

## **COUNCIL**

**20 APRIL 2023**

### **REPORT ON OVERVIEW AND SCRUTINY ACTIVITY**

Report from: Neil Davies, Chief Executive

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#### Summary

This report provides a summary of the work of the Council's Overview and Scrutiny Committees since the last report to Council on 19 January 2023.

#### 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. Business Support Overview and Scrutiny Committee 25 January 2023

##### 2.1. Medway Norse Strategic Update and Member's Item

Outcome:

The Committee:

1. Noted the contents of this report and its Appendices.
2. Noted the officer's comments provided in response to the Member's item.
3. Requested that a copy of the existing contract between Medway Norse and Medway Council be circulated to all Members of the Council, in light of the suggestion that there may be changes to key performance indicators.
4. Noted the insufficiency of the current building repair and maintenance funding model and the delayed building stock surveys and requested a further report on progress to bring the Council's building stock up to standard.

## 2.2. Contract Procedure Rules

Outcome:

The Committee:

- a) noted the comments of the Audit Committee on the draft revised Contract Procedure Rules set out in Appendix 2 to the report;
- b) reviewed and provided comments on the draft revised Contract Procedure Rules, and recommended their approval to Full Council, after consideration by Cabinet; and
- c) recommended Cabinet to instruct officers to explore the benefits and requirements of Elected Members having a DBS check, given their role as Corporate Parents and that this be considered for all Members in the next municipal year.

## 2.3. Housing and Revenue Account Capital and Revenue Budgets 2023/24

Outcome:

1. The Committee recommended the following to the Cabinet:
  - a) A proposed social rent increase of 7% as per the cap set by the Government for year 2023/24 (which is below the allowed CPI of 10.1 plus 1%) for the social rent housing stock as set out in Appendix A (based on 52 collection weeks) with effect from 3 April 2023. All new tenancies issued during 2023/24, to be set at either the formula rent or rent cap for social rent dwellings, whichever is lower.
  - b) A proposed affordable rent increase of lower of LHA rate or 7% (which is below the allowed CPI of 10.1 plus 1%) for the affordable rent properties as set out in Appendix B (based on 52 collection weeks) with effect from 3 April 2023. All new tenancies during 2023/24 to be set at either 80% of market rent or the LHA rate for affordable rent dwellings, whichever is lower.
  - c) A proposed rent increase of 10% to be applied to all garage tenure types with effect from 3 April 2023 as stated in section 4.
  - d) That the service charges increases/decreases as set out in Appendix C of the report for 2024/23 be approved.
  - e) That a 50% rebate on the increase from 2022/23 electricity and gas service charges to be issued to the tenants affected by those increases set out in recommendation D.
  - f) That the revenue budget for the HRA service for 2023/24 as per Appendix D be approved.

- g) That the proposed new budget of £8.25m (as set out in section 8.5.3 & 8.5.4 which is £2.5m for new purchases, £0.5m for Phase 4 and £5.25m for Phase 6 budgets).
  - h) A virement of remaining budget (approximately £0.3m) from Phase 4 to Phase 5 new build programme budget be approved.
  - i) That the provision for the estimated repayment of debt based on annuity-based payment of £0.358m, on the HRA's outstanding debt for 2023/24 be approved.
  - j) That an estimated repayment of £0.5m of debt from 1-4-1 RTB receipts capital (as explained in section 11.1) on the HRA's outstanding debt for 2023/24 be approved.
  - k) To delegate authority to the Director of Place and Deputy Chief Executive to agree weekly rental values presented by the Head of Housing for any in-year completed HRA acquisitions and/or new builds during 23/24.
  - l) That Members approve the revised 30-year HRA Business Plan model as attached at Appendix E.
2. The Committee also agreed to scrutinise the HRA Business Plan on a six-monthly basis, rather than annually.

