

COUNCIL

20 JANUARY 2022

REPORT ON OVERVIEW AND SCRUTINY ACTIVITY

Report from: Neil Davies, Chief Executive
Author: Wayne Hemingway, Head of Democratic Services

Summary

This report provides a summary of the work of the Council's Overview and Scrutiny Committees since the last report to Council on 7 October 2021.

1. Budget and policy framework

1.1. The Council's Constitution provides for the activities of Overview and Scrutiny (O&S) Committees to be reported to Council meetings. The following is a high-level summary of business conducted. For further detail please refer to the minutes of each Committee which are published on the Council's website using the web links listed under background papers.

2. Regeneration, Culture and Environment Overview and Scrutiny Committee – 14 October 2021

2.1. Attendance of the Portfolio Holder for Planning, Economic Growth and Regulation

Outcome:

The Committee:

- a) noted that the Portfolio Holder has offered to provide information as to the Consultants/experts that are assisting the Council with the documents required for the draft Local Plan and the costs involved.
- b) noted that the Portfolio will supply information as to the location of the 10,000 homes which were not included in the draft Local Plan document submitted to Council on 7 October 2021.
- c) noted that the Portfolio Holder and ward Councillors from Strood will share their respective information on the responses from businesses in Strood concerning the re-instatement of the Strood Town Centre Forum with the

Assistant Director Regeneration so that this can then be shared via a Briefing Note.

- d) requested that a briefing note be supplied on the Welcome Back Fund and the Future High Street Fund and any future opportunities to bid.

2.2. Annual Review of Waste Contracts, Contract Year October 2020 - September 2021

Outcome:

The Committee:

- a) noted the report and appendices 1 and 2 and expressed appreciation to officers, Veolia and Medway Norse for the services provided.
- b) requested that information be provided as to those locations where the possible provision of additional or larger litter bins are being considered.

2.3. Housing Infrastructure Fund: New Routes to Good Growth

Outcome:

The Committee noted the report.

2.4. Medway City Status Bid

Outcome:

The Committee supported Medway's City Status bid and agreed to share Medway's story/narrative with residents and across networks to garner additional support for Medway's bid.

2.5. Council Plan Performance Monitoring and Risk Register Review 2021/22 Quarter 1

Outcome:

The Committee:

- a) noted the Quarter 1 2021/22 performance against the measures used to monitor progress against the Council's priorities.
- b) noted that the Assistant Director Front Line Services will inform the Member concerned as to the date of the next meeting of the Climate Change Advisory Member Group.

2.6. Petitions

Outcome:

The Committee:

- a) noted the petition responses and appropriate officer action in paragraphs 3 and 4 of the report.
- b) noted that there had been one petition referral relating to the request for traffic calming measures in Marlborough Road and the petition organiser would be invited to attend the next meeting of the Committee.

2.7. Work Programme

Outcome:

The Committee:

- a) noted its current work programme and agreed that the Medway Local Plan be removed from the agenda for January 2022 and added to the list of reports where dates had yet to be determined.
- b) agreed that the report on Medway 2037 – Economic Development Strategy in Medway be added to the January agenda.
- c) agreed to the removal of the Lifecycle Report on the Highways Investment Network from the Committee's Work Programme on the basis that this information had been circulated by way of a briefing note.
- d) noted that indicative dates were currently being obtained for the reports listed on the 'dates to be determined' section of the work programme.

3. Business Support Overview and Scrutiny Committee – 21 October 2021

3.1. Voluntary Sector Task Group

Outcome:

The Committee noted the report and the progress made against the Task Group's recommendations.

3.2. Attendance of the Portfolio Holder for Resources

Outcome:

On behalf of the Committee, the Chairman thanked the Portfolio Holder for Resources for his attendance and for his detailed responses.

3.3. Climate Change Action Plan and Medway Net Zero Carbon Baseline Report

Outcome:

The Committee noted the Climate Change Action Plan.

3.4. Council Plan Performance Monitoring and Risk Register Review Quarter 1 2021/22

Outcome:

The Committee noted the Q1 2021/22 performance against the measures used to monitor progress against the Council's priorities.

3.5. Capital Budget Monitoring Report Round 1 2021/22

Outcome:

The Committee noted the results of the first round of capital budget monitoring for 2021/22.

3.6. Revenue Budget Monitoring Round 1 2021/22

Outcome:

The Committee:

- a) noted the report; and
- b) requested that Members be provided with information on the use of consultants, specifically the number and cost by service area.

3.7. Financial Outlook 2022/23

Outcome:

The Committee noted the report.

3.8. Work Programme

Outcome:

The Committee:

- a) agreed the Committee's work programme (Appendix 1 to the report); and
- b) noted the work programmes of the other overview and scrutiny committees (Appendix 2 to the report).

4. Health and Adult Social Care Overview and Scrutiny Committee – 26 October 2021

4.1. Transforming mental health services across Kent and Medway - Eradicating Dormitory Wards

Outcome:

The Committee:

- a) agreed the following comments and recommendations as the Committee's formal response to the CCG on their proposal to relocate Ruby Ward from Medway Maritime Hospital to a new purpose-built facility in Maidstone:

Comments:

- i) *Welcomes the eradication of the last dormitory ward for mental health patients in Kent and Medway and also the £12.65m allocation to KMPT by the Government to allow a new facility to be built.*
- ii) *Deeply regrets that a site could not be found in Medway which met the agreed criteria.*
- iii) *Regrets that this proposal represents another service moving out of Medway, particularly as the highest proportion of admissions to Ruby Ward between 2016/17 – 2019/20 were from Medway and Swale.*
- iv) *Considers that earlier engagement with scrutiny may have led to a site being identified in Medway.*

{It is acknowledged that the CCG, KMPT and MFT met with the Council in 2020, prior to engagement with the Committee, to attempt to find an alternative site in Medway. The first report to the Committee on this matter was in March 2021 when Members were asked to decide whether the proposed reprovision of services from Ruby ward at Medway Maritime Hospital to the Maidstone Hospital site was considered to be a substantial variation to services and were also advised of various sites in Medway which had been identified as a result of the earlier discussions with the Council referred to. However, none of these sites met the agreed criteria.

In addition, HASC members made some suggestions for possible alternative sites that were fully evaluated in Spring 2021 and discussed as part of a small sub working group comprising Medway HASC members and NHS officials. This process is outlined in earlier papers to HASC and the NHS's pre-consultation business case for the proposed changes to Ruby Ward.

The agreed protocol between the Committee and NHS bodies in the case of substantial variation of health services says: "The NHS body will discuss any proposals for service change with the relevant OSC committee at an

early stage as part of the Committee's work programming process in order to agree whether or not the proposal is substantial and at this point there will be discussion about how consultation with the OSC will be undertaken."}

- v) *Welcomes the fact that the proposal was the subject of a formal public consultation, reflecting the wishes of the Committee and that this was more appropriate than the limited public engagement initially recommended by the CCG.*
- vi) *Expresses its disappointment that the public were consulted on a single option proposal and that this was phrased in terms of it being a relocation and not the closure of a service in Medway.*

Recommendations

- i) *That the alternative sites in Medway identified in the public consultation that have not already been assessed against the criteria (i.e., Gillingham Business Park, Chatham Dockside and Medway Campus), are assessed as a matter of urgency and this is included in the decision-making business case to be presented to Kent and Medway CCG Governing Body in November 2021.*
- ii) *The outcome of this evaluation of potential alternative sites is reported to Members via a briefing note for information.*
- iii) *That service users and their families and carers are involved in the more detailed design process, including ensuring that the new site has a range of digital communications available to enable patients to contact their families and carers.*
- iv) *That a travel and transport strategy is produced during the planning process that addresses the travel and access needs of patients, staff, families and carers and that a report on the take up and effectiveness of this strategy be submitted to the Committee within 6 months of the new facility opening.*
- v) *That clarity is provided about the implementation process, especially around the relocation of patients and staff including how patients who may be initially admitted to MFT in crisis after the service has moved from Ruby ward will be assessed and transferred.*
- vi) *That, for similar proposals in the future, the CCG (or successor organisation) works with the Committee to ensure, in line with Government Guidance on Local Authority Health Scrutiny, that there is constructive dialogue with health scrutiny when communicating on timescales for comments or decisions in relation to substantial developments or variations in order to help ensure that timescales are realistic and achievable.*

vii) *That where in future the requirement to consult the Committee on a substantial variation to a health service is triggered, public consultation should then be seen as the default position and a decision on this, and the appropriate timescales, should be made alongside the Committee.*

- b) agreed, in the event that the CCG disagrees with any of the Committee's recommendations, to delegate to the Director of People – Children's and Adults' Services the authority, following consultation with the Chairman, Vice-Chairman and Opposition Spokesperson, to try to reach agreement with the CCG on behalf of the Committee.

4.2. Medway NHS Foundation Trust - Update on Care Quality Commission Inspections

Outcome:

The Committee thanked Dr Findlay for his attendance, expressed their appreciation of the work of all staff at the Trust and noted the report.

4.3. Kent and Medway Dementia Strategy Briefing

Outcome:

The Committee agreed to note the direction of travel at this preliminary stage of the Kent and Medway Dementia Strategy.

