

**Medway Council**  
**Meeting of Business Support Overview and Scrutiny**  
**Committee**

**Thursday, 22 October 2020**

**6.30pm to 9.45pm**

**Record of the meeting**

**Subject to approval as an accurate record at the next meeting of this committee**

**Present:** Councillors: Buckwell (Chairman), Hackwell, Khan, Maple, Murray, Tejan (Vice-Chairman), Wildey and Williams

**In Attendance:** Mark Breathwick, Head of Housing  
Katey Durkin, Head of Finance Strategy  
Perry Holmes, Chief Legal Officer/Monitoring Officer  
Stephen Platt, Democratic Services Officer

**351 Apologies for absence**

Apologies for absence were received from Councillors Clarke, Etheridge, Johnson, Opara and Andy Stamp.

(During this period, the Conservative and Labour and Co-operative political groups had informally agreed, due the Coronavirus pandemic, to run meetings with reduced number of participants. This was to reduce risk, comply with Government guidance and enable more efficient meetings. Therefore the apologies given reflected that informal agreement of reduced participants.)

**352 Record of meeting**

The record of the meeting of the Committee held on 20 August 2020 was agreed, subject to the inclusion of the Chairman in the list of those Members present, and signed by the Chairman as correct.

**353 Urgent matters by reason of special circumstances**

There were none.

**354 Disclosable Pecuniary Interests or Other Significant Interests and Whipping**

Disclosable pecuniary interests

There were none.

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### Other significant interests (OSIs)

There were none.

### Other interests

In relation to Item 5 (Attendance of the Portfolio Holder for Business Management), Councillor Maple declared that he was a member of the union referred to during the item.

In relation to Item 6 (Council Plan Performance Monitoring and Risk Register Review Quarter 1 2020/21), the following declarations were made:

Councillor Hackwell declared that his wife was a part-time assessor and tutor with Adult Education.

Councillor Maple declared that he was a shareholder of wHoo Cares and a Trustee of Nucleus Arts.

Councillor Williams declared that he was a shareholder of wHoo Cares

In relation to Item 9 (Covid-19 Recovery), Councillor Wildey declared that his son worked for Kent and Medway Together.

### Whipping

Confirmation was provided that there was none.

## **355 Attendance of the Portfolio Holder for Business Management**

### **Discussion:**

Members received an overview of activities and progress made on work areas within the terms of reference of this Committee covered by Councillor Rupert Turpin, Portfolio Holder for Business Management, which were:

- Customer Contact;
- Democracy and Governance;
- Audit and Counter Fraud;
- Revenue and Benefits;
- Income Generation (including new Joint Ventures);
- Risk Management;
- Business Management;
- Commissioning, and;
- Medway Norse.

Councillor Turpin responded to Members' questions and comments as follows:

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- **Covid-19 related increase in demand for the Revenues and Benefits and Macmillan welfare services:**
- The Portfolio Holder advised that he received a statistical dashboard on a monthly basis and expressed confidence in the ability of the Revenues and Benefits Team to meet the needs of customers, recognising that it was currently operating in very difficult times. The service was responding well to Government initiatives including prompt payments from the hardship fund for people who could not work due to Covid-19. Changes to Universal Credit processes were being automated which would put the team in a good position to deal with increased demand. He referred to a range of transformational initiatives including the hosting of core Revenues and Benefits systems in the cloud which were freeing up officer time.
- Reference was made to the rise in referrals experienced by Kent and Medway NHS and Social Care Partnership Trust (KMPT), many of which were for debt related mental health problems. It was suggested that facilitating direct referrals from the Department for Work and Pensions (DWP) and KMPT would be of benefit. The Portfolio Holder noted that suggestion and recognised the need for financial assistance to be provided quickly. He referred to the high praise that the Revenues and Benefits team had received for their work with the DWP at the introduction of Universal Credit.
- The Portfolio Holder advised the Macmillan service was offering support over the telephone to reduce the risk of service users contracting Covid-19. He offered to make enquiries to confirm that the Macmillan services was working well in the current difficult circumstances. He shared the view expressed by Members that the public message should be to encourage people to promptly access any medical service they needed during the pandemic and not delay seeking help because they wished to protect the NHS.
- **Medway Norse:** In terms of the re-recognition of Unite the Union, the Portfolio Holder commented that he hoped that Medway Norse could again work successfully with Unite but noted that some members of the workforce had joined another union which Medway Norse was working with.
- **Kent Access Permit** – The Portfolio Holder confirmed that this was not on the risk register. He stated his confidence that a Brexit deal would be achieved and that the Government was working with haulage companies to ensure they had the paperwork in place for the Kent Access Permit. The Council had been assured that there was no prospect of a lorry park in Medway given its distance from Dover.

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- **Budgeting process assumptions:** The Portfolio Holder commented that assurance had been received from the Government that there would be recompense for lost fees and charges income. Other forms of Government support grant were also being received and savings were being made, for example through the cancellation of cultural programmes.
- **Remote working:** Referring to a recent staff survey, the Portfolio Holder reported that most staff considered that they were as productive or more productive working from home. It offered flexibility and a better work life balance. It remained to be seen what elements of the new ways of working would be retained post Covid-19. Councillors were encouraged to access documents electronically and good progress had been made although the Portfolio Holder recognised that there were occasions when a hard copy might be preferable, for example when viewing large maps. The Portfolio Holder expressed his admiration for the way in which Councillors had adapted so quickly to new ways of working. He added that the Council had been complimented on the quality of its live streamed meetings, which were available to view for 180 days after the meeting. He praised Democratic Services and ICT for their work in enabling remote meetings.
- **Customer Contact** – Asked if he would review the equality impact assessment in relation to the closure of the transport office within the dynamic bus facility, the Portfolio Holder responded that he was not aware of any complaints but would look at it again if equality issues were raised with him.
- **Kingsley House:** The alterations to the housing services provided at Kingsley House was raised and the Portfolio Holder advised that the service was under review. It was envisaged that it would be a remote one to one service rather than a drop-in service, although a face to face contact would remain for vulnerable customers. It would be kept under review with the key focus being on delivering the service that people needed.
- **Parking permits during Covid-19:** The Portfolio Holder advised that, should there be another period of lockdown, the command structure that had been put in place during the pandemic would determine how parking permits would be enforced. With regard to any plans to introduce digital parking permits, opportunities to increase digital options for parking were always under consideration as the general direction in parking was an increased use of technology.
- **Customer and Business Support (CABS):** Asked if there were any plans to review and increase the CABS telephony service which was currently operating at full capacity, the Portfolio Holder responded that,

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in view of the Council's difficult financial situation, it was important that the service worked flexibly to ensure that sufficient staff operated the telephony service during known busy periods. On-line booking systems would also help in this regard.

- **Retention of a booking system for recycling centres:** The Portfolio Holder advised that it was now possible to visit a recycling centre every two weeks. There may be further adjustments and people would have different views on whether the booking system should be retained but flexibility within the system was important.
- **Weekly waste collection:** Reference was made to the weekly waste collections which had been operated by Medway Norse for the past year. The Portfolio Holder advised that the feedback he had received was that it remained an excellent service.
- **Police Crime Commissioner (PCC) Elections:** Asked whether the forthcoming elections might be conducted by means of postal votes only, the Portfolio Holder commented that he would be very surprised if this was the case, referring to the low turnout for PCC elections.
- **Electoral registration:** The Portfolio Holder undertook to check whether there were any plans to conduct an audit of Route 1 properties where 10% of properties contacted said the information needed to be amended.
- **Remembrance Day:** The Portfolio Holder said that he would pass on Members' praise to Mayoral Services for the efforts being made to mark this important occasion this year.
- **Government support in relation to Covid-19:** The Portfolio Holder praised the Audit team which had been redeployed to assist with fraud detection in relation to grant applications from businesses. He also praised the Business Rates team which was distributing Government grants to eligible people who had lost income due to shielding having been contacted by track and trace. In response to a question on Covid-19 grant allocation, he confirmed that his own local Conservative Association had not received a grant.
- **Crematorium:** The Portfolio Holder praised crematorium staff and said that it had coped well with increased demand. Renovation of the crematorium had been completed two years ago and this had included investment of £1.6m in new equipment. In addition, six months prior to the pandemic, digital equipment had been installed to enable live broadcasting of services and this was being provided free during the pandemic.

