

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

**Thursday, 1 July 2021**

**6.30pm to 9.49pm**

**Record of the meeting**

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

**Present:** Councillors: Buckwell (Chairman), Clarke, Hackwell, Johnson, Maple, Opara and Tejan (Vice-Chairman)

**Substitutes:** Councillors:  
Curry (Substitute for Khan)

**In Attendance:** Mark Breathwick, Head of Strategic Housing  
Ingrid Crisan, Head of Service, Children's Social Work  
Jan Guylar, Interim Assistant Director, Legal and Governance  
Wayne Hemingway, Head of Democratic Services  
Councillor Alan Jarrett, Leader of the Council  
Councillor Rupert Turpin, Portfolio Holder for Business Management  
Phil Watts, Chief Finance Officer

**116 Election of Chairman**

Councillor Buckwell was elected as Chairman of the Committee for the 2021/22 municipal year.

**117 Election of Vice-Chairman**

Councillor Tejan was elected as Vice-Chairman of the Committee for the 2021/22 municipal year.

**118 Apologies for absence**

Apologies for absence were received from Councillors Etheridge, Khan, Murray, Andy Stamp, Wildey and Williams.

(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.)

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### 119 Record of meeting

The record of the meeting of the Committee held on 30 March 2021 was agreed and signed by the Chairman as correct.

### 120 Urgent matters by reason of special circumstances

There were none.

### 121 Disclosable Pecuniary Interests or Other Significant Interests and Whipping

#### Disclosable pecuniary interests (DPIs)

Councillor Opara declared a DPI in item 8, Attendance of the Portfolio Holder for Business Management, as her business had been in receipt of grants. She advised that, should there be a specific discussion on section 9 of the report, she would leave the meeting for the duration of the discussion.

#### Other significant interests (OSIs)

There were none.

#### Other interests

There were none.

### 122 Attendance of the Leader of the Council

#### **Discussion:**

Members considered a report which set out activities and progress on work areas within the Portfolio of the Leader of the Council, which all fell within the remit of this Committee, these being strategic leadership of the Council, communications and marketing, and finance.

The Leader responded to Members' questions and comments as follows:

- **Covid recovery** – In response to questions on the specific financial pressures facing unitary authorities and how to ensure that central Government recognised Medway's need for support as part of the levelling up agenda, the Leader said that representations were being made through the Unitary Councils Network which had developed into an influential body. He added that, as chair of the Kent Leaders Group, he had made representations to ministers for levelling up to be on the basis of need, highlighting that Medway contained some of the most deprived wards. He expressed concern that, in the first round, central Government would focus more on geographical location, with preference being given to areas in the North and Midlands, but he would continue to lobby for adequate recognition of Medway's need. The Leader agreed

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that the Finance Team had done a remarkable job in response to the pandemic, ensuring that grants were issued where they were needed. He added that some collection rates were way ahead of the national average.

- **Regeneration and Housing Infrastructure Fund (HIF) bid –** Responding to a concern that Medway’s rail infrastructure would not be improved as part of the HIF, the Leader said that Southeastern railway had concluded that there would be no demand for such an improvement. Responding to concerns that conflict between the housing, transport and environmental policies would lead to a car-based development, the Leader said that people’s preference for cars could not be ignored and that Medway’s urban areas did not have the road space for meaningful dual use. He also made the points that cycle paths tended not to be used all year round by many people and that developers had to adhere to the Council’s parking standards.
- **Communications and No Mow May –** In response to a concern around the communication of this national initiative, the Leader expressed the view that the concept had been flawed as it led to a blanket approach which was not suitable, leading to poor sight lines at junctions for example. The initiative would not therefore be repeated in Medway next year in this form. In response to an observation that it encouraged hay meadows and therefore biodiversity, the Leader argued that, rather than simply allowing the grass to grow, more intervention was needed to create hay meadows and this would be explored.
- **Child Friendly City -** The Leader explained that this would be a cross cutting corporate initiative putting children and young people at the centre of all the Council did. £1million from the additional resources grant had been allocated to support Medway’s businesses to offer apprenticeships to Medway’s young people, with particular focus on care leavers and those not in education, employment or training. The Rapture Gaming and Creative Festival at the weekend was an example of the focus on children and young people and was sold out for Saturday and nearly sold out for Sunday.
- **Proposed closure of the University for Creative Arts Rochester Campus and the options for the university to retain some presence within Medway -** The Leader reported that the Vice-Chancellor had not responded to the Council’s approaches to engage on this issue and from the conversations that local MPs had held with him, it appeared that he had already determined that the campus would close. One issue was the high cost of maintaining the building and officers had sought to assist the University by identifying options for alternative premises. The Leader added that further and higher education were matters for central Government, but the Council would continue to do all it could to encourage the university to retain a presence in Medway as it had a long-standing association with Medway and should want to stay.

