



## OVERVIEW & SCRUTINY COMMITTEE

MINUTES of the Overview & Scrutiny Committee held on Monday 20 January 2014 at 6.30 pm at 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Catherine Bowman (Chair)  
Councillor Gavin Edwards (Vice-Chair)  
Councillor Neil Coyle  
Councillor Toby Eckersley  
Councillor Dan Garfield  
Councillor David Hubber  
Councillor Rebecca Lury  
Councillor Paul Noblet  
Councillor Martin Seaton  
Councillor Geoffrey Thornton

**OTHER MEMBERS PRESENT:** Councillor Peter John  
Councillor Richard Livingstone

**OFFICER SUPPORT:** Fran Biggs, Electoral Services & Local Land Charges Manager  
Shelley Burke, Head of Overview & Scrutiny  
Deborah Collins, Strategic Director of Environment and Leisure  
Norman Coombe, Legal Services  
Doreen Forrester-Brown, Legal Services  
Jennifer Seeley, Deputy Finance Director  
Duncan Whitfield, Strategic Director of Finance and Corporate Services  
Peter Roberts, Scrutiny Project Manager

### 1. APOLOGIES

- 1.1 Apologies for absence were received from Councillors Lorraine Lauder and the Right Reverend Emmanuel Oyewole and, for lateness, from Councillors Rebecca Lury and Geoffrey Thornton. Councillor Martin Seaton attended as a reserve for Councillor the Right Reverend Oyewole.

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

2.1 There were none.

## **3. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

3.1 There were no disclosures of interests or dispensations.

## **4. MINUTES**

### **RESOLVED:**

That the minutes of the meetings of the committee held on 11 November and 2 December 2013 be agreed as a correct record.

## **5. ELECTION 2014 - PRESENTATION BY RETURNING OFFICER**

5.1 Deborah Collins, Southwark's Returning Officer, reminded members that she had spoken to the committee four years ago, after the 2010 election. The upcoming election combined European and local elections. One challenge arising out of this was that the European timetable required results to be declared no earlier than 9pm on the Sunday following the election. A further challenge was the size of the European ballot papers and the time it took to verify them. UK law required verification of both elections to be done at the same time. This meant that the verification of both elections and local government count were likely to take much longer than a single election. The Returning Officer proposed to start verification of both elections on Friday morning, and complete the count for the local government election by Friday evening. She also informed the committee that the ground and part of the third floor of the Tooley Street offices would be used as a venue for the verification and count. The Electoral Commission had announced that the last possible date for registration was midnight twelve days before the polls while the date for receiving postal votes remained 5pm eleven days before.

5.2 In response to members' questions, the Returning Officer confirmed that no last minute change was expected in respect of the limit on expenditure by candidates. She indicated that she would provide members with information on the date from which election expenditure started to be incurred. The Returning Officer also clarified the impact of using the Tooley Street offices and options available for staff not involved in the election work. Fran Biggs, Head of Electoral Services, reported that there would be around one hundred and thirty verification staff and over two hundred count staff, some of whom were council officers.

5.3 In response to further questions, the Returning Officer indicated that the register would be published on 3 February. Everything was being done to encourage individuals to register. Members sought reassurance that there would be no repeat of queues at polling stations. The Returning Officer reported new rules that when polls closed at 10pm the people in the queue could be given ballot papers and be able to vote. The council aimed to ensure that there were not too many voters

allocated to each polling station. In addition, to aid efficiency on the day, a bigger team would be available to answer phone queries such as, for example, checking the register on behalf of presiding officers.

- 5.4 Members were concerned that staff at polling stations fully understood the rules in respect of the position of candidates and agents. The Returning Officer confirmed that all staff were trained and that any problems on the day could be raised with the Head of Electoral Services or herself. She also confirmed that information would be available in the polling stations to inform members of the public about the process for filling out voting papers.
- 5.5 Doreen Forrester-Brown, Director of Legal Services, informed the committee that she had issued pre-election guidance which was available to members and officers via The Source. The formal pre-election period, "purdah", started on 14 April and ended at 10pm on 22 May 2014. One aim of the guidance was to help ensure the neutrality of officers. It also provided a framework for member behaviour. In response to questions, the Director of Legal Services confirmed that members' casework would continue to be processed. She also clarified what would be seen as political advertising and inappropriate use of council resources. Members drew attention to the use of TRA halls for political campaigning. The Director of Legal Services stressed that guidance needed to be cascaded down to TRAs and the Community Engagement Team but pointed out that school premises were not the council's property. She indicated that she would look into any specific guidance that was possible for third parties.
- 5.6 Some members were concerned about complaints submitted to the Standards Committee that were politically motivated and asked whether consideration of cases would be on hold during the pre-election period. The Director of Legal Services stressed that all complaints needed to be dealt with in line with procedures but that the process weeded out politically motivated complaints.