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- **Parish Councils:** With reference to the ability of the 11 Parish Councils within Medway to hold legally convened meetings during the pandemic, the Portfolio Holder responded that Parish Councils were organisations in their own right and had a responsibility to ensure they complied with the law. He reported that the Monitoring Officer had contacted the Parish Councils to offer advice on how to overcome the risks to the six-month rule where Councillors ceased to hold office if they did not attend actual or remote meetings. The Portfolio Holder added that, at his request, the Monitoring Officer had asked Parish Councils to report any incidences where Parish Councillors had been disqualified due to the application of the six-month rule.

On behalf of the Committee, the Chairman thanked the Portfolio Holder for Business Management for his attendance.

### 356 Council Plan Performance Monitoring and Risk Register Review Quarter 1 2020/21

#### Discussion:

The Committee considered a report summarising performance in Quarter 1 (Q1) 2020/21 on the delivery of the programmes and measures which fell within the remit of the Committee. The report also presented the Q1 review of the Council's Strategic Risk Register.

The Committee discussed the following:

- **Air quality and ultra-low emissions for taxis:** Reference was made Uber and Members were advised that, following an appeal in Uber's favour against the licensing authority in London, Uber had an operating licence which allowed them to operate in Medway. Officers would be meeting with the local taxi trade for further discussions in the light of this ruling.
- **Lifting of the ban on housing evictions:** The stay on evictions in Court was lifted in late September 2020. There had been a change in the law to extend the notice period that tenants must be given to end their tenancy, to six months. Exceptions to this included where there was anti-social behaviour; high levels of rent arrears; and domestic violence.
- **Implications of moving to Covid-19 Tier 3 for the Homelessness Prevention Strategy:** Work around rough sleeping was on-going and many people who were accommodated during lockdown through the Everyone In instruction prior to lockdown were still in accommodation. Discussions with accommodation providers were continuing to plan for the months of colder weather, accessing the various streams of Government funding that were available. The vast majority of people were either in accommodation or known to services.

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- **Corporate Risk SR37 Cyber Security:** Details of any lessons to be learned from the experience of other local authorities having been victim to cyber-attacks would be included within the next review of the risk.

In addition, officers undertook to provide responses to individual Members' questions on the current position regarding Adult Education including the likelihood of an Ofsted inspection; the recommencement date for skills programme; and any backlog of Local Government Ombudsman cases.

### **Decision:**

The Committee noted the Q1 2020/21 performance against the measures used to monitor progress against the Council's priorities and the amended strategic risk register as set out in Appendix 5 of the report.

(In accordance with Council Rule 12.6, Councillors Khan, Maple and Murray asked that their votes in favour be recorded.)

## **357 Capital Budget Monitoring Report Round 1 2020/21**

### **Discussion:**

The Committee considered a report on the results of the first round of the Council's capital budget monitoring process for 2020/21.

Clarification was sought on the latest valuations of the Council's assets and the Committee was advised that, in preparation for the production of the Statement of Accounts, assets had been revalued to account for any movement in their value.

Clarification was also sought on the use of the £1m transformation capital programme and it was requested that quarterly budget monitoring reports refer to this. Officers agreed that, from the next round of monitoring completed, performance reports would detail what funding from this programme had been committed, and on what.

### **Decision:**

The Committee noted:

- a) the results of the first round of capital budget monitoring for 2020/21;
- b) that on 25 August 2020, the Cabinet had approved the virement of £750,000 from the High Needs Special Places scheme to fund the Council's agreed contribution to the Department for Education towards the new build school at Cornwallis Avenue, Gillingham as set out in paragraph 4.2 of the report;
- c) that on 25 August 2020, the Cabinet had recommend to Full Council the addition of £121,000 to the Capital Programme Management scheme, to be funded by S106 contributions as set out at paragraph 4.3 of the

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report, and that on 8 October 2020 Full Council had agreed this recommendation;

- d) that on 25 August 2020, the Cabinet had recommend to Full Council the addition of £3.050million for further works to Strood Riverside Phase 1&2, funded from borrowing in lieu of future capital receipts, to the Council's Capital Programme as set out at paragraph 5.2 of the report, and that on 8 October 2020 Full Council had agreed this recommendation;
- e) that on 25 August 2020, the Cabinet had recommended to Full Council the addition of £300,000 in respect of HRA buyback, which was omitted in error from the budget set in February as set out at paragraph 6.1 of the report, and that on 8 October 2020 Full Council had agreed this recommendation;
- f) that on 25 August 2020 the Cabinet had recommended to Full Council the addition of £384,000 to the Mountbatten House Purchase scheme, to be funded from a virement from the Medway Development Company Ltd holding scheme as set out at paragraph 7.2 of the report, and that on 8 October 2020 Full Council had agreed this recommendation; and
- g) that on 25 August 2020 the Cabinet had recommended to Full Council the addition of £3,275,300 under the Flexible Use of Capital Receipts Strategy, to fund a new transformation programme as set out in section 9 of this report, and that on 8 October 2020 Full Council had agreed this recommendation.

