

Council

24 January 2024

Report on Overview and Scrutiny Activity

Report from: Richard Hicks, 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 October 2023.

1. Recommendation

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

2. Budget and policy framework

- 2.1. 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.

3. Business Support and Digital Overview and Scrutiny Committee – 26 October 2023

3.1. Use of Agency Staff and Consultants

Outcome:

- a) The Committee noted the report.
- b) The Committee requested a briefing note on the effects of the reduction of agency lawyers on the 26 week Cafcass target figures and in the place team on the relationship with the shared legal service with Gravesham.
- c) The Committee requested additional information related to Adult Social Care employment in Medway as related to 6.1 and 6.2 of the report.

3.2. Work Programme

Outcome:

- i) The Committee agreed the work programme at Appendix 1 to the report.
- ii) The Committee noted the work programmes of the other Overview and Scrutiny Committees at Appendix 2.
- iii) The Committee agreed the priority order of Task Group topics being Air Quality and Public Transport & Active Travel, Medway 2.0, Child Mental Health and New Social Housing Inspection Regime and agreed to the start of the first task group selected with a membership of 5 Councillors (3 Labour, 1 Conservative and 1 Independent Group Member for single task groups only).
- iv) The Committee authorised the Head of Democratic Services to appoint the Members to the first task group once nominations have been received from Group Whips in consultation with the relevant Overview and Scrutiny Committee Chairperson, Vice Chairperson and Opposition Spokesperson.

4. Regeneration, Culture and Environment Overview and Scrutiny Committee – 15 November 2023

4.1. Attendance of the Portfolio Holder for Heritage, Culture and Leisure

Outcome:

The Committee:

- a) Noted the report.
- b) Requested that the Committee be provided with an update on when the lease for Strood Community Hub expires.

4.2. Annual Review of Waste Contracts

Outcome:

The Committee:

- a) Noted the report including the Annual Service Reports and other briefings set out in Appendices 1 through 5 to the report.
- b) Requested that the Committee be provided with a briefing note confirming the position regarding Medway Norse contract renewal and explaining the variation between the target and actual figure for 2022/23 for the annual tonnage throughput (page 54, Appendix 3 to the report).

4.3. Petitions

Outcome:

The Committee agreed to note the petition responses and appropriate officer actions in paragraph 4.1 of the report.

4.4. Work Programme

Outcome:

The Committee:

- a) noted the report and agreed the work programme as set out at Appendix A to the report, subject to accepting the proposed changes, outlined in italic text on Appendix A.
- b) agreed the format of the action log as set out at Appendix B to the report.

5. Business Support and Digital Overview and Scrutiny Committee – 30 November 2023

5.1. Universal Credit and Welfare Reforms Annual Progress Report

Outcome:

1. The Committee noted the work referenced in the report.
2. The Committee requested a briefing note to be provided to the Committee on the provision of benefit advice given to Medway residents.

5.2. Council Plan Performance Monitoring Report and Strategic Risk Summary – Quarter 2 2023/24

Outcome:

1. The Committee considered and noted the Q2 2023/24 performance against the measures used to monitor progress against the Council's priorities (Appendix 1).
2. The Committee noted the Q2 2023/24 Strategic Risk Summary (Appendix 2).

5.3. Capital Budget Monitoring - Round 2 2023/24

Outcome:

1. The Committee noted the results of the second round of capital budget monitoring for 2023/24.
2. The Committee noted the changes made to the capital programme as set out in paragraph 7.1 to the report.

5.4. Revenue Budget Monitoring 2023/24 - Round 2

Outcome:

1. The Committee noted the results of the second round of revenue budget monitoring for 2023/24.
2. The Committee noted that the Cabinet instructed the Corporate Management Team to implement urgent actions to bring expenditure back within the budget agreed by Full Council.
3. The Committee requested a briefing note regarding the ongoing changes in Legal Services.

5.5. Attendance of the Portfolio Holder for Community Safety and Enforcement

Outcome:

The Committee noted the report.

5.6. Draft Capital and Revenue Budgets 2024/25

Outcome:

1. The Committee noted that Cabinet has instructed officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2024/25.
2. The Committee considered and noted the proposals outlined in the Draft Capital and Revenue Budgets and forwarded the proposals to the individual overview and scrutiny committees.
3. The Committee noted that the Cabinet agreed to recommend to Full Council that in February 2024 when setting the Council Tax, the following changes are applied to Council Tax premia in line with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, as set out in paragraph 8.18 of this report:
 - the 100% premium for long-term empty properties may be brought forward so that it can commence after being empty for one year rather than two with effect from 1 April 2024; and
 - a 100% premium may be charged for properties that are unoccupied but furnished (known as second homes) with effect from 1 April 2025.
4. The Committee noted that the Cabinet agreed to recommend to Full Council that in February 2024 when setting the Council Tax, the following changes are applied to the Council Tax discretionary discounts, as set out in paragraph 8.18 of this report:
 - reduce the discount in respect of class C to 0% from the day on which a property becomes vacant, and
 - reduce the discount in respect of class D to 0%.

5.7. Work Programme

Outcome:

1. The Committee agreed the work programme at Appendix 1 to the report.
2. The Committee noted the work programmes of the other Overview and Scrutiny Committees at Appendix 2.
3. The Committee approved a membership of seven Members (4 Labour and Co-operative Group, 2 Conservative Group and 1 Independent Group) for the Air Quality and Public Transport & Active Travel (combined review) Task Group plus one named substitute for each of the Labour and Co-operative and Conservative Groups.

6. Children and Young People Overview and Scrutiny Committee – 5 December 2023

6.1. Draft Capital and Revenue Budgets 2024/25

Outcome:

1. The Committee noted that Cabinet has instructed officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2024/25.
2. The Committee noted 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, and feed this back to the Business Support and Digital Overview and Scrutiny Committee in January.
3. The Committee noted that the Cabinet agreed to recommend to Full Council that in February 2024 when setting the Council Tax, the following changes are applied to Council Tax premia in line with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, as set out in paragraph 9.18 of this report:
 - the 100% premium for long-term empty properties may be brought forward so that it can commence after being empty for one year rather than two with effect from 1 April 2024; and
 - a 100% premium may be charged for properties that are unoccupied but furnished (known as second homes) with effect from 1 April 2025.
4. The Committee noted that the Cabinet agreed to recommend to Full Council that in February 2024 when setting the Council Tax, the following changes are applied to the Council Tax discretionary discounts, as set out in 17 Agenda Item 5 paragraph 9.18 of this report:
 - reduce the discount in respect of class C to 0% from the day on which a property becomes vacant, and
 - reduce the discount in respect of class D to 0%.

6.2. Capital Budget Monitoring- Round 2 2023/24

Outcome:

1. The Committee noted the results of the second round of capital budget monitoring for 2023/24 and the management actions to resolve the projected overspend in Children's and Adults.
2. The noted the changes made to the capital programme as set out in 8.1 to 8.2 to this report.

6.3. Revenue Budget Monitoring 2023/24 - Round 2

Outcome:

1. The Committee noted the results of the second round of revenue budget monitoring for 2023/24.
2. The Committee noted that the Cabinet instructed the Corporate Management Team to implement urgent actions to bring expenditure back within the budget agreed by Full Council.
3. The Committee requested the Assistant Director, Education and SEND to review whether investing in the provision of after school clubs could assist to reduce the SEND Transport budget pressure.

6.4. Complaints and Compliments Annual Report 1 April 2022 to 31 March 2023

Outcome:

The Committee noted the report.

6.5. Medway Safeguarding Children Partnership (MSCP) Annual Report 2022-23

Outcome:

1. The Committee noted the annual report and the effectiveness of local services in keeping children safe.
2. The Committee requested the partnership consider whether to bring forward the investigation and briefing reports to future meetings of the Committee.
3. The Committee requested future reports to highlight the impact of work undertaken by the partnership.
4. The Committee requested the partnership consider the inclusion of headteacher representation from a SEND provisions.
5. The Committee requested the partnership consider the risk of young LGBT people to hate crime.

6. The Committee requested to partnership consider whether parents were being effectively signposted to the availability of hospice care.

6.6. Council Plan Performance Monitoring Report & Strategic Risk Summary
Quarter 2 2023/24

Outcome:

1. The Committee noted the Q2 2023/24 performance against the measures used to monitor progress against the Council's priorities (Appendix 1).
2. The Committee noted the Q2 2023/24 Strategic Risk Summary (Appendix 2).
3. The Committee to write to the Minister of Education on a cross group basis to seek the attendance of the Schools Regional Commissioner at a future meeting of the Committee.

6.7. Work programme

Outcome:

1. The Committee noted the report and 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.
2. The Committee agreed to consider ways in which it may actively engage the views of young people.

7. Health and Adult Social Care Overview and Scrutiny Committee –
7 December 2023

7.1. Kent and Medway Integrated Care Strategy

Outcome:

The Committee agreed to:

- a) note the Kent and Medway Integrated Care Strategy and recommend its approval to Cabinet.
- b) request an update in 6 months, including outcomes for Medway and details of how the voluntary and community sector was involved in the Strategy.

7.2. Draft Capital and Revenue Budgets 2024/25 / Revenue Budget Monitoring 2023/24 - Round 2 / Capital Budget Monitoring 2023/24 - Round 2

Note: the above reports were discussed together by the Committee. The following decisions relate to all three reports.

