

Medway Council
Meeting of Business Support Overview and Scrutiny
Committee

Thursday, 19 August 2021

6.05pm to 10.22pm

Record of the meeting

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

Present: Councillors: Buckwell (Chairman), Etheridge, Johnson, Maple, Murray, Opara and Tejan (Vice-Chairman)

Substitutes: Councillors:
Purdy (Substitute for Wildey)

In Attendance: Mark Breathwick, Head of Strategic Housing
Mandy Francis, Licensing Manager
Emily Lane-Blackwell, Senior Licensing Officer
Andrew Mann, Partnership Director, Medway Norse
Dee O'Rourke, Assistant Director, Culture & Community
Stephen Platt, Democratic Services Officer
Phil Watts, Chief Finance Officer

270 Apologies for absence

Apologies for absence were received from Councillors Clarke, Hackwell, Khan, 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.)

271 Record of meeting

The record of the meeting of the Committee held on 1 July 2021 was agreed and signed by the Chairman as correct.

272 Urgent matters by reason of special circumstances

There were none.

Business Support Overview and Scrutiny Committee, 19 August 2021

273 Disclosable Pecuniary Interests or Other Significant Interests and Whipping

Disclosable pecuniary interests (DPIs)

Councillor Opara declared a DPI in item 7, Covid-19 Recovery and item 9, Revenue and Capital Budget Outturn 2020/21, as her business had been in receipt of grants. She advised that, should there be a specific discussion on this issue, she would leave the meeting for the duration of the discussion.

Other significant interests (OSIs)

There were none.

Other interests

Item 5: Universal Credit and Welfare Reforms Annual Progress Report

Councillor Buckwell declared an interest as he sat as a judicial member in tribunal appeals in relation to immigration.

Councillor Johnson declared an interest due to his work on local welfare provision for the Citizens Advice Bureau.

Councillor Murray declared an interest due to her work at Rochester Prison.

Item 6: Statement of Gambling Policy 2022-2025

Councillor Johnson declared an interest as a trustee of Medway Asthma Self Help which ran a small lottery.

item 9: Revenue and Capital Budget Outturn 2020/21

Councillor Maple declared an interest as a member of a number of organisations that had received Covid funding.

Item 10: Council Plan Performance Monitoring and Risk Register Review, Quarter 4, 2020/21

Councillor Johnson declared an interest as a trustee of Medway Asthma Self Help which had commented on air quality, which was referred to in the report.

Councillor Tejan declared an interest as the Director of a business at the Innovation Centre which was referred to in the report.

274 Universal Credit and Welfare Reforms - Annual Progress Report

Discussion:

The Chairman welcomed Becky Waller and Steve Randall from the Department for Work and Pensions (DWP).

Members raised the following issues which were responded to:

- **Personal Independence Payments (PIP)** – Concern was raised regarding the high number of successful tribunal appeals which indicated that there may be a fault in the way in which original decisions were made, possibly through the medical process. Members asked the following questions which would be responded to outside of the meeting:
 - whether PIP tribunal hearings would continue to be conducted by telephone;
 - if the addition of a ‘review of appeal evidence stage’ to the process, close to the appeal hearing date, had been considered; and
 - given that a successful appellant no longer needed to be re-assessed, whether this would still be the case if they moved from a legacy payment to Universal Credit.
- **Medway Task Force** – Members would be provided with some positive examples from the Task Force.
- **Everybody In scheme** – In response to whether vulnerable people who were housed quickly under this scheme were continuing to receive the support that needed, Members were advised that the DWP worked with various partners to support homeless claimants and find a way to bridge the skills gap to enable them to gain employment. The Head of Housing advised Members of the various schemes and initiatives that helped people with different aspects of their lives, linking them to the right services.
- **Kickstart Scheme** – Members were advised that in Medway, 266 eligible people had successfully joined the scheme and it was hoped that they would be retained by the employers. The DWP were continually looking for employers to join the scheme which was becoming more widely known through recommendations. The top three sectors in the scheme were administration, hospitality and food, and retail and sales. Members asked if they could be kept informed of the progress of the 266 participants at the end of the year.
- **Furlough** – Asked how many Medway residents were on furlough, the Chief Finance Officer advised that in May 2021, the figure was 8,200 which represented 7% of the workforce. This compared to 35,000 in July 2020.