4.4. Adult Social Care Annual Complaints and Compliments Report 1 April 2020 to 31 March 2021

Outcome:

The Committee agreed to note the report.

4.5. Council Plan Performance Monitoring and Risk Register Review Quarter 1 2021/22

Outcome:

The Committee agreed to note the Q1 2021/22 performance against the measures used to monitor progress against the Council's priorities.

4.6. Work Programme

Outcome:

The Committee agreed the changes to the work programme as set out in paragraphs 2.2 and 2.3 of the report.

5. Business Support Overview and Scrutiny Committee – 25 November 2021

5.1. Attendance of the Deputy Leader and Portfolio Holder for Housing and Community Services

Outcome:

The Committee thanked the Portfolio Holder for his attendance and agreed to note the report.

5.2. Medway Adult Education (MAE) Business Plan

Outcome:

The Committee agreed to note the Medway Adult Education Business Plan and forward its comments to Cabinet, as set out above.

5.3. Update on Sponsorship and Advertising Policy

Outcome:

The Committee agreed to note the report.

5.4. Procurement Strategy 2021-2025, 2021 Update Report

Outcome:

The Committee:

- a) noted the achievements of the first year of the first year of the 2021-2025 Procurement Strategy as outlined in in Appendix 1 to the report;
- b) noted the delivery of the objectives within Appendix 2 of the report.

5.5. Council Plan Performance Management Report and Risk Register Review Quarter 2 2021/22

Outcome:

The Committee agreed to:

- a) note the Q2 2021/22 performance against the measures used to monitor progress against the Council's priorities and to note the amended Strategic Risk Register.
- b) request briefing papers on a cyber security incident at a London council and also on current ambassador schemes and that had stopped.

- c) request that officers examine whether the Local Plan should be included in the Strategic Risk Register.

5.6. Capital Budget Monitoring Round 2 2021/22

Outcome:

The Committee agreed to note the results of the second round of capital budget monitoring for 2021/22.

5.7. Revenue Budget Monitoring Round 2 2021/22

Outcome:

The Committee agreed to note the results of the second round of revenue budget monitoring for 2021/2.

5.8. Draft Capital and Revenue Budget 2022/23

Outcome:

The Committee:

- a) noted that Cabinet has instructed officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2022/23 and beyond.
- b) noted the proposals outlined in the draft capital and revenue budgets and agreed to forward the proposals to the individual overview and scrutiny committees.

5.9. Work Programme

Outcome:

The Committee:

- a) agreed to move the Medway Norse Update report from the meeting scheduled for 27 January 2022 to the meeting scheduled for 31 March 2022;
- b) agreed the Committee's work programme at Appendix 1 to the report;
- c) noted the work programmes of the other overview and scrutiny committees at Appendix 2; and
- d) agreed that the current programme of Task Group reviews and also the issue of the length of O&S meetings be discussed at a meeting of O&S Chairmen, Vice-Chairmen and Opposition Spokespersons with recommendations being made to this Committee.

6. Children and Young People Overview and Scrutiny Committee –
1 December 2021

6.1. Medway Safeguarding Children Partnership (MSCP) Annual Report 2020-21

Outcome:

The Committee noted the report.

6.2. Missing Children

Outcome:

The Committee noted the report.

6.3. Supporting Families Programme

Outcome:

The Committee noted the report.

6.4. Draft Capital and Revenue Budget 2022/23

Outcome:

(1) The Committee noted that Cabinet had instructed officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2022/23 and beyond.

(2) The Committee recommended that its comments on the draft budget be fed back to the Business Support Overview and Scrutiny Committee in January.

(3) The Committee noted that the timetable for consideration by overview and scrutiny was as follows:

Business Support	25 November 2021
Children and Young People (this report)	1 December 2021
Regeneration, Culture and Environment	2 December 2021
Health and Adult Social Care	9 December 2021
Business Support	27 January 2022
Cabinet	8 February 2022
Council	24 February 2022

6.5. Medway People Strategy 2021-2025

Outcome:

The Committee recommended Cabinet to:

- approve Medway's new People Strategy as set out at Appendix 1 to the report
- approve the governance and delivery model set out in Section 4 of the report.
- delegate authority for delivery to the Director of People (Statutory DCAS) in consultation with the Portfolio Holder for Children's Services (Lead Member) and the Portfolio Holder for Adults' Services, to make any minor amendments needed to the strategy and finalise the key performance indicators in Appendix A of the Strategy document before its final publication.

The Committee also noted that the Health and Wellbeing Board will monitor the key themes to ensure strategic oversight for Medway.

