

Medway Council
MEETING OF BUSINESS SUPPORT OVERVIEW AND
SCRUTINY COMMITTEE

Tuesday, 25 May 2010

6.30pm to 7.50pm

RECORD OF THE MEETING

PRESENT: Councillors: Andrews, Avey, Kenneth Bamber, Bright, Carr, Tony Goulden, Griffiths, Gulvin, Harriott, Juby, Stephen Kearney and Royle

Substitutes:

In Attendance:	Stephanie Goad	Assistant Director Communications Performance and Partnerships
	Deborah Upton	Assistant Director, Housing and Corporate Services
	Peter Holland	Committee Co-ordinator
	Julie Keith	Head of Democratic Services

12 RECORD OF MEETING:

The record of the meeting held on 16 March 2010 was signed by the Chairman as correct.

13 APOLOGIES FOR ABSENCE

There were no apologies for absence.

14 DECLARATIONS OF INTEREST

Councillor Griffiths declared a personal interest in any reference to NHS Medway (formerly Medway PCT) on the grounds that he is a Non-executive Director of the Trust.

15 WORK PROGRAMME (BUSINESS MANAGEMENT)

Discussion:

Members were presented with a report that detailed the current work programme that allowed them to adjust it in the light of latest, issues and circumstances.

Members were asked to note that the referral report in relation to the petition received by Full Council asking that the scheme manager at Longford Court,

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Rainham, is not replaced is considered by this committee at its meeting on 8 July 2010.

Decision:

The Committee agreed to note that:

- (i) the work undertaken by all overview and scrutiny committees in the last cycle and to be considered at the next cycle of meeting is noted.
- (ii) the referral report in relation to the petition received by Full Council asking that the scheme manager at Longford Court, Rainham, is not replaced is considered by this committee at its meeting on 8 July 2010.

16 NEW PETITIONS PROCEDURES INCLUDING E-PETITIONS

Discussion:

The Head of Democratic Services presented a report informing Members that every Local Authority was now required to respond to petitions and inform local people what action was going to be taken to address their concerns. It was noted that the report provided information about the new duty and proposed a new petitions scheme for inclusion in the Council's Constitution.

Members were informed that Medway already had a petitions scheme but was required to adopt a new scheme which had to meet minimum requirements, as set out in paragraph 2.3 of the report. It was reported that there was now a requirement to introduce a facility for e-petitioning and officers expected this to be in use by the 15 December 2010 deadline.

The Head of Democratic Services reported that in terms of the number of signatures required (thresholds) for triggering a debate at Full Council or an officer of the Council being held to account, the report suggested that this should be thresholds of 1% and 0.5% of the population respectively and that these figures mirrored the figures of the model scheme. Members were provided with figures to assist in debating the alternative options, if necessary.

The Head of Democratic Services advised the Committee that paragraph 9.4 (ix) in the report should be corrected to clarify that any request for a review of the way the Council had handled a petition must be referred to an Overview and Scrutiny Committee. There was no scope for an automatic referral of a review request to full Council. Therefore, on occasions, when the Business Support had already considered a petition it would have to receive any subsequent request for a review from petitioners but may decide to refer the matter to full Council if it considered there was scope for a conflict of interest.

Members were concerned that the suggested thresholds were set too low and that there was a need to ensure that there was a focus on substantial issues rather than minor or possibly frivolous issues.

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Members recommended that the thresholds should be increased to 2% and 1% of the population to for triggering a debate at Full Council and an officer being held to account respectively and that these thresholds could be amended at a later date if found to be too high.

Members asked how officers would be able to check if petitioners lived, worked or studied in Medway. The Head of Democratic Services responded that it was proposed to continue accepting all petitions, irrespective of who has signed them in line with Medway's current scheme and added that a delegation was being requested to enable the Monitoring Officer delegation to rule out vexatious, abusive or otherwise inappropriate petitions.

Members expressed concern that the introduction of e-petitions could significantly increase the number of petitions received and whether residents could use multiple email addresses to register their name more than once for a petition.

It was noted that the proposed scheme would require that e-petitioners to give their name, address and a valid email address and this should assist in dealing with any abuse of the system.

Members were concerned that named officers of the council could be held to account by petitioners in the new scheme.

Members were informed that the legislation was clear that people must have the right to petition for a senior council officer to attend a public meeting of an Overview and Scrutiny Committee. Members were advised that these petitions must be about something for which the officer is responsible as part of their job and must not involve inappropriate public scrutiny of their private lives or character.

Decision:

The Committee agreed to:

- (1) recommend the petitions scheme attached at Appendix B to the report to Cabinet for onward referral to the full Council for adoption and inclusion in the Council's constitution (as Appendix A to the Council rules in Chapter) subject to the following amendments:
 - that the threshold should be 2% of the population as the number of signatures required to trigger a debate at full Council.
 - That the threshold should be 1% of the population as the number of signatures required to trigger an officer being held to account at an overview and scrutiny committee;
- (2) recommend that authority is delegated to the Monitoring Officer to determine when it would not be appropriate for a petition to be handled under the petitions scheme because it is deemed to be vexatious,

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abusive, otherwise inappropriate or excluded from the scheme, taking into account relevant law and statutory guidance;

- (3) recommend the Cabinet to refer to full Council the changes required to the Constitution as a consequence of introduction of a petitions scheme as set out in Appendix C.

