



## **OVERVIEW & SCRUTINY COMMITTEE**

MINUTES of the OPEN section of the meeting of the OVERVIEW & SCRUTINY COMMITTEE held on 9TH DECEMBER 2002 at 7.00 P.M. at the Town Hall, Peckham Road, London SE5 8UB

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**PRESENT:** Councillor Kim HUMPHREYS (Chair)  
Councillor Linda MANCHESTER (Vice-Chair)  
Councillors Aubyn GRAHAM, Barrie HARGROVE, Mark PURSEY, Andy SIMMONS and Neil WATSON

**ALSO PRESENT:** Councillor Catriona MOORE – Executive Member for Health & Social Care  
Dr Jane Fryer – Medical Director, Southwark Primary Care Trust  
Councillor Dominic THORNCROFT – Vice-Chair of Health & Social Care Scrutiny Sub-Committee  
Diana Carrington - Nunhead Action Group deputation  
Karin Greenhead – Nunhead Action Group deputation  
Simon Kearnes - Nunhead Action Group deputation  
Alex Trouton - Nunhead Action Group deputation

**OFFICERS:** Simon Bevan – Acting Manager, Planning Policy  
Shelley Burke – Constitutional Support Unit Manager (Scrutiny)  
Deborah Holmes – Borough Solicitor & Secretary  
Ian Hughes – Head of Corporate Strategy  
Lucas Lundgren – Constitutional Support Officer (Scrutiny)  
Bill Murphy – Assistant Chief Executive Performance & Improvement

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillor Gavin O'Brien and Mrs Josie Spanswick.

### **CONFIRMATION OF VOTING MEMBERS**

The Members listed as being present were confirmed as the Voting Members.

### **NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT**

The Chair agreed to accept the following items as late and urgent for the reasons set out in the reports, i.e.

- Item 31 Health & Social Care Scrutiny Sub-Committee – Appointment of Chair
- Item 32 Report from Community Support & Safety Scrutiny Sub-Committee – Public Disorder at the Council's 2002 Firework Display

## **DISCLOSURE OF INTERESTS AND DISPENSATIONS**

Councillor Neil Watson sought advice from the Borough Solicitor & Secretary in respect of his possible interest in Item 30 declaring that his home was close to the address of the applications in question. He subsequently declared a personal but not prejudicial interest and remained in the meeting during consideration of the item.

Councillor Aubyn Graham declared an interest in Item 30, declaring that he had been a member of the Planning Committee that determined the application. He left the room for consideration of Item 30 and took no part in discussion.

## **RECORDING OF MEMBERS' VOTES**

Council Procedure Rule 1.17 (5) allows a Member to record her/his vote in respect of any motions and amendments. Such requests are detailed in the following Minutes. Should a Member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and is available for public inspection.

The Committee considered the items set out on the agenda, a copy of which has been incorporated in the Minute File. Each of the following paragraphs relates to the item bearing the same number on the agenda.

## **MINUTES**

**RESOLVED:** That the OPEN Minutes of the meeting held on 13<sup>th</sup> November 2002 be agreed and signed as a correct record of the proceedings, subject to the following amendment to the circulated draft, i.e.:

Item 15, paragraph 2, second sentence should read "The Borough Solicitor & Secretary confirmed that protocols for officer/Member relationships would render *failure to act* impartially a breach of the code".

The Chair gave notice of variation to the Order of Business and the items were considered in the following order, i.e. Items 30, 32, 28, 24, 29, 27, 26, 31 & 25.

24. **REFERENCE FROM COUNCIL ASSEMBLY (30/10/02): UNITARY DEVELