

SCRUTINY COMMITTEE

Minutes of the meeting held on 3 February 2015 commencing at 7.00 pm

Present: Cllr. London (Chairman)

Cllr. Brown (Vice Chairman)

Cllrs. Brookbank, Davison, Grint, Orridge, Pett, Underwood and Walshe

Apologies for absence were received from Cllr. Clark

Cllrs. Fittock, Mrs. George, Mrs. Cook, Ms. Lowe and Mrs. Sargeant were also present.

32. Minutes

Resolved: That the minutes of the meeting of the Scrutiny Committee held on 20 November 2014 be approved and signed by the Chairman as a correct record.

33. Declarations of Interest

Cllr London declared an interest in Minute Item 36 due to his involvement with the Kent Order of St John.

34. Responses of the Cabinet to reports of the Scrutiny Committee

There were none.

35. Actions from the last meeting of the Committee

The completed action from the previous meeting was noted.

36. West Kent Clinical Commissioning Group - Passenger Transport

The Chairman welcomed Ian Ayres, Chief Officer and Accountable Officer of the West Kent Clinical Commissioning Group, to the meeting.

The Chief Officer circulated to Members a [handout](#) providing an overview of patient transport including information on tendering the service to NSL, the contract performance, a report from the Care Quality Commission and the actions which had been taken to address concerns. He explained that the Patient Transport Service was free to those with a clinical need. A new contract, tendered by a predecessor Primary Care Trust cluster, had begun with NSL in July 2013 across Kent and Medway where previously there had been a patchwork of arrangements. It was due to last for three years with the option of two one-year extensions. He considered that the contract was providing a poor service however he was seeking to fix the contract to and was looking to ensure the next procurement was more effective.

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Questions were addressed to the Chief Officer.

A Member asked the basis on which the contract had been awarded to NSL. The Chief Officer confirmed that there had been a full external tender advertised in the European Journal, with points weighted on quality and ability and a minority of points on finance. NSL had won on both counts.

The Chief Officer was asked what track record NSL had prior to the contract. He advised that they had been the largest provider across the country. Officers had since spoken to colleagues at other authorities and although they experienced similar difficulties, they were not on the same scale as those experienced in Kent. He had concerns that the company may have grown too quickly, with a lack of strong local management.

A Member noted that the eligibility for patient transport was imprecise and asked what role was currently played by the voluntary sector. The Chief Officer responded that the definition of eligibility was taken from national policy. If patients were not eligible then they would be signposted to the voluntary sector. The Member suggested that that activity from the voluntary sector may be as high as 50%.

Asked what improvements would be made to the tendering process, the Chief Officer confirmed that whereas the PCT had no one who had run patient transport services, the CCG had bought in a person with national experience; poor information had been given to NSL about the number and type of journeys required and it had been inappropriate to hold NSL to account for that; when a bidders day was held for the previous tender, the local NSL manager had not been brought in; the previous tender had incorrectly assessed that 100 rather than 200 staff would be transferred across under TUPE regulations and although NSL had accepted these staff it may have been more appropriate to have delayed the contract for three months to reassess the impact. The Chief Officer confirmed that considerable work had been undertaken to correctly identify the number and types of journey in preparation for the next contract.

The Vice Chairman asked why the contract had not been terminated at the point in September 2013 that performance was no longer improving or after NSL had failed to meet its recovery plan. He responded that litigation had been considered on both sides but the position had been more settled since January 2014. The contract would be for 3 years only, rather than extended to 5 years.

In response to a question, the Chief Officer confirmed that the contract expected patients to be picked up within one or two hours but patients were regularly picked up within three or four hours which he considered unacceptable, especially when patients may not then be able to return to nursing homes, if too late, and may be waiting in discomfort. NSL were currently meeting between 70 and 80% of key performance indicators.

The Vice Chairman indicated that patients may not want to wait more than one hour and Members asked whether further resources would be required to meet that aim. The Chief Officer advised that national practices were being assessed to identify the correct standards but felt that NSL had significant staff and vehicles and hospitals had begun to buy in their own vehicles too. He was optimistic that any further resources needed for the new contract would be found.

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The Chief Officer was asked whether there would be sufficient bidders for the next contract. He noted that a number of other authorities were struggling with other providers. Although more local transport based around individual hospitals could work well, this tended to be more expensive.

The Chairman of the Health Liaison Board requested that the Chief Officer consider talking to other providers including the voluntary sector. She was pleased there were plans to improve but felt it was a long way from a satisfactory service.

The Chairman thanked Mr. Ayres for attending and for being so frank in his responses.

37. Performance Monitoring

Members considered a report which summarised performance across the Council to the end of November and December 2014. Members were asked to consider three performance indicators which were performing 10% or more below their target with a commentary from Officers explaining the reasons and detailing any plans to improve performance. If actions taken were not deemed sufficient, the report recommended referring those indicators to Cabinet for further assessment.

A Member raised concern at the significant drop in the percentage of local land charge searches carried out within 10 working days, which averaged 37.92% for the year whereas the target was 90%. Officers drew Members' attention to the high activity levels, staff absences and that the average time for searches, at 11.2 days, was close to the target. The Chairman said that the matter could be monitored if performance was still poor at the time of the next meeting of the Committee.

The Committee considered the number of appeals received against decisions to refuse planning permission. The Vice-Chairman felt that the number of appeals was very healthy once put in the context of the total number of planning applications processed each year.

Resolved: That the report be noted.

38. Questions to the Portfolio Holder for Housing & Community Safety

The Portfolio Holder for Housing & Community Safety presented a report on the recent successes and challenges ahead within her portfolio. She was proud of the DIYSO shared-ownership housing scheme which was moving to the second round and had become a model for some London Boroughs. The HERO scheme was helping to reduce the use of bed and breakfast accommodation. However the most significant challenge was probably the change in national affordable housing policy, which limited the Council's scope to require financial contributions in lieu of on-site affordable housing and would cost the Council £2.5million. In community safety, the Council had success with the Police and Crime Commissioner in providing cameras to help identify those who entered the District to commit crime, and the Council was also responding to new anti-social behaviour powers and duties over safeguarding and modern slavery.

The Portfolio Holder had recently joined the celebrations for the fifth anniversary of the Licensing Partnership. The Partnership had already provided savings and she hoped it would expand to provide even more. The shared Environmental Health Service was now

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in its third year and she was also looking to share other services including the CCTV control room and HERO.

A Member asked about progress on the Shop Safe, Stay Safe scheme. The Portfolio Holder advised that the Community Safety Manager would be meeting with Dartford Borough Council. It was hoped that Shop Safe, Stay Safe would form part of the policy to become dementia friendly and the Council was looking for a Swanley dementia hub.

The Committee asked the Portfolio Holder about the implications to the change in national policy for affordable housing. The Portfolio Holder responded that the Council was unable to assist housing many residents in the medium annual income range between £30,000 to £60,000 as house prices were 17 times the national average wage. The DIYSO scheme would help people in that bracket during phase 1 and 2 but funding would not continue from Section 106 monies after that. The Council would have to consider financial alternatives such as bidding for capital from the Homes and Communities Agency. The Council was in discussions with the Department for Communities and Local Government about whether the exemption for Rural Exception Sites could be expanded. Other initiatives would be considered such as the Starter Home Scheme and empty homes initiatives. She added that the Council had only 700 on its Housing Register, whereas many authorities had over 2,000 and so the Council was able to assist many of those in the worst circumstances.

The Chairman asked what the Council was doing to address the empty homes in the District. The Portfolio Holder responded that the target to get properties returned to use (currently 18 per year) had been met each year, which also contributed to the Government's New Homes Bonus for the Council. There were approximately 350 empty residential properties in the District.

Members asked how much of the current income from affordable housing contributions came from developments which would now be exempt. The Portfolio Holder advised that it would affect the vast majority of sums collected as the majority of developments in the District were for three or fewer dwellings and many contributions had been received from small in-fill developments. It was likely that future developments in the District would be tailored to fall just below the relevant thresholds at which contributions would be paid. There would be some windfall sites, though in such cases contributions would usually be provided on-site rather than financially.

39. Chairman's Annual Report to Council

The Chairman introduced his draft Annual Report to be presented to the Council meeting on 31 March 2015. The report highlighted that the Committee had moved to a fixed membership rather than a pool and it summarised the Committee's work including the attendance of Portfolio Holders, external invitees and the work of In-Depth Scrutiny Working Groups. The Chairman's report also provided some lessons learned and the challenges he felt the Committee had experienced.

A Member suggested that the report could be more positive in the good work the Committee had carried out, particularly in being a wider forum to challenge Portfolio Holders and in scrutinising outside bodies. The Committee considered the comparative roles of the Scrutiny Committee and the Cabinet Advisory Committees.

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Resolved: That the Chairman's draft report be noted.

40. Work Plan

The Committee noted the proposed work plan for the meeting of the Committee provisionally scheduled for June 2015. The Leisure In-Depth Scrutiny Working Group would now report to that meeting and the Chairman requested that the Leader and Portfolio Holder for Strategy & Performance be invited to that meeting together with the Portfolio Holder for Finance & Resources.

It was agreed that representatives from Kent Police be invited to the meeting of the Committee provisionally scheduled for September 2015.

THE MEETING WAS CONCLUDED AT 8.19 PM

CHAIRMAN