Business Support Overview and Scrutiny Committee, 19 August 2021

- **Workloads** – Noting that complex cases took longer to process, Members asked what was done to support vulnerable families during this time. They were advised that the DWP worked with Children’s Centres and held a bi-monthly complex needs forum to discuss what extra support was needed for vulnerable families to ensure that services were available to them.
- **£20 uplift payment** – In response to concerns raised regarding the impact of withdrawing this temporary payment, Members were advised that the DWP was working closely with organisations such as the Citizens Advice Bureau who could offer advice on debt. Members would be provided with information on the number of Medway residents who had benefitted from the payment and the number who would lose it when it was withdrawn.
- **Reduction in benefits in October** – Giving an example of a constituent who had been in receipt of a self-employment grant that had triggered a change in Universal Credit, a Member expressed concern about the hardship that was being caused by a reduction in benefits. Members were advised that the DWP was recruiting staff to support people with debt management. It also regularly undertook an analysis of vacancies against skills to try to close any skills gaps. Members requested that this be included in future reports.
- **Increases in Rent** - The Head of Strategic Housing acknowledged that local rents were increasing due to the high demand for housing. His teams sought to ensure that tenants were receiving all the benefits they were entitled to.
- **Test and Trace support payments** – In response to concerns about the number of claimants that had not received this payment, Members were advised that claims had to be validated to confirm that claimants had been told to self-isolate. The Chief Finance Officer assured Members that this support was well publicised through the website and Medway Matters and undertook to provide an analysis.
- **Short-term benefit advance scheme** – The Chief Finance Officer clarified that these payments were repayable but it would depend on a person’s individual debt and the prospect of a payment being paid back.

The Chairman thanked Becky Waller and Steve Randall for their attendance.

Decision:

The Committee:

- a) noted the work referenced in the report and was assured that the Member Task Group’s recommendations are embedded in the

Business Support Overview and Scrutiny Committee, 19 August 2021

Council's policies, practices and contracts and those of its partners;
and

- b) thanked the staff of the DWP and the Council's Housing and Finance teams for their work during the Covid pandemic.

275 Statement of Gambling Policy 2022 - 2025

Discussion:

The Committee was advised that, under the Gambling Act 2005, Licensing Authorities were required to prepare and publish a Statement of Gambling Policy every three years. Members considered a report on the draft policy statement for 2022 to 2025, including the responses received during a four-week consultation period.

Members noted the proposed revisions to the policy, which included the addition of more information on the registration of Small Society Lotteries and a number of administrative amendments.

Members raised the following issues for discussion:

- **Small Society Lotteries** – Officers confirmed that registration was required for lotteries where tickets were sold over a period of time and the tickets state the date of the draw. No registration was required for tickets sold and drawn on the day of an event.
- **NHS support** – A Member was pleased to note that the NHS support available for gambling addiction had increased.
- **The relationship between the Gambling Policy and Public Space Protection Orders (PSPOs)** – Members were advised that the Licensing Authority was not involved with PSPOs.
- **Protecting children from harm** – Officers confirmed that the policy statement did refer to protecting children from harm and noted that Members may wish for this to be expanded. However, this was more relevant to the Gambling Commission's policy. It was recognised that there would be children in Medway with a gambling addiction and a Member suggested that awareness of this issue should be raised in schools. On the issue of underage testing, officers advised that, as a Licensing Authority, the Council did not have the powers to undertake such testing. It was noted that some larger companies organised their own test purchasing and advised Licensing Authorities of the results.
- **Gambling advertising** – A Member noted that a parliamentary paper on the regulation of gambling advertising had recently been published. Officers confirmed that, should any recommendations from this be agreed within the period of the Council's gambling policy, they would be incorporated.

Business Support Overview and Scrutiny Committee, 19 August 2021

- **Maximum stake of gaming machines** – A Member was pleased to note that the maximum stake for category B2 gaming machines was £2 and not £100 and that the Council had played a part in this decision.
- **Training for front-line staff** – Officers agreed to liaise with Workforce Development regarding the possibility of providing training to front-line staff on how to recognise people that may have a problem with gambling.

Decision:

The Committee:

- a) noted the responses to the consultation and officers' proposed amendments to the policy document as set out in paragraph 3 of the report;
- b) commented on the draft policy document attached at Appendix 1 to the report, including officers' proposed amendments as set out in paragraph 3 of the report; and
- c) proposed no further amendments to the draft policy document prior to its consideration by Cabinet and recommendation to Full Council for approval.