6.6. Council Plan Performance Monitoring Report & Risk Register Quarter 2 2021/22

Outcome:

The Committee noted the report.

6.7. Work Programme

Outcome:

The Committee agreed the work programme as set out at Appendix 1 to the report, subject to accepting the proposed changes, outlined in italic text on Appendix 1.

The Committee noted the update relating to the teacher position on the committee.

7. Regeneration, Culture and Environment Overview and Scrutiny Committee – 2 December 2021

7.1. Petitions

Outcome:

The Committee:

- a) noted the petition responses and appropriate office action set out in paragraph 3 of the report.

- b) noted the petition referral request and the Director of Place and Deputy Chief Executive's response set out in paragraph 4 of the report and requested that the Committee be informed of the outcome of the investigation work into the request for traffic calming measures in Marlborough Road Gillingham.

7.2. Annual Scrutiny of the Community Safety Partnership including an update on the Community Safety Plan 2020 to 2024

Outcome:

The Committee thanked the partners of the Community Safety Partnership for attending the meeting and:

- a) noted the findings of the strategic assessment.
- b) endorsed the Community Safety Partnership priorities in light of the strategic assessment findings.
- c) noted that further information would be supplied to the Committee concerning the availability of lanyards within the Pentagon Shopping Centre for those individuals who were exempt from wearing a face mask.

7.3. Attendance by the Portfolio Holder for Resources

Outcome:

The Committee:

- a) noted the report and thanked the Portfolio Holder for attending the meeting and answering questions.
- b) noted that if any Member wished to ask for a CCTV camera to be located in their Ward, they should submit a request direct to the Community Safety Partnership Manager for consideration by the Community Safety Partnership.
- c) requested that when available, an update on the Chatham Heat Network Study be supplied to the Committee along with a copy to the Deputy Leader and Portfolio Holder for Housing and Community Services in his role as Chairman of the Climate Change Member Advisory Group.
- d) noted that the Portfolio Holder has agreed to supply information as to the anticipated start date of works to The Brook Theatre.
- e) requested that information be supplied as to the relationship between MDC and the managing agents along with the make-up of MDC's Board of Directors, a staffing matrix and an oversight of minutes of Board meetings, information on cash flow and forecasts, draw down loans,

balance sheets and information on risk analysis. It was noted that this information would be commercially sensitive when circulated.

7.4. Draft Capital and Revenue Budget 2022/23

Outcome:

The Committee noted that Cabinet has instructed officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2022/23 and beyond.

7.5. Council Plan Monitoring and Risk Register Review 2021/22 – Quarter 2 2021/22

Outcome:

The Committee considered and noted the Quarter 2 2021/22 performance against measures used to monitor progress against the Council's priorities and:

- a) noted that the Assistant Director Front Line Services will meet with the Member concerned to discuss the discontinuation of a new shared cycle route connecting Cuxton to Medway Valley Park and that the outcome of the discussions be fed back via email to all Members of the Committee.
- b) noted that the Corporate Head of Performance and Business Intelligence will be refreshing the current list of Council Strategies with a view to publishing this information online and circulating a copy to Members of the Committee.
- c) the Corporate Head of Performance and Business Intelligence will provide a copy of the briefing note relating to NI 167 (average journey time along 5 routes across Medway) to the Member concerned.

7.6. Work Programme

Outcome:

The Committee noted the current work programme.

8. Health and Adult Social Care Overview and Scrutiny Committee – 9 December 2021

8.1. Medway Community Healthcare Service Briefing

Outcome:

The Committee agreed to:

- a) note the report.

- b) request a briefing paper on room availability and space.
- c) recommend that the Council investigate the issue of parking restrictions at some of MCH's sites.

8.2. Long Covid

Outcome:

The Committee agreed to note the report and requested an update in six months.

8.3. People Strategy 2021-2025

Outcome:

The Committee agreed to:

- a) recommended that Cabinet:
 - i) approve Medway's new People Strategy as set out at Appendix 1 to the report
 - ii) approve the governance and delivery model set out in Section 4 of the report.
 - iii) delegate authority for delivery to the Director of People (Statutory DCAS) in consultation with the Portfolio Holder for Children's Services (Lead Member) and the Portfolio Holder for Adults' Services, to make any minor amendments needed to the strategy and finalise the key performance indicators in Appendix A of the Strategy document before its final publication.
- b) note that the Health and Wellbeing Board will monitor the key themes to ensure strategic oversight for Medway.

8.4. Kent and Medway Adult Learning Disability and Autism Collaborative Options

Outcome:

The Committee agreed to:

- a) recommend Option 2 to Cabinet as this this will secure the Council's place as an equal partner in key decisions with the NHS, which affect how healthcare services and support for Medway's residents with a learning disability and autistic residents are planned, delivered and held accountable.

