. I have confirmed acceptance, asking for provisional dates I can take to the other PPG members as I do not feel it appropriate to meet with DMC on my own. I am not comfortable representing as a lone representative of the Sunlight PPG);
- No proper and secure assurance and reassurance of services information has been supplied to the Patient Participation Group so that the PPG can disseminate to patients as to surgery services despite DMC's promise to meet with the PPG;
- Lack of GP availability – the Surgery always tell patients 'one doctor is off sick' to explain why only one doctor (locum) is working – yet DMC acknowledge in response to the FOI they are still (three months later) 'actively recruiting staff' – which indicates this patient information is untrue;
- There has been a merger of St. Mary's Island Surgery and Sunlight Surgery which no one knew about or agreed to; and there has still to date been no notification of such merger to the PPG or any other person outside DMC and the CCG;
- The role of the CCG in monitoring DMC (despite a senior CCG employee's personal assurance to me of 'robust monitoring') and the requirement for the CCG to consult on proposed changes appears to be dismally failing – the same employee admitted to me at a recent PPG Chairs meeting she had 'no knowledge of what DMC were doing at the Sunlight Surgery' when confronted with some of the above assertions. This same employee has made these same assertions and given the same emphatic assurances on two other separate occasions previously when I attended meetings with two separate individuals – one a colleague PPG member, the other a Medway Health Campaign representative – both of whom can unequivocally vouch for my assertions re the Sunlight surgery and those statements I assert were made to me.

I have also submitted a freedom of information request to DMC to find out details of the contractual relationship between the CCG and DMC, however, very little has been answered – the majority of the answers sought in the FOI letter have been withheld as DMC state the information is “commercial and in confidence”. This information needs to be made available to help understand how and what services are being provided and will be reinstated.

Taking all of the above into account, it is my strongest belief that the CCG’s actions to date, via DMC and the contractual agreement they refuse to disclose details of, are deliberately, surreptitiously, engineering their original intention to ultimately ensure the closure of the Sunlight Centre Surgery – whilst also, deliberately, breaching data protection rules as enshrined in the Human Rights Act – ‘...data protection laws are underpinned by a respect for fundamental human rights...’.

Therefore, given the Health and Adult Social Care Overview and Scrutiny (HASC O&S) Committee reports on the proposals for the Sunlight Centre Surgery in August 2018 and October 2018, will the HASC O&S Committee continue to investigate this matter in accordance with the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013?

7B Victoria Roberts of Lordswood will ask the Leader of the Council, Councillor Jarrett, the following:

How are you planning to help the environment in Medway and encourage our citizens to do the same?

7C Paul O'Neill of Chatham will ask the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

Air pollution in Gillingham is worse than in London, according to figures released by the World Health Organisation (WHO). The Department for Environment, Food & Rural Affairs, state "the report from the WHO clearly shows the impact air pollution is having on the health".

Air pollution in summer increases heart-attack risk, with warmer temperatures mixing with particulate air pollution & ozone to produce dangerous levels with unsafe levels of harmful particles in the air around our Towns. Medway Liberal Democrats are calling on the Council to play a leadership role in improving environmental standards by adopting sensible & consistently applied planning policies in line with the environment & help to protect the Town’s circulatory and respiratory health.

What measures are the Council taking which improves urban air quality across Medway?

7D Trevor Coote of Rainham will ask the Portfolio Holder for Planning, Economic Growth and Regulation, Councillor Chitty, the following:

Whilst appreciating the Council's desire to build more homes and concrete over the Medway towns, in exchange for development money, do they not feel that with all the developments currently underway in Rainham, the addition of 1250 homes and the motor vehicles and people that will accompany them, that this sudden influx will destroy the semi-rural nature of the area for the current residents and future generations?

7E Jo Barrett of Middle Stoke will ask the Portfolio Holder for Education and Schools, Councillor Potter, the following:

It has been reported during the Stoke Primary School Campaign that on 20th May Councillor Pendergast was advised Medway Council was "one hundred percent" unaware of the Leigh Academy Trust's proposal to merge Stoke Primary School and Allhallows Primary School.