(In accordance with Council Rule 12.6, Councillors Khan, Maple and Murray asked that their votes in favour be recorded.)

### 358 Revenue Budget Monitoring Report Round 1 2020/21

#### Discussion:

The Committee considered a report on the first round of the Council's revenue budget monitoring process for 2020/21.

The Committee discussed the following:

- **Provisional settlement date:** The Committee was advised that the one-year settlement would not be announced until the last two weeks of November 2020.
- **The Government Compensation Scheme to cover income shortfall:** The Committee was advised of the eligibility criteria for this scheme.
- **Sport, leisure, tourism and heritage:** Concern was expressed that Full Council was not informed about redundancies when taking a decision on £5m expenditure on Splashes. It was explained that the decision to approve the funding for a capital scheme was separate from any



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decision to consider the realignment of teams. Officers would reflect on how Members could be best informed of the different processes.

- **Deangate golf course:** Concern was expressed about the additional funding allocated to the golf course for survey work and it was explained that this was as a result of the delay caused by Covid-19 which had caused additional costs to be incurred.
- **The flexible retirement of the Chief Executive:** It was clarified that the Chief Executive was continuing in the Council's employment but had reduced his hours, moving to a four-day working week.
- **Housing Revenue Account (HRA) surplus:** Members were advised that the HRA was always budgeted to generate a surplus. Funds were put into reserves to support the service during any years when a surplus was not achieved or to fund larger schemes. Officers would clarify what the surplus was driven from and advise the Member.
- **Medway Commercial Group income pressure:** It was confirmed that this was due to a reduction in CCTV.
- **Highways:** Clarification was sought on the income pressure for Medway Tunnel given that the Committee had been advised during the previous item of an unexpected income from the pothole fund, part of which had been allocated to the tunnel. The Committee was advised that the capital budget was for major long-term maintenance works whereas the revenue budget was for operational maintenance on a day to day basis. Previously a pressure on the capital budget had been forecast but Government funding for those works had been received. On the revenue budget there remained a pressure because more needed to be spent on operational maintenance than had been budgeted for.
- **Household waste sites:** Clarification was sought on the deficit in respect of waste management, given that household waste sites had been closed for a number of months which would have generated savings in waste removal from the sites. It was explained that during lockdown, kerbside waste tonnages had increased significantly with some collection rounds experiencing an increase of up to 40%. The disposal cost of this additional tonnage had put pressure on the budget.
- **Adult Social Care:** Praise was given to staff working in domiciliary care during the Covid-19 pandemic. Details of any performance deep dive were sought and the possibility of a virement into adult social care was raised. It was explained that, because of the Covid-19 pandemic, the cost of placing people leaving hospital into social care had increased significantly. The provider market was struggling to meet demand and was incurring additional cost. In response to this, the Business Change

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and Finance teams were focusing their efforts on Children and Adults. They were mapping out core processes; working with social workers on programmes of review of individual placements and working with partnership commissioning colleagues to ensure that people's needs were met in a cost effective way and the Council was not being charged for services that were not required. In terms of virements, the Council had been as flexible as possible with its grant structure.

- **Vacancies in Adult Social Care and any measures being taken to encourage people to retrain:** Members were advised that a lot of vacancies had been highlighted in round 1 monitoring which might in part be due to the adjustment needed to recruit and train new members of staff in a remote environment. Colleagues in HR and Adult Education were seeking to maximise use of the Government's Kick Start scheme which granted work placements for young people whose job prospects had been adversely affected by the Covid-19 pandemic.
- **Comparison unitary data on corporate debt write-off:** Officers undertook to respond to the Member outside of the meeting.