- b) request that the Cabinet, if Option 2 is approved, ensure that Medway has an equal voice in decision making and service delivery; suitable performance monitoring arrangements are put in place and if the outcomes for Medway residents with learning disabilities and/or autism are not improved to re-consider the model.
- c) agree that a progress report on the new arrangements, including outcomes, are reported to the Committee 6 months after the start of the new arrangements and a briefing paper after 3 months.

8.5. Council Plan Performance Monitoring Report and Risk Register Quarter 2 2021/22

Outcome:

The Committee agreed to:

- a) note the Q2 2021/22 performance against the measures used to monitor progress against the Council's priorities.
- b) request a briefing note on Strategic Risk SR09A (Meeting the needs of older age people and working age adults), specifically examples of how demand was being reduced appropriately.

8.6. Work Programme

Outcome:

The Committee agreed the changes to the work programme as set above and as reflected in the revised work programme set out in Appendix 1, including the addition of the draft revenue and capital budgets 2022/23 for the January 2022 meeting.

9. Children and Young People Overview and Scrutiny Committee – 6 January 2022

- 9.1. The following reports were considered by the Children and Young People Overview and Scrutiny Committee at its meeting on 6 January 2022 and are listed here to enable the Council to discuss any issues arising at this meeting as the minutes are not yet available:
- 9.2. Attendance of the Portfolio Holder for Adults' Services
- 9.3. Local Transformation Plan for Children and Young People's Emotional Wellbeing and Mental Health
- 9.4. Adoption Partnership South East, Regional Adoption Agency, Annual Report 2021

- 9.5. Medway Suicide Prevention Action Plan for Children and Young People
- 9.6. Work programme
10. Regeneration, Culture and Environment Overview and Scrutiny Committee – 13 January 2022
 - 10.1. The following reports were due to be considered by the Regeneration, Culture and Environment Overview and Scrutiny Committee at its meeting on 13 January 2022 and are listed here to enable the Council to discuss any issues arising at this meeting as the minutes are not yet available:
 - 10.2. Attendance of the Deputy Leader and Portfolio Holder for Housing and Community Services
 - 10.3. Highway Infrastructure Contract - Annual Review
 - 10.4. Medway 2037 Strategy Refresh
 - 10.5. Work programme
11. Health and Adult Social Care Overview and Scrutiny Committee – 18 January 2022
 - 11.1. The following reports were due to be considered by the Health and Adult Social Care Overview and Scrutiny Committee at its meeting on 18 January 2022 and are listed here to enable the Council to discuss any issues arising at this meeting as the minutes are not yet available:
 - 11.2. Attendance of the Portfolio Holder for Adults' Services
 - 11.3. All Age Eating Disorder Service Update
 - 11.4. Kent and Medway Safeguarding Adults Board (KMSAB) Annual Report 2020-2021
 - 11.5. Social Prescribing
 - 11.6. Reported Rise in Deaths from Alcohol and Substance Abuse
 - 11.7. Draft Revenue and Capital Budget 2022/23
 - 11.8. Work programme
12. Recommendation
 - 12.1. It is recommended that Council notes the report in relation to Overview and Scrutiny activity.

Contact for further details

Wayne Hemingway, Head of Democratic Services

Telephone: 01634 332509 Email: wayne.hemingway@medway.gov.uk

Appendices

None

Background papers

[Regeneration, Culture and Environment Overview and Scrutiny Committee – 14 October 2021](#)

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=437&MId=5086>

[Business Support Overview and Scrutiny Committee – 21 October 2021](#)

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=123&MId=5089>

[Health and Adult Social Care Overview and Scrutiny Committee – 26 October 2021](#)

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=131&MId=5165>

[Business Support Overview and Scrutiny Committee – 25 November 2021](#)

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=123&MId=5099>

[Children and Young People Overview and Scrutiny Committee – 1 December 2021](#)

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=378&MId=5101>

[Regeneration, Culture and Environment Overview and Scrutiny Committee – 2 December 2021](#)

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=437&MId=5102>

[Health and Adult Social Care Overview and Scrutiny Committee – 9 December 2021](#)

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=131&MId=5106>

[Children and Young People Overview and Scrutiny Committee – 6 January 2022](#)

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=378&MId=5114>

[Regeneration, Culture and Environment Overview and Scrutiny Committee – 13 January 2022](#)

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=437&MId=5117>

[Health and Adult Social Care Overview and Scrutiny Committee – 18 January 2022](#)

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=131&MId=5119>