There is an email confirming neither Councillor Filmer nor Councillor Jarrett knew anything about the merger.

On 22nd May Councillor Potter stated in an email Medway Council had received the consultation letter on Monday 20th May but there had been no pre-consultation with the Local Authority.

On 7th June Leigh Academies Trust wrote to Councillor Potter referring to "Several productive meetings we have already had with officers and politicians in Medway about the proposal this academic year".

Who is not telling the truth?

7F Shane Waterman of Rochester will ask the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

Dickens Festival Organisation

At this year's Festival, we noted that a number of the readings and performance events within the Festival had been scheduled to either start at the same time, or overlap.

This caused audiences to drop significantly to an extent to which they were embarrassing to both audience members and performers alike.

The worst examples were Gerald Dickens' own performance, which attracted an audience of just 25 people (it is normally a packed house!) and a reading of The Mystery of Edwin Drood, which overlapped, had an audience of just five people.

Given that it is understood the Festival is being expanded somewhat to mark the 150th Anniversary of the death of Charles Dickens and is likely to attract a much larger number of visitors who will want to attend reading and performance events, the scheduling of these is going to be all the more important.

My contacts within the theatrical world tell me that the performers were deeply unhappy about the effect on their events this year, and despite the significance of 2020, some are already considering not offering their services.

What assurances can the Council give that far more attention will be paid to the scheduling of these performances for the 2020 Festival?

7G Kate Good of Lower Stoke will ask the Portfolio Holder for Education and Schools, Councillor Potter, the following:

Can you, as Portfolio Holder, confirm that all the terms of the Lease for Stoke Primary School, for which Medway Council is the Landlord, such as submitting plans and getting permission for any alterations to the building, have been complied with since the School became an Academy?

7H James Chespy of Gillingham will ask the Leader of the Council, Councillor Jarrett, the following:

Whilst I understand the gift of the Mayoralty lies with the ruling group, I would like to respectfully suggest to the ruling Conservative Group and to the Leader of the Council that the issue of the Mayoralty be dealt with on a cross party basis.

Therefore, I would ask that the Council returns to a points based system based on seniority.

7I Vivienne Parker of Chatham will ask the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

What is the Council doing to create safe cycle routes around Medway?

7J Alan Wells of Chatham will ask the Portfolio Holder for Front Line Services, Councillor Filmer, the following:

Investing in Medway's cycling infrastructure

Many forward-thinking councils across the country are using Government grants, income from development and their own resources to invest in local cycling infrastructure and campaigns to promote cycling.

Medway Council has a responsibility to adopt a robust green infrastructure plan for Medway. As traffic congestion adds to Medway's emissions each year and reduces local productivity, cycling - especially at peak hours - would help reduce emissions and ease congestion across Medway.

The Council should rise to the challenge and set about improving cycling provision across our Towns, to encourage green transport methods and promote a pro-cycling strategy for Medway.

What, if any, measures are the Council taking to improve provision for cycling across Medway?

7K John Castle of Chatham will ask the Portfolio Holder for Adults' Services, Councillor Brake, the following:

The recent consultation on the siting of Hyper Acute Stroke Units (HASUs) in Kent concluded that Medway would not be included among the 3 sites. This decision is being challenged by a Judicial Review.

Medway Liberal Democrats believe this decision was reached by a deeply flawed process where the goalposts were changed during the consultation to put Medway at a major disadvantage. We believe this position is supported by all major political parties in Medway.

What measures are Medway Council taking to ensure the case for siting a HASU in Medway is heard during the forthcoming Judicial Review?

7L Chris Spalding of Gillingham will ask the Deputy Leader and Portfolio Holder for Housing and Community Services, Councillor Doe, the following:

On 24 January this year Council unanimously carried Councillor Pendergast's motion that the Cabinet agrees for some tickets to Council run events be donated to Tickets for Troops.

How many tickets to events including the Castle Concerts have been donated so far?

Lead officer contact

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Appendices

None

Background papers

Council Rules, Constitution (Part 1, Chapter 4):