#### 2.4. Draft Capital and Revenue Budget 2023/24

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 2023/24.
- 2. The Committee commented on the proposals outlined in the draft capital and revenue budgets in so far as they relate to the services within the remit of this committee. It considered the comments from the individual Overview and Scrutiny Committees, as set out in Appendix 5, and forwarded them to Cabinet, contributing to the overall comments that the Committee fed back to Cabinet on behalf of the other O&S Committees.

#### 2.5. Council Plan Refresh 2023/24

Outcome:

- 1. The Committee commented on the refreshed Council Plan measures as shown in Appendix 1.
- 2. The Committee noted that those Council Plan measures still awaiting a proposed target, would be further considered by the Corporate Management Team and that Full Council would be asked to delegate authority to the Chief Executive, in consultation with the Portfolio Holder for Resources, to agree the final measures.

## 2.6. Work programme

Outcome:

The Committee:

- a) agreed the committee's work programme at Appendix 1 to the report;
- b) noted the work programmes of the other overview and scrutiny committees at Appendix 2 to the report; and
- c) recommended to the other Overview and Scrutiny Committees that they consider including in their next work programme report a review of last four years, including the structure and content of the work programme, an update on Task Groups and any outstanding matters and actions, to serve as a handover document to the new Committee after the elections.

## 3. Children and Young People Overview and Scrutiny Committee – 2 March 2023

### 3.1. Changes to Children's Specialised Cancer Services Principal Treatment Centre Programme - South London and South East England

Outcome:

The Committee noted the report and agreed that:

- a) The proposal from NHS England on changes to the children's cancer specialist treatment centres does not constitute a substantial variation or development in the provision of health services.
- b) NHS representatives be invited to attend this Committee and present an update at an appropriate time.
- c) Medway officers participate in the engagement and consultation process and the Committee be sighted on development of this process.

### 3.2. Annual Report on School Performance for the Academic Year 2021 to 2022

Outcome:

The Committee noted the Annual Schools Performance report.

### 3.3. Attendance of the Portfolio Holder for Education and Schools

Outcome:

The Committee noted the report.

3.4. Attendance of the Portfolio Holder for Children's Services (Lead Member)

Outcome:

The Committee noted the report.

3.5. Children's Social Care Sufficiency Strategy 2023-2025

Outcome:

The Committee noted the Children's Sufficiency Strategy 2023-2025.

3.6. Council Plan Performance Monitoring Report and Strategic Risk Summary Quarter 3 2022/23

Outcome:

- a) The Committee noted the Q3 2022/23 report, and the amended strategic risk summary as set out in Appendix 2.
- b) The Committee agreed for the Children and Young People Directorate Risk Summary to be presented at a future meeting.

3.7. Work Programme

Outcome:

The Committee agreed to:

- a) Note the work programme as set out in appendix 1 to the work programme report.
- b) Recommend approval of the proposed ways of working outlined in section 2 of the addendum report to the first meeting of the Committee post-elections.
- c) Delegate authority for the construction of an initial themed Work Programme to the Director of People as set out in the addendum report, in consultation with the Committee Chairman, Vice Chairman and the Opposition Spokesperson, which will be presented to the first meeting of the Committee post-elections for consideration.

#### 4. Health and Adult Social Care Overview and Scrutiny Committee – 9 March 2023

##### 4.1. Member's Item - Rainham Healthy Living Centre

Outcome:

The Committee agreed to:

- a) note the comments from the Integrated Care Board provided in response to the Member's item.
- b) request an update on primary care provision in Rainham and an update on the wider primary care strategy for Rainham as well as an update on the utilisation of HLCs across Medway and their funding, including the use of S106 funds.

##### 4.2. Medway Community Healthcare Service Briefing

Outcome:

The Committee agreed to note the report and request a further update in 12 months.

##### 4.3. Kent and Medway Safeguarding Adults Board Annual Report 2021 – 2022

Outcome:

The Committee agreed to note the Annual Report and the comments of the Health and Wellbeing Board.