276 Covid-19 Recovery

Discussion:

The Committee considered a report that provided an update on the Council's recovery from the Covid-19 global pandemic. It was noted that the approach was to resume services as soon as possible, ensuring that Medway emerges stronger and more resilient, making the most of opportunities to build back better. New ways of working and operational models would be adopted as the Council returned to business as usual.

The report outlined the three phases of the recovery plan, Rebound (2021-22), Rebuild (2022-23), and Reimagine (2024 onwards).

Members raised the following issues which were responded to:

- **The Council's membership of the Kent and Medway Employment Taskforce** - Reference was made to quotes in the media from Locate in Kent that it would be working with Medway and clarification was sought on the success of the Council's engagement with such groups on skills, employment and economic development. Officers undertook to provide a response.
- **Debt owed to Adult Social Care** – Asked what steps were being taken to reduce this debt, officers responded that that debt levels had increased whilst the Council had supported the hospital with swift

Business Support Overview and Scrutiny Committee, 19 August 2021

discharge pathways to move patients from hospital and into care. It was noted that a lighter touch to debt collection had been taken throughout the pandemic but that this was now ending.

Concern was expressed that people did not realise that they would be expected to pay for their care package when they were discharged from hospital at the earliest opportunity and that this was causing additional hardship and levels of debt. Also, the new adult social care strategy relied too heavily on the support of the voluntary sector that was not in the position of resilience that it had been before the pandemic. Officers responded that funding from the CCG was available to facilitate hospital discharges. However, this had reduced to the first four weeks following a patient's discharge. There had been improvements in linking care and financial assessments but the volume of assessments required had been a challenge.

- **Care Quality Commission suspension of assurance visits** – Officers clarified that this referred to care homes and not people within their own homes.
- **Bus Back Better** – Clarification was sought on the Council's commitment to the bus back better aspirations set out in the National Bus Strategy. Officers confirmed that a service plan was being developed and this would be a priority for the Transport team in the coming months.
- **Engagement with vulnerable children and families during the pandemic** - Officers said that the service had been trying to engage with those vulnerable families it was aware of, and whilst it had adapted to new ways of working, face-to-face contact was always preferable where possible.
- **Support for Medway residents working from home** - Officers advised that the Council was working with broadband providers on how the providers could improve broadband accessibility across the borough. In addition, once a better sense of the new normal had been established in terms of people's working arrangements, initiatives such as sharing office space could be rolled out, initially with public sector partners.
- **Establishing the new normal** – Questioned on how long it would be before the new normal emerged, officers advised that regular staff surveys were identifying issues to be addressed and a number of workstreams had been set up to facilitate the move to new ways of working in an informed way.
- **The definition of hybrid meetings** – In response to a Member's comment that it must be ensured that all participants in a hybrid meeting could be clearly seen and heard, officers advised that a project group had recently been established to consider workforce development across the organisation. This would include agreeing some common

Business Support Overview and Scrutiny Committee, 19 August 2021

definitions and terminology. In addition, the agreed capital programme made provision for investment in technology to ensure that meeting rooms were fit for purpose.

- **Welcome back fund** – Officers confirmed that the Council's bid had been successful and £250k of funding had been provided. They agreed to provide Members with the detailed programme.
- **Deep clean for High Streets** – Asked if this would extend beyond the five town centres to include other community high streets and shopping areas, officers agreed to provide a written response.
- **Economy and infrastructure recovery cell** - It was questioned why UCA were not members of this place-based group when it was established. Officers agreed to provide a written response on whether organisations were invited to join or self-nominated.
- **#WhoKnew** – Members would be provided with data on the success of this campaign.
- **Medway's 21st and 25th anniversary** - A Member observed that these anniversaries would fall within pre-election periods and officers confirmed that celebrations would take place throughout the year and not during purdah.
- **Future High Street fund bid** – Officers agreed to provide an update on the 2nd tranche bid for Gillingham High Street.
- **Additional Restrictions Grant** – In response to a question on how this grant funding was being targeted, officers advised that £8m of funding had been received and that schemes 1 and 2 had been quite prescriptive. The Council was seeking to use this grant to encourage businesses to employ apprentices and it was therefore targeted at those who could demonstrate this. Members would be provided with the criteria.
- **Turning the Tide Transformation Oversight Board** – Noting the high impact that Covid-19 was having on Black, Asian and Ethnic Minority populations and workforce, a Member highlighted the need for the Medway Diversity Forum and faith groups to be involved in the work of this board.
- **Seeing is Believing programme for Child Friendly Medway** – Members would be provided with the programme.
- **Medway Development Company (MDC) construction projects** – Asked about the creation of jobs for local people, officers advised that MDC was not a big employer of people but managed many construction projects and used the same procurement processes as the Council.