17 END OF YEAR PERFORMANCE REPORT 2009/2010

Discussion:

The Assistant Director Communications, Performance and Partnerships presented a report detailing the Council performance for the year 2009/10 against the measures of success and actions agreed in the Council Plan 2009-12.

Colour copies of Appendix 2 of the report and an updated section of the report relating to the council priority –‘older and vulnerable people maintaining their independence’ were circulated at the meeting.

Members noted that the Medway Park refurbishment had been completed on time and within budget and asked that the same profile was given for all projects in the future.

Members identified a range of issues where they considered that more in depth investigation was needed within areas beyond the Business Support Overview and Scrutiny remit and referred the issues to the relevant Overview and Scrutiny Committees asking them to consider the referral and report back to this committee.

Members asked that the reports to other committees covered the causes of the underperformance, the success of current responses and an understanding of what it would take to improve performance.

In relation to its own remit Members asked for an in-depth report on:

- The cluster of issues on NI 156 (Number of households living in temporary accommodation), H5 (Average time for non-urgent repairs) and H8 (Average time taken to re-let council dwellings).

Members asked how the Council could better coordinate road works even though they may not be within the Council’s control on a case-by-case basis.

Members were concerned about the extent of missing data in the older and vulnerable people tables. Officers responded that they were pursuing Kent and Medway NHS and Social Care Partnership Trust in relation to where the data was their responsibility, and also clarified that some data had a ‘lag time’ eg 4 week smoking quit figures would by definition take longer to collate, but officers were mapping dates for receipt of partner Local Area Agreement (LAA) data to

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ensure information to Members was as timely as possible. Other data gaps related to validation of year end social care figures, which was the council's responsibility. These checks were very near completion and would be reported verbally to the Health and Adult Social Care Overview and Scrutiny Committee.

Decision:

The Committee considered the performance for 2009/10 reviewing outcomes achieved against targets and asked for the following in depth reports:

- (1) In relation to its own remit Members asked for an in-depth report on:
 - The cluster of issues on NI 156 (Number of households living in temporary accommodation), H5 (Average time for non-urgent repairs) and H8 (Average time taken to re-let council dwellings).
- (2) The Committee referred to Children and Adults Overview and Scrutiny Committee:
 - The cluster of indicators on the theme of the support the Council gives to vulnerable children, NI67 (Percentage of child protection cases which were reviewed within required timescales), NI60 (Percentage of initial assessments for children's social care carried out within 7 working days of referral), NI 65 (Percentage of children becoming the subject of Child Protection Plan for a second or subsequent time. Members were seeking more detailed understanding of the implications for the ongoing and sustained safety of those children including indicators NI101, NI148, NI99 (Looked after children (LAC) attainment, LAC in employment, training and education, educational attainment of children with special educational needs).
- (3) The Committee referred to Health and Adult Social Care Overview and Scrutiny Committee:
 - Concerns about the effectiveness of Kent and Medway NHS and Social Care Partnership Trust (KMPT) as an active partner with the council and with other parties where collaboration is needed.
- (3) The Committee referred to Regeneration, Community and Culture Overview and Scrutiny Committee:
 - Activity on domestic abuse beyond NI32 (work to prevent abuse in highest risk cases). Members questioned what the council's role could be in relation to domestic abuse and in particular Members wanted to understand how domestic abuse was associated with other issues relating to temporary accommodation and ultimately looked after children attainment.

**18 REVIEW OF SUPPORT FOR PEOPLE IN TEMPORARY ACCOMMODATION
- UPDATE ON ASSESSMENT CENTRE**

Discussion:

The Assistant Director, Housing and Corporate Services introduced a report that provided an update on the work being carried out for the feasibility study of an assessment centre for temporary accommodation, following on from the work of a recent task group.

It was noted that a consultant had been commissioned to complete a feasibility study into the potential for developing an assessment centre for people requiring temporary accommodation in Medway, in conjunction with partners in the voluntary sector.

Members were informed that officers were working with the consultant and were currently compiling the following:

- an assessment of previous and current demand for temporary accommodation;
- a process map to identify unit costs, timeframes and staffing inputs from the time a homeless application was first lodged with the Council until the applicant was moved into temporary accommodation;
- the average current cost of acquiring temporary accommodation (TA) with regard to the different types, size, location and availability, together with projected cost increases during the planning horizon.

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Members were informed that the work carried out at Stage One (Benchmarking) of this process would be brought to the Committee on 8 July 2010.

Members asked whether the consultant would be looking at the possibility of a partner organisation providing a service similar to the service that the Salvation Army provide in Southampton.

The Assistant Director, Housing and Corporate Services responded that they would be looking what contributions all partners could make in respect of this process.

Members stated that they were concerned over the increase in the number of repossessions in Medway following the economic downturn.

Members emphasised that there was a need to get the assessment centre up and running as soon as possible to enable homeless persons to be assessed promptly.

Decision:

Members agreed to:

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- (i) note the report;
- (ii) note that the work carried out at Stage One would be reported to the Committee on 8 July 2010.

Chairman

Date:

Peter Holland, Committee Co-ordinator

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