##### 4.4. 'Reducing Hypertension in Medway' Annual Report of the Director of Public Health 2021 - 2022

Outcome:

The Committee agreed to:

- a) note the comments of the Health and Wellbeing Board.
- b) note the Annual Public Health Report 2022/23.

##### 4.5. Council Plan Performance Monitoring Report and Strategic Risk Summary Quarter 3 2022/23

Outcome:

The Committee agreed to note the Quarter 3 2022/23 performance against the measures used to monitor progress against the Council's priorities and also noted the amended Strategic Risk Summary as set out in Appendix 2 to the report.

#### 4.6. People Directorate Risk Register Summary

Outcome:

The Committee agreed to note the People Directorate Risk Summary.

#### 4.7. Better Care Fund Plan 2022/23

Outcome:

The Committee agreed to note the BCF Plan for 2022 - 2023 and recommended that its comments be included in the development of the BCF Plan for 2023 - 25.

#### 4.8. Member's item - GP Access Task Group

Outcome:

The Committee agreed to note that:

- a) once at least three Members of the Committee have indicated their support for a minority view, the GP Access Task Group interim report and interim recommendations (as set out at Appendix 1) will be submitted for consideration by the Cabinet at its next meeting (4 April 2023).
- b) if a minority report is submitted now, no further minority report can be submitted at a later date.

#### 4.9. Work programme

Outcome:

The Committee agreed to approve the proposed work programme, as set out at Appendix 1 to the report.

### 5. Regeneration, Culture and Environment Overview and Scrutiny Committee – 21 March 2023

#### 5.1. Petitions

Outcome:

The Committee noted the petition responses and referral request and the appropriate officer actions, as set out in the report, and as highlighted during the meeting.

## 5.2. Attendance of the Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships

Outcome:

The Committee

- a) Noted the report.
- b) Requested that the Committee be provided a Briefing Note to set out feedback received from the Government in relation to Levelling Up funding and details of the Round 3 arrangements.
- c) In the event that the Levelling Up funding Briefing Note demonstrated that the Council was unable to resubmit its Levelling Up Round 2 funding bid during Round 3, the Committee requested that a letter be sent to the Government requesting reimbursement of the costs associated with the Council's Round 2 bid.

## 5.3. Attendance of the Portfolio Holder for Business Management

Outcome:

The Committee:

- a) Noted the report.
- b) Noted that the Portfolio Holder had agreed to look at increasing publicity of enforcement action taken in relation to flytipping and the QR code scheme that aimed to address overflowing bins.
- c) Requested that the following information be provided:
  - i) A breakdown of Waste Warden visits by ward.
  - ii) A map and location of bins audited in Q2 2022/23 for removal or replacement, broken down by ward.
- d) Requested a commitment to discuss arrangements for ongoing support for volunteer groups.

## 5.4. Shared Prosperity Fund Investment Plan Submission

Outcome:

The Committee:

- i) Noted progress in relation to the Shared Prosperity Fund and the Multiply Programme and noted the Year 1 outcomes.



- ii) Requested that an update report be provided to the Committee in six months' time.

5.5. Innovation Park Medway

Outcome:

The Committee noted the report setting out progress in relation to Innovation Park Medway and wished for successful marketing of the site.

5.6. Council Plan Performance Monitoring Report and Risk Register Review  
Quarter 3 2021/22

Outcome:

The Committee noted the Q3 2022/23 performance against the measures used to monitor progress against the Council's priorities and considered the Strategic Risk Summary as set out in Appendix 3.

5.7. Work programme

Outcome:

The Committee:

- a) Requested that the documents that form the Local Plan evidence base be provided to the Committee at the June 2023 meeting.
- b) Noted the proposed work programme, set out at Appendix A to the report.

6. Business Support Overview and Scrutiny Committee –  
30 March 2023

6.1. Council Plan Performance Monitoring Report and Risk Register Review  
Quarter 3 2022/23

Outcome:

The Committee considered the Q3 2022/23 performance against the measures used to monitor progress against the Council's priorities and noted the Strategic Risk Summary as set out in Appendix 3.

