



OVERVIEW & SCRUTINY COMMITTEE

MINUTES of the Overview & Scrutiny Committee held on Monday 18 April 2011 at 7.00 pm at Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Lisa Rajan (Chair)
Councillor Andy Simmons (Vice-Chair)
Councillor Toby Eckersley
Councillor Gavin Edwards
Councillor Mark Glover
Councillor David Hubber
Councillor Tim McNally
Councillor Helen Morrissey
Councillor Paul Noblet
Councillor the Right Revd Emmanuel Oyewole

OFFICER Norman Coombe, Legal Services
SUPPORT: Peter Roberts, Scrutiny Project Manager

1. APOLOGIES

1.1 Apologies for absence were received from Leticia Ojeda, Parent Governor.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

2.1 The Chair indicated that there would be time at the end of the meeting for a brief discussion about the structure and chairs and vice-chairs of the following year's sub-committees.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

3.1 There were no disclosures of interests or dispensations.

4. MINUTES

In considering the minutes of the call-in meeting, Councillor Toby Eckersley requested that legal services be asked to review their advice on the participation of former cabinet members.

RESOLVED:

That, subject to the amendments below, the minutes of the open sections of the ordinary and call-in meetings held on 7 February 2011 be agreed as a correct record:

Ordinary meeting – First name of Mr Farsky of Southwark Pensioners' Action Group be amended to "Tony"

Call-in meeting – Councillor Toby Eckersley be added to the list of those present and Councillor Tim McNally's apologies be included

5. FINAL SCRUTINY REPORTS

Unfinished Security Works on the Four Squares Estate (Housing & Community Safety Scrutiny Sub-Committee)

- 5.1 Councillor Gavin Edwards, chair of the housing & community safety scrutiny sub-committee, introduced the report. The committee welcomed the report as an important and useful piece of work.
- 5.2 Some members were of the view that the emails attached as an appendix to the report gave a misleading view as the ward members knew before the election that funding was no longer there. Councillor Edwards clarified that the sub-committee had looked at the period up to 2010 and that the question raised by ward members was whether or not the then cabinet member for housing should have informed them about the lack of funding.
- 5.3 Members queried whether the amount of £50,000 specified in recommendation 2 was appropriate. Councillor Edwards stated that this was a significant amount and that the priority was to introduce a defined threshold. Members suggested that figures were already set out within contract standing orders.
- 5.4 Some members raised whether recommendation 6 should specify the size of scheme. Councillor Edwards responded that the sub-committee was looking for a common sense understanding on the size of the project. He reported that the new Strategic Director of Housing had seen recommendation 6 as being helpful.
- 5.5 Councillor Edwards also stressed the importance of decisions being publicly accessible (recommendation 7). Members wondered whether the lack of transparency in this case was a failing of members or officers. Councillor Edwards stated that the sub-committee's view was that there had been faults by both.

- 5.6 Members recommended that it would be beneficial if projects at a certain level were itemised within the capital monitoring report.

RESOLVED:

That, subject to the following amendments, the report be referred to cabinet for consideration:

Recommendation 1 - All additional spending on contractor works (over and above the original budget) in excess of £50,000 must be signed off by the Cabinet Member. *Every Cabinet member should be encouraged to set up early warning systems to alert him/her to the likelihood of the formal threshold being reached.*

New recommendation 3 - *All major works in excess of £50,000 which have reached Gateway 2 status should be itemised in the Quarterly Capital Monitoring Report and should be subject to Contract Standing Orders in relation to capital virements.*

Recommendation 5 - Any Cabinet Member who becomes aware of a significant overspend on a major works contract which will impact on the council's ability to deliver on the scheme should take immediate and decisive action to deal with the situation. Either the Cabinet Member should take steps to *secure the allocation* of the required additional funds or *ensure that* ambitions for delivery should be scaled down

Recommendation 8 - The programme of works to be funded through the Capital Investment in Housing should be *a member level decision, be it council assembly, cabinet or cabinet member* and no longer be the subject of delegated officer powers

Schools Admissions (Education & Children's Services Scrutiny Sub-Committee)

- 5.7 At this point in the meeting, Councillor Andy Simmons declared a personal and non-prejudicial interest as the parent of a child soon to be entering the admissions process. Councillor Toby Eckersley declared a personal and non-prejudicial interest as a governor of a charter school.
- 5.8 Councillor David Hubber, chair of the education & children's services scrutiny sub-committee, introduced the report. The committee welcomed the report.
- 5.9 A member suggested that recommendation 6 also make reference to hospital nurseries.
- 5.10 Members queried the reference to the Tooley Street Offices in recommendations 6 and 16. Councillor Hubber clarified that this was seen as an additional facility and not replacing the use of one-stop shops and other council premises. Members suggested that the reference be changed to include all the council's principle offices.

- 5.11 Members questioned whether the council could enforce recommendation 11 and whether this should apply only to schools currently using a test. Councillor Hubber acknowledged that this might be difficult to achieve. The sub-committee had seen this as trying to introduce a common basic test but with schools able to add on another test if required.
- 5.12 In respect of recommendation 13, Councillor Hubber explained that this had risen in response to issues raised by a parent at a meeting.
- 5.13 Some members were of the view that parents might need most help at the beginning of the process and also if an appeal became necessary. Councillor Hubber reported that the sub-committee felt that there could be more use made of voluntary mentors and that the Parents' Forum could be expanded. Some members considered that in order to help constituents it would be useful for all members to be circulated with information about the admissions process close to the allocation of places.

RESOLVED:

That, subject to the following amendments, the report be referred to cabinet for consideration:

Recommendation 6 - Hold open days at schools, *the council's principle offices* and in the community; particularly focus these on the needs of parents whose first language is not English, and parents of SEN children.

Recommendation 7 - Contact university *and hospital* nurseries as well as Private, Voluntary and Independent ["PVI"] early years managers.

Recommendation 11 - *Cabinet do everything within its power to* introduce a common test for secondary school entry *where this is required by schools*.

New recommendation 16 - *Before the date when allocations are announced, a briefing note be circulated to all members giving information about the process*.

Recommendation 17 - Make meeting space available in *the council's principle offices, in addition to one-stop shops*, for staff to take appointments with parents.

6. SCRUTINY STRUCTURE 2011/12

- 6.1 The committee briefly discussed the structure of sub-committees and whether a return to "taxi-rank" rather than themed sub-committees might be useful. The general view was that themed sub-committees were more beneficial, allowing members to build up ownership, knowledge and expertise. Some chairs reported that work existed in this year's work programmes which should be carried over into 2011/12. Members wondered whether the committee might pick up on areas which had not been included in the work plans of individual sub-committees.
- 6.2 Members considered the different practices in respect of cabinet member interviews. The view was expressed that the number of interviews undertaken by

the committee might have restricted its ability to carry out other work. It was widely agreed that a large number of questions did not necessarily generate the best interview, for instance members felt that the recent interview of Councillor Fiona Colley, where a number of themes had been outlined, had produced a better idea of the cabinet member's vision. It had also led to a more free-ranging discussion between committee members and the cabinet member.

- 6.3 The chair felt that cabinet member interviews were a valuable use of the committee's time. While taking the view that it would be inappropriate to try and restrict the number of questions, she considered that it would be helpful to have further discussions about how best to explore a cabinet member's views and vision rather than simply ask for facts and strategies which were accessible by other means.
- 6.4 A member questioned whether the size of the committee's membership limited its effectiveness as a scrutiny body. Other members felt that reducing the membership would result in a loss of experience and impact on the opposition's ability to call-in decisions. Some members took the view that scrutiny should be looking at outside bodies while other members felt that, especially in view of upcoming cuts in resources, the role of scrutiny should remain focussed on the cabinet and the council.
- 6.5 The chair reminded members that early in the next municipal year the committee would have the opportunity to review the scrutiny function in the light of the cuts. The head of overview & scrutiny would be bringing an initial paper to the committee. The chair felt that it was important for any members appointed to the committee in May to be able to take a full part in discussions.
- 6.6 Some members asked whether any changes could be made to the allocation of chairs of sub-committees to particular political groups. In respect of housing & community safety, the vice-chair commented that in his view the sub-committee had produced two excellent pieces of scrutiny work and that this had been in line with the priority given to this area by the majority group. Other members stressed that it would be important to know the allocation of chairs across groups in advance of the group AGMs in order to best reflect the interests and expertise of potential chairs.

The meeting ended at 9.05pm.