Business Support Overview and Scrutiny Committee, 19 August 2021

- **Flexible working policies** – In response to a question about how staff who might be struggling with working from home were supported, officers responded that staff surveys had revealed that there were very high satisfaction rates for hybrid working arrangements. Where members of staff were experiencing difficulties, arrangements to enable them to return to the office were explored.

Decision:

The Committee noted the overall approach set out in the report and the proposal to mainstream this activity into Business as Usual.

277 Medway Norse Update

Discussion:

The Committee considered a report which represented a final review of the performance of the Joint Venture from the perspective of the Council client for 2020/21 financial year. The report was accompanied by an update on the Joint Venture's achievements and financial performance prepared by the Partnership Director at Medway Norse.

Members raised the following issues which were discussed:

- **Household waste recycling centres** – A Member praised the booking system which had reduced queues and the amount of rubbish dumped at the roadside.
- **Dog waste bins** – Responding to a Member's concerns about overflowing bins, the Partnership Director noted the suggestion that larger bins be provided and responded that in some cases, dog waste bags were left on top of a bin which was not full.
- **Opportunity to increase the use of electric/hybrid vehicles based at the new depot** – The Partnership Director confirmed that the new depot included multiple vehicle charging points.
- **No Mow May** - The Partnership Director acknowledged the issues that had been created by No mow May. He added that wild flower planting was currently under discussion.
- **Update on employment tribunals** – The Partnership Director reported that two were still outstanding and that Norse remained confident that the position it took was correct.
- **Use of Norse services by registered social landlords** – The Partnership Director advised that conversations were ongoing regarding facilities management, general and grounds maintenance.

Business Support Overview and Scrutiny Committee, 19 August 2021

- **Successful re-tender exercises** – The Partnership Director reported that there was a healthy mix with some contacts being retained and some new ones being gained. Even if a tender had been lost, Norse were often commended in exit interviews.
- **Incident in Chatham High Street** – The Partnership Director stressed that this incident did not take place during work time.
- **Management of bins by housing providers** – The Partnership Director explained the challenges when refuse staff had to collect the bins from storage areas or they were not accessible, and this issue was currently under discussion.
- **Disposal/upcycling of waste electrical and electronic equipment** – The Partnership Director advised that this was a matter for the Council although Norse processed items that were taken to the household waste recycling centres (HWRCs). Discussions were ongoing on various initiatives to encourage upcycling via the HWRCs.
- **Street cleansing** – In response to concerns expressed regarding the frequency of litter inspection audits which, according to a later item on the agenda, amounted to an average of four and a half inspections per ward per month, the Partnership Director advised that the frequency of Norse's own inspection audits carried out by its inspectors, was higher.
- **Loss of trees** – The Partnership Director assured Members that trees were only removed for health and safety reasons. Over the past year, action had been taken to increase the number of trees planted.
- **Frequency of collections in the Chatham Intra area** – Responding to a question on whether the frequency of collections could be increased from three times a week to daily, the Partnership Director said that this was a funding issue and was part of the regular discussions held with the Council.
- **Weed spraying in block paved areas** – The Partnership Director explained that Norse always tried to undertake weed spraying early but this year, due to regular periods of rainfall, the effectiveness of the treatment process had been compromised. As a result, Norse staff were having to scrape more weeds from the pavements.
- **Praise for Norse Staff** – Picking up on the number of Members who had praised Norse staff, both operational and administrative, during the discussion, the Chairman asked the Partnership Director to cascade the gratitude of all elected Members to Norse staff for the incredible work they had done in such challenging circumstances.

Decision:

The Committee noted the contents of the report and its Appendix.

278 Revenue and Capital Budget Outturn 2020/21

Discussion:

The Committee considered a report on the final revenue and capital outturn position for the financial year ended 31 March 2021. The Chief Finance Officer reported that, despite the pressures caused by the pandemic, the Government support received in grants had allowed the Council to post an underspend that went into reserves and was being used in the current year budget.

Members raised the following issues that were responded to:

- **Spending on IT equipment during the pandemic** – The Chief Finance Officer reported that covid related money had been invested in new technology to enable people to work from home. Following a review, contributions were being made into an IT renewals fund to ensure there was provision for the replacement of equipment.
- **Section 114 notice** – In response to an observation that a number of upper tier Councils had issued a Section 114 notice, the Chief Finance Officer advised that the Council's budget had been built to reflect the pressures. There were issues within Children's Services as a result of the cost of placements but income generation within Regeneration, Culture and Environment had recovered more quickly than anticipated. He added that it was too early to comment on section 114 notices until the budget had been through its usual processes.
- **Increase in the cost of building materials in capital programme schemes** - The Chief Finance Officer advised that all the schemes had risk registers, some of which were moving towards red as a result of the increasing cost of materials. Project managers would seek to value engineer the cost of those schemes down to reflect this increasing cost.
- **Spending on Children's Services** – A Member highlighted the need to maintain investment in children's services to tackle the high needs deficit. In response the Chief Finance Officer reported that, during discussions with colleagues at the Ministry of Housing, Communities and Local Government, he had expressed the view that the inflated prices for children's services within the provider market could not be sustained. He added that the Government was not sufficiently funding SEN places and some of the pressure that created was falling on the general fund.
- **School place planning** – In response to a question on funding, the Chief Finance Officer said that there was a reliance on Section 106 money from developers although it was recognised that this would be insufficient.

Business Support Overview and Scrutiny Committee, 19 August 2021

Decision:

The Committee noted the 2020/21 revenue and capital outturn position.

279 Council Plan Performance Monitoring and Risk Register Review, Quarter 4 2020/21

Discussion:

The Committee considered a report presenting a summary of the Council's performance in Quarter 4 of 2020/21 on the delivery of programmes and measures which fell within the remit of the Committee; a performance summary of all services; and a summary of the discussions at the other overview and scrutiny committee meetings. The report also presented the Quarter 4 2020/21 review of strategic risks.

Members raised the following comments and questions which were responded to:

- **MAE2 – Medway Adult Education % retention rate** – In response to a Member's observation that the Q2 status was red yet the comments section stated that retention continued to be good, the Chief Finance Officer confirmed that, once people had started in post, the retention rates were holding up.
- **N23 – The percentage of children social care substantive posts not filled by permanent social workers** – The Chief Finance Officer agreed to ask the service why Q4 data was not available and advise Members.
- **Strategic risk of another pandemic** – The Chief Finance Officer reported that the Strategic Risk Management Group, which was attended by the Council's Epidemiologist, had discussed this issue and concluded that, as a result of the possibility of further virus mutations, this risk was now higher. A risk proforma for pandemics was therefore being developed.
- **Strategic risk SR17** – A Member suggested that this risk needed to include a reference to the significant cost increase of regeneration.
- **Press releases on prosecutions for benefit fraud** – The Head of Housing agreed that these prosecutions needed to be published and this would be pursued.
- **Severe Weather Emergency Protocol** - Noting the severe heat and flooding being experienced in Europe, a Member sought clarification that the Council's Severe Weather Emergency Protocol would apply in such weather conditions and was not restricted to cold weather. The Head of Housing confirmed that it would apply to all severe weather conditions.

Business Support Overview and Scrutiny Committee, 19 August 2021

- **Local Government and Social Care Ombudsman decisions** - Further to the Committee's consideration of an upheld complaint at its meeting on 1 July, it was noted that a second complaint had been upheld. Officers agreed to provide details Members with details.

Decision:

The Committee:

- a) considered the Q4 2020/21 performance against the measures used to monitor progress against the Council's priorities and noted the amended strategic risk register as set out in Appendix 4 of the report; and
- b) was informed that work to determine the level of risk of another pandemic was being undertaken and that the outcome of this work would be reported to a future meeting.

280 Work programme

Discussion:

Members received a report on the Committee's work programme.

A Member asked which Overview and Scrutiny Committee would receive a report on the Local Plan and at what stage. It was suggested that this should take place after the public consultation stage. Officers agreed to consult with colleagues on this proposal.

Decision:

The Committee:

- a) agreed the Committee's work programme (Appendix 1 to the report);
- b) noted the work programmes of the other overview and scrutiny committees (Appendix 2 to the report); and
- c) proposed that the overview and scrutiny process should include consideration of the Local Plan, preferably after the public consultation stage.

Business Support Overview and Scrutiny Committee, 19 August 2021

Chairman

Date:

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