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- **Digital Connectivity** – The Leader agreed that the digital agenda needed to be relevant to all of Medway’s residents so that no-one was marginalised. It was important that the Council took advantage of Government initiatives in this area.
- **The popularity of housing schemes** – The Leader said that Medway had always been an attractive option for people wishing to move out of London. However, a substantial number of the new homes on the Rochester Riverside development had gone to local people. He added that, in discussions with the Medway Development Company, he had emphasised that the pricing policy for new homes should set the standard rather than follow the market and should reflect all that Medway has to offer. The Leader said that part of maximising Medway’s offer was to ensure that new homes were as carbon neutral as possible. A good example of this was the new affordable housing scheme at White Road.
- **The Government’s emerging thinking on housing development** – The Leader said that this was an area of concern, particularly as the extension of permitted development rights might lead to the loss of premises, which could offer employment opportunities, to residential use. In working towards the Government’s housing targets, the Council would hold developers to account to ensure that appropriate standards were maintained.
- **Strood Waterfront and Medway Development Company (MDC) capacity** – Responding to a question on why developers were not considering this development opportunity, the Leader clarified the distinction between this area and Civic Centre, Strood which had shown disappointing results when put to the market. MDC had been asked to develop a viable offer when it had the capacity to do so. Asked about MDC’s capacity, the Leader said that discussions had been held about options to grow the company’s portfolios, but it was considered that it should first focus on doing its current work well. With regard to Strood Waterfront, the Leader advised that the viability of the site was dependent on the resolution of complex issues associated with Kingswear Gardens and monies owed to Homes England. He said that he was not in favour of a temporary use for the site as this could lead to negativity when this use ended.
- **External audit of the 2019/20 Statement of Accounts** – Highlighting that the Council’s finances were extremely well managed by the Finance Team, the Leader stressed that there was no correlation between the fact that the 2019/20 accounts had not yet been signed off by the external auditor and the management of the Council’s finances.
- **Timescale for the redevelopment of Splashes** - The Leader advised that the demolition of the existing building was planned for this year with the building of an improved facility starting during the latter part of 2022 once a contractor had been appointed.

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- **City Status bid** – The Leader expressed confidence in the bid due to what was being achieved to develop a city centre. With a regeneration programme of half a billion pounds which had not faltered during the pandemic, Medway had showed itself to be a resilient place deserving of city status.

### Decision:

The Committee thanked the Leader for his attendance and for his detailed responses.

## 123 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:

- **Digital infrastructure/digital poverty** – In response to questions on ensuring all residents had access to broadband and digital equipment to enable them to access services online, including children's access to online learning, the Portfolio Holder said that although there was still a place for non-computer based learning, it offered the potential for a broader range of live-streamed lessons. He said that he favoured schools offering funding for digital technology that parents could not afford. Within the Council, the migration from the old IPFX system to a new telephone system was well underway and offered many opportunities for digital solutions for customer contact.
- **Electoral Services** – In thanking the team for the successful operation of the Police and Crime Commissioner for Kent election on 6 May, it was questioned whether the small team had the capacity to undertake the numerous reviews highlighted in the report. The Portfolio Holder gave assurance that the precautions taken at polling stations to ensure the election was conducted safely would be repeated. He also encouraged

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the use of postal votes. The Portfolio Holder recognised the team's hard work and said that he encouraged all managers to raise any capacity issues with him. He shared Members' disappointment that, due to external factors, it had not been possible to do an analysis of the electoral registration canvass. Asked about the 2021 Census, the Portfolio Holder said that the response rate was estimated to be around 94%. The data would need to be processed to identify trends and inform future service provision.

- **Ongoing industrial relations issues within Norse** – Asked how the situation could be improved, the Portfolio Holder said that a combination of factors had led to difficulties, including the inability to hold round table discussions during the pandemic. He considered that consultation through email had not enabled a proper dialogue to develop.
- **Volunteer support for Norse** – The Portfolio Holder acknowledged the good work by Norse on the urban tree challenge and the role of volunteers who were undertaking the after care of the newly planted trees. In response to a question on rubbish collections organised by volunteers, often in areas which were not covered by Norse, the Portfolio Holder assured Members that the rubbish collection contract was closely monitored. He highlighted a current shortage of drivers, caused in part by staff needing to self-isolate. He also pointed out that there were some areas from which Norse could not collect, for example alleyways behind locked gates. Such areas were suitable for community litter picks in liaison with community wardens.
- **Customer and Business Support satisfaction rates** – In response to a question on the customer satisfaction rate, which was around 75%, the Portfolio Holder said that customers were invited to give feedback when they contacted the service, but it was not compulsory. As staff were often successful in securing higher graded posts within the Council, the service was considering ways of improving staff retention, such as career progression within the service.
- **Covid-19 financial hardship fund** - On hearing the circumstances of an application that was turned down, the Portfolio Holder asked the Member to let him have the details so that it could be investigated.
- **Mechanism for giving feedback on the website** - The Portfolio Holder suggested that this issue should be discussed at the Member User Group.
- **Audit of Schools** – Given the number of critical audit judgements on smaller schools, it was suggested that schools without sufficient designated finance staff should be given extra support to ensure that their financial management was as good as it should be. The Portfolio Holder agreed to raise this with officers.