Outcome:

- a) The Committee noted that Cabinet had instructed officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2024/25.
- b) The Committee noted the proposals outlined in the Draft Capital and Revenue Budgets in so far as they relate to the services within the remit of the Committee and agreed to forward their comments to the Business Support and Digital Overview and Scrutiny Committee in January.
- c) The Committee noted that the Cabinet had agreed to recommend to Full Council that in February 2024 when setting the Council Tax, the following changes are applied to Council Tax premia in line with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, as set out in paragraph 8.18 of the report:
 - the 100% premium for long-term empty properties may be brought forward so that it can commence after being empty for one year rather than two with effect from 1 April 2024; and
 - a 100% premium may be charged for properties that are unoccupied but furnished (known as second homes) with effect from 1 April 2025.
- d) The Committee agreed to note that the Cabinet had agreed to recommend to Full Council that in February 2024 when setting the Council Tax, the following changes are applied to the Council Tax discretionary discounts, as set out in paragraph 8.18 of the report:
 - reduce the discount in respect of class C to 0% from the day on which a property becomes vacant, and
 - reduce the discount in respect of class D to 0%.
- e) The Committee agreed to note the results of the second round of revenue budget monitoring for 2023/24 and that the Cabinet had instructed the Corporate Management Team to implement urgent actions to bring expenditure back within the budget agreed by Full Council.
- f) The Committee agreed to note the results of the second round of capital budget monitoring for 2023/24
- g) The Committee agreed to request details, at an appropriate time, of how the recent immigration measures introduced by the Government would impact on the Council and its partners.

7.3. Council Plan Performance Monitoring Report and Strategic Risk Summary - Quarter 2 2023/24

Outcome:

Members agreed to:

- a) note the Q2 2023/24 performance against the measures used to monitor progress against the Council's priorities.
- b) note the Q2 2023/24 Strategic Risk Summary.
- c) Review in depth Performance Indicator ASCOF 1C(2i) Percentage of clients receiving a direct payment for their social care service.

7.4. Update from Medway NHS Foundation Trust

Outcome:

The Committee agreed to note the report.

7.5. The Support to Live at Home Service

Outcome:

The Committee agreed to note that:

- a) Cabinet will be recommended to award The Support to Live at Home Service contract(s) to the successful bidders that will be evaluated as the most economically advantageous against the Council's award criteria.
- b) The Support to Live at Home Service will replace the current Framework Agreements for the provision of Homecare and Extra Care.
- c) A Gateway 3 report would be submitted to Cabinet on 16 January 2024.

7.6. Work programme

Outcome:

The Committee agreed to amend 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, except that the proposal to submit an update on pharmacy and dentistry services to the January meeting be amended so that this update could be provided at the March 2024 meeting.

7.7. Kent and Medway Integrated Care Board Community Services Procurement Update

Outcome:

The Committee agreed to defer until the January meeting a decision on whether the proposals constituted a substantial variation to health services in Medway and would invite the ICB, the Chief Executive of Medway NHS Foundation Trust, the Council's Deputy Leader and possibly one of the community service providers to attend this meeting for a wider discussion on the proposals.

8. Regeneration, Culture and Environment Overview and Scrutiny Committee – 14 December 2023

8.1. Petitions

Outcome:

- a) The Committee noted the petition responses and appropriate officer actions in paragraph 4.1 of the report.
- b) The Committee considered the petition referral request in section 5 of the report and the Director of Place's response.
- c) The Committee recommended that officers undertake a speed survey on the Ratcliffe Highway (where they consider it to be most appropriate) and report the findings back to Councillor Spalding and the Committee.

8.2. Annual Scrutiny of Community Safety Partnership

Outcome:

- a) The Committee noted the findings of the strategic assessment.
- b) The Committee agreed to support the proposed CSP priorities in light of the strategic assessment findings.
- c) The Committee scrutinised the activity of the Community Safety Partnership, over the past year, in connection with the discharge by the responsible authorities of their crime and disorder functions.
- d) The Committee requested a written response from the Probation Service regarding actions taken in response to staffing rates and when the next HMIP inspection is expected.

8.3. Attendance of Portfolio Holder for Community Safety and Enforcement

Outcome:

The Committee noted the report and the need for continued action against the sale of vapes illegally to underage residents and to continued action to reduce the harmful effects of public drinking and drug consumption in Town Centres.

8.4. Capital Budget Monitoring Round 2 2023/24

Outcome:

- a) The Committee noted the results of the second round of capital budget monitoring for 2023/24.
- b) The Committee noted the changes made to the capital programme as set out in 9.1 to 11.2 to the report.
- c) The Committee noted that Cabinet on 21 November 2023 requested to recommend to Council the removal of the following budgets relating to schemes that are either complete or no longer required:
 - Motorway Signage, £60,000 funded from Capital Receipts.
 - World Heritage Site & GLHP, £31,000 funded from Capital Grants.
 - Civic Centre Decant, £24,000 funded from Reserves.
 - Mountbatten House Purchase, £92,000 funded from Borrowing.
 - MDC Queen Street, £20,000 funded from Borrowing.
 - MP St Marys Amateur Boxing Club, £40,000 funded from Capital Receipts.

8.5. Revenue Budget Monitoring Round 2 2023/24

Outcome:

- a) The Committee noted the results of the second round of revenue budget monitoring for 2023/24.
- b) The Committee noted that the Cabinet instructed the Corporate Management Team to implement urgent actions to bring expenditure back within the budget agreed by Full Council.

8.6. Draft Capital and Revenue Budget 2024/25

Outcome:

- a) The Committee noted that Cabinet has instructed officers to continue to work with Portfolio Holders in formulating robust proposals to balance the budget for 2024/25.
- b) The Committee did not make any comment 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.
- c) The Committee noted that the Cabinet agreed to recommend to Full Council that in February 2024 when setting the Council Tax, the following changes are applied to Council Tax premia in line with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, as set out in paragraph 8.18 of the report:
 - the 100% premium for long-term empty properties may be brought forward so that it can commence after being empty for one year rather than two with effect from 1 April 2024; and
 - a 100% premium may be charged for properties that are unoccupied but furnished (known as second homes) with effect from 1 April 2025.
- d) The Committee noted that the Cabinet agreed to recommend to Full Council that in February 2024 when setting the Council Tax, the following changes are applied to the Council Tax discretionary discounts, as set out in paragraph 8.18 of the report:
 - reduce the discount in respect of class C to 0% from the day on which a property becomes vacant, and
 - reduce the discount in respect of class D to 0%.

8.7. Council Plan Monitoring and Risk Register Review 2023/24 Quarter 2

Outcome:

- a) The Committee considered the Q2 2023/24 performance against the measures used to monitor progress against the Council's priorities (Appendices 1 and 2 to the report).
- b) The Committee noted the Q2 2023/24 Strategic Risk Summary (Appendix 3 to the report).

8.8. Work Programme

Outcome:

- a) The Committee noted the report and agreed the work programme as set out at Appendix A to the report.
- b) The Committee noted the action log as set out at Appendix B to the report.

9. Children and Young People Overview and Scrutiny Committee – 11 January 2024

9.1. The following reports were due to be considered by the Children and Young People Overview and Scrutiny Committee at its meeting on 11 January 2024 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. Annual Report on School Performance for the Academic Year 2022 to 2023

9.3. HMP YOI Cookham Wood Update

9.4. Adoption Partnership South East, Regional Adoption Agency - Annual Report 2023

9.5. Adolescent Service

9.6. Work programme

10. Health and Adult Social Care Overview and Scrutiny Committee – 18 January 2024

10.1. 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 2024 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. Kent and Medway NHS & Social Care Partnership Trust (KMPT) & Medway Council Patient Pathway Joint Briefing

10.3. GP Access Task Group

10.4. Kent and Medway Integrated Care Board Community Services Transformation Update

10.5. Kent and Medway Safeguarding Adults Board's Annual Report - April 2022 - March 2023

10.6. Work programme

11. Regeneration, Culture and Environment Overview and Scrutiny Committee – 23 January 2024

- 11.1. The following reports were due to be considered by the Regeneration, Culture and Environment Overview and Scrutiny Committee at its meeting on 23 January 2024 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. Members' Item
- 11.3. Attendance of Portfolio Holder for Climate Change and Strategic Regeneration
- 11.4. Review of Christmas 2023 Waste Disposal Services
- 11.5. Housing Revenue Account - Capital and Revenue Budgets 2024/25
- 11.6. Call-in: Union Place Car Park, Chatham and Temple Car Park and Yard, Strood
- 11.7. Work Programme

Contact for further details

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Appendices

None

Background papers

[Business Support and Digital Overview and Scrutiny Committee – 26 October 2023](#)

[Regeneration, Culture and Environment Overview and Scrutiny Committee – 15 November 2023](#)

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

[Children and Young People Overview and Scrutiny Committee – 5 December 2023](#)

[Health and Adult Social Care Overview and Scrutiny Committee – 7 December 2024](#)

[Regeneration, Culture and Environment Overview and Scrutiny Committee – 14 December 2023](#)

[Children and Young People Overview and Scrutiny Committee –
11 January 2024](#)

[Health and Adult Social Care Overview and Scrutiny Committee –
18 January 2024](#)

[Regeneration, Culture and Environment Overview and Scrutiny Committee –
23 January 2023](#)