6.2. Risk Strategy Annual Review

Outcome:

The Committee considered the Risk Strategy 2023/24 as set out in Appendix 1 to the report and submitted its comments to Cabinet.

### 6.3. Capital Budget Monitoring - Round 3 2022/23

Outcome:

- 1) The Committee noted the results of the third round of capital budget monitoring for 2022/23, and the management actions to resolve the projected overspend in Children's & Adults which would be the subject of a future report to both Cabinet and Council.
- 2) The Committee noted that on 7 February 2023, the Cabinet agreed a virement of £748k between the Abbey Court scheme and the Bradfields scheme.
- 3) The Committee noted that on 7 February 2023, the Cabinet recommended that Council approve the following changes to the capital budget:
  - The addition of £14k to the Maundene scheme to be funded by s106 contributions (MC/07/0032 Land at Hoo Road, Liberty Park), for which funds had been received.
  - The addition of £25k to the Wayfield Basic Need scheme to be funded from Basic Need Grant.
- 4) In the light of the decision to pause the rail element of the HIF scheme and concerns over the related Grampian agreement currently in place for the housing developments, the Committee sought the following:
  - a) From officers:
    - A breakdown of the £20m spent and the funding sources on the project so far;
    - A record of the conversation/agreements with Homes England and a new timetable for completion by 2025;
    - That the results of the transport assessment and environmental surveys related to the project be placed in the public domain to determine the impact of those on proposals;
  - b) From the Cabinet:
    - A commitment to revisiting the consultation process if changes are proposed;
    - A refreshed governance structure for the project going forward to include the relevant community groups such as councillors, parish councillors and other community groups.

#### 6.4. Revenue Budget Monitoring - Round 3 2022/23

Outcome:

- 1) The Committee noted the results of the third round of revenue budget monitoring for 2022/23 and noted that on 7 February 2023, Cabinet instructed senior management to continue to exercise tight control to reduce expenditure within their areas and to identify a range of management actions in order to reduce expenditure or increase income.
- 2) The Committee also requested that it receives an update on the ongoing work to reduce the use of non-permanent staff (locums/agency), in order to scrutinise this from a finance perspective.

#### 6.5. Annual Review of the Council's Petitions Scheme

Outcome:

The Committee noted the 2022 annual review of the Council's Petitions Scheme.

#### 6.6. Work programme

Work programme and review of the Committee's work, 2019/23

Outcome:

- 1) The Committee agreed the Committee's provisional work programme at Appendix 1, subject to the following and the views of members of the 2023/24 Committee:
  - a) The attendance of Portfolio Holders be provisionally scheduled for the meetings of 26 October, 30 November, 1 February, and 4 April, subject to their availability and the number of other items scheduled for those meetings, with the Portfolio Holder for Resources being invited to attend the 4 April 2024 meeting, after the Council's budget for 2024/25 had been set.
  - b) The deletion of the item on Complaints Handling from the Date to be Determined section.
- 2) The Committee noted the work programmes of the other Overview and Scrutiny committees at Appendix 2; and
- 3) The Committee noted and commented on the review of the Committee's work from 2019 to 2023 summarised at Appendix 3.

### 7. Recommendation

- 7.1. It is recommended that Council notes the report in relation to Overview and Scrutiny activity.

## Contact for further details

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## Appendices

None

## Background papers

[Business Support Overview and Scrutiny Committee – 25 January 2023](#)

[Children and Young People Overview and Scrutiny Committee –  
2 March 2023](#)

[Health and Adult Social Care Overview and Scrutiny Committee –  
9 March 2023](#)

[Regeneration, Culture and Environment Overview and Scrutiny Committee –  
21 March 2023](#)

[Business Support Overview and Scrutiny Committee – 30 March 2023](#)