### Decision:

The Committee noted:

- a) the results of the first round of revenue budget monitoring for 2020/21; and
- b) that on 25 August 2020 the Cabinet noted the proposal for the Chief Executive to pursue a reduced working week and flexible retirement, as set out in paragraph 6.2.3.

(In accordance with Council Rule 12.6, Councillors Khan, Maple and Murray asked that their votes in favour be recorded.)

### 359 Covid-19 recovery

#### Discussion:

The Committee considered a report on the latest steps taken by the Council to assist Medway to continue its recovery from the Covid-19 pandemic.

Members noted that, since the report had been produced, the Council had gone back into a response phase due to the rising number of cases of Covid-19 nationally. Also, further information had been received on additional Government funding.

Although the Council continued to support recovery, stepping back into the response phase had meant that front facing services had been asked to establish what the position would be if Medway were to move from the medium

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to the high level at which point a number of further restrictions would come into place. At present Medway's figures were low compared to the rest of the South East and the rest of the country. The Council was putting out very clear messaging and, consistent with partners in the Kent Resilience Forum, was currently asking the community not to go trick or treating during Halloween.

Members considered that communications had been good during the pandemic and the importance of reaching young people through social media was highlighted. The Committee was advised that a Communications Plan was being developed and would be actioned should there be a move to tier 2. The notification process for moving to a higher tier would take place over several days and this would help ensure that all Members were alerted in a timely manner.

Members were advised that the Council had been carrying out joint enforcement with Kent Police on the track and trace requirements for businesses and had found that there was a high degree of compliance given that businesses had to ensure the safety of their customers whilst also encouraging them to continue to shop at their premises. Funding of around £150,000 had been received to enable enforcement to continue although the Council did not have the authority to enforce the position inside premises. The Council would seek to continue the message that this was a matter of personal responsibility.

Further information was sought on measures that would be put in place for managing parking permits should there be a move to tier 2. The Chief Legal Officer undertook to respond to the Member outside the meeting. He also undertook to ask the Director of Public Health to advise members of the Committee of any plans for a locally based test, track and trace system. Given that a number of staff had been willing to be redeployed to carry out essential roles where appropriate as part of the Council's response and recovery, the Chief Legal Officer expressed confidence that there would be a sufficient number of suitable colleagues to fulfil this role should it be required.

Referring to the situation at the University campuses within Medway, the Chief Legal Officer advised that the Council had an excellent relationship with the Universities. They were taking appropriate steps in line with Government guidance and Council advice in respect of both the learning and home environment for students.

### **Decision:**

The Committee scrutinised and noted the Council's role in the recovery phase of the Covid-19 pandemic.

**360 Petitions**

**Discussion:**

The Committee considered a report on petitions received by the Council which fell within the remit of the Committee and the response that had been sent to the petition organisers by the Chief Legal Officer.

Referring to subject of the petitions, it was requested that the next meeting of the Committee receive a report on the conclusions of the cross party working group that was conducting a review of memorials, historic markers and monuments in Medway. The Chief Legal Officer confirmed that he would be drafting a report and was happy to present it to the Committee prior to its consideration by Cabinet.

**Decision:**

The Committee noted the petition response and appropriate officer action at paragraph 3 of the report.

(In accordance with Council Rule 12.6, Councillors Khan, Maple and Murray asked that their votes in favour be recorded.)

**361 Work programme**

**Discussion:**

Members considered a report regarding the Committee's current work programme.

Reference was made to the report on Gun Wharf which had been removed from the Forward Plan of Cabinet Decisions. It was suggested that, depending on the timing of that report to Cabinet, that report and the report on the staff survey on working from home should be considered by the Committee at the same meeting.

The Committee discussed the potential for a report on the Kent Access Permit and it was concluded that the Regeneration, Culture and Environment Overview and Scrutiny Committee would be best placed to receive this report initially.

It was suggested that the Committee take a report towards the end of the municipal year on the Pentagon Centre, including its valuation. It was agreed that this would be discussed at the Committee's next agenda planning meeting.

**Decision:**

The Committee agreed:

- a) to note the Committee's work programme (Appendix 1) and agreed to the addition of a report on the results of the staff survey on working from home: and

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- b) to note the work programme of the other overview and scrutiny committees (Appendix 2).

(In accordance with Council Rule 12.6, Councillors Khan, Maple and Murray asked that their votes in favour be recorded.)

**Chairman**

**Date:**

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