## **6. BUDGET SCRUTINY**

- 6.1 Duncan Whitfield, Strategic Director of Finance and Corporate Services, and Jennifer Seeley, Deputy Finance Director, introduced the Policy and Resources Strategy 2014/15 to 2016/17 Provisional Settlement.
- 6.2 Members were concerned about the increasing demands on council services and wondered whether these reflected recent changes to the national benefits scheme. Councillor Peter John, Leader, stressed that the council had set aside new funding including discretionary housing payment, the social fund replacement and the welfare hardship fund, while universal credit and changes to the disability living allowance had not yet been rolled out. He had asked for a review of the hardship fund to ensure that it was providing support to the people who needed it. The council also needed to determine whether Southwark faced greater pressures than comparable boroughs and any factors behind this. The committee asked for the review to be circulated to its members.
- 6.3 Eleanor Kelly, Chief Executive, stated that the council was aiming to hold expenditure down on no recourse to public funds in two particular ways; auditing of

the people the council supported and holding robust conversations with the Home Office about individuals' leave to remain in the country (which would enable them to work). She also clarified the commitment of £990,000 relating to the increase in number of young people with learning disabilities receiving support (page 34).

- 6.4 A member drew the committee's attention to paragraph 116 of the cabinet report which referred to growth bids to address pressures and asked whether there was confidence that future budget pressures could be brought under control. The Strategic Director of Finance and Corporate Services stressed that this was the first stage of an ongoing programme of work. Changes needed to be transformational in order to meet the new need. However there was concern that local government was being invited to create its own welfare benefit system and this would be very expensive to administrate. A member of the committee highlighted that evidence from the pilots of universal credit suggested a reduction in revenue and wondered whether funding would be available to alleviate this.
- 6.5 In response to questions about use of the Southwark Emergency Support Scheme, the Strategic Director of Finance and Corporate Services referred the committee to the details provided in the answer to a Member's Question at Council Assembly on 22 January. Councillor John added that £3 million had been set aside in the three different funds and confirmed that it was the cabinet's responsibility to revise the criteria in respect of these funds in order for the council to support those most in need.
- 6.6 A member was concerned about private sector landlords not letting property to benefits recipients. Councillors Livingstone and John commented on the results of the direct payment pilot which involved around 1,500 Southwark tenants and a small number of Family Mosaic tenants. At the end of the pilot only around a half of the tenants involved were still receiving direct payments and 90% were in rent arrears. It seemed unlikely that the policy could be more widely implemented.
- 6.7 A member highlighted paragraph 156 of the report and sought clarification of the proposals to generate additional income. The Strategic Director of Finance and Corporate Services explained that these would be addressed in an individual Cabinet Member decision and offered to supply details in due course.
- 6.8 Members were concerned about the numbers of premises subject to outstanding business rate appeals and whether bringing Council Tax collection in-house had benefited the council. The Strategic Director of Finance and Corporate Services indicated that there were around a thousand properties awaiting the result of an appeal and that the system was dependent on the Valuation Office. Councillor Livingstone reported that the in year collection rate for Council Tax was at a rate of 91% and that he was confident that this could improve. A member wondered whether re-occupation relief in respect of business rates would affect the council's policies to deter pay-day loans companies from operating on the high street. Another member asked the purpose of the high street innovation fund. Councillor John stated that the intention was to re-launch the high street challenge.
- 6.9 A member asked whether council was confident that the proposed saving of £200,000 in respect of mental health day services (page 36 of the report) would not have a knock-on cost to the NHS. Officers commented that this was achievable

and part of the improvements to client independence and choice.

- 6.10 In response to questions about the additional savings arising from the acquisition of the Tooley Street building, the Chief Executive explained that prudent numbers had been put forward at the time of the acquisition.

## **7. UPDATE ON IT**

- 7.1 The chair indicated that a full report would be considered at the next meeting of the committee. The Strategic Director of Finance and Corporate Services reported that there had been some improvements but that the major issue related to programming around the core enabling projects.

The meeting ended at 9.10 pm