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- **Member training and scrutiny of performance management** – In agreeing to pass on thanks to Democratic Services and Children’s Services for the increase in Member training and the support to the early help Task Group, the Portfolio Holder said that, after the Ofsted inspection, it was important that the Children and Young People’s Overview and Scrutiny Committee received the level of information that would allow it to scrutinise issues in depth and challenge the data.
- **National risk register and its relationship with local risk registers, particularly in relation to the pandemic** – The Portfolio Holder emphasised the importance of managers undertaking risk management within their service, which fed into the various interconnecting cells for the recovery phase of Covid.
- **Paperless working for Members** - The Portfolio Holder agreed that the current level of take up by Members for electronic committee papers was disappointing. He noted that the IT team provided extensive support to Members in this regard and said that he would continue to encourage Members to take up the offer of paperless working.
- **Income pressures in Regeneration, Culture and Environment and Business Support** – The Portfolio Holder said that there were encouraging signs of economic recovery, as evidenced, for example, by an increase in the use of Medway’s public car parks. He reported that Council Tax collection was better than 2019 levels.

### Decision:

The Committee thanked the Portfolio Holder for Business Management for his attendance and for his detailed responses.

## 124 Findings from the Local Government and Social Care Ombudsman

### Discussion:

Members considered a report which set out the findings of an investigation undertaken by the Local Government and Social Care Ombudsman that related to both housing and children’s services. Officers confirmed that the Ombudsman had been satisfied with the Council’s response to its findings and had closed the complaint.

Members raised the following issues which were responded to:

- **Member involvement** – It was confirmed that there had been no Member involvement in the issues which had led to the complaint being made.

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- **How the Council dealt with hard to reach families with complex issues, particularly in relation to homelessness legislation** – Officers advised that, in response to this case, Housing and Children’s Services had worked to ensure that there was early intervention to resolve issues before it was necessary to make determinations under the definition of intentionally homeless in the homelessness legislation.
- **Given that the child was known to Children’s Services, the absence of a ‘red flag’ to signpost the child through the service** – Officers said that they had recognised the need for a joined-up approach by the two services from the outset, rather than a sequential approach. The use of Personal Housing Plans ensured that all services were brought together to address the needs of the whole family. In this instance, the family had not wanted to engage with Children’s Services on the terms offered and the Ombudsman had concluded that more could have been done by the Council.
- **As a unitary authority, there needed to be shared learning and improved communication between services to ensure there was not a similar case** – Officers said that it was not possible to completely rule out the risk of there being a similar case as front-line staff were making difficult decisions every day. However, learning from this case had been shared across teams within the Council and also with other authorities through the Kent Housing Group. Central to the case was the intentionally homeless decision under the legislation and a different approach was now adopted with temporary accommodation being offered for a longer period of time whilst this decision was considered. Also, an extra layer of governance had been put in place to ensure that challenging cases were discussed, and a way forward agreed, by a joint panel involving colleagues from a range of services.

### Decision:

The Committee noted the report and the Ombudsman’s report attached at Appendix A to the report.

## 125 Petition

### Discussion:

The Committee noted a petition to plant more trees to reduce Medway’s carbon footprint, and as summary of the response sent to the petition organiser by officers. It was suggested that these be referred to the Climate Change Member Advisory Group for information.

It was proposed that the Committee receive an annual report on the use of the Council’s petitions scheme, at the end of each municipal year, to identify and trends.



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### **Decision:**

The Committee:

- a) noted the petition response and appropriate officer action in paragraph 3 of the agenda report; and
- b) agreed that the Committee would receive an annual report on the use of the Council's petitions scheme, at the end of each municipal year.

### **126 Work programme**

#### **Discussion:**

Members received a report on the Committee's work programme. It was suggested that, at the next agenda planning meeting, consideration be given to the addition of an item to the work programme, to review the Council's corporate sponsorship policy, possibly at the November meeting.

A Member referred to reported developments in relation to a criminal investigation into Medway Commercial Group (MCG), noting that the Committee was due to receive a report on the outcome of an audit of MCG in due course.

#### **Decision:**

The Committee:

- a) agreed the proposed changes to the Committee's work programme (Appendix 1) as set out in paragraphs 2 and 3 of the report;
- b) agreed to consider the addition of an item to the work programme, to review the Council's corporate sponsorship policy; and
- c) noted the work programmes of the other overview and scrutiny committees (Appendix 2 of the report).

**Chairman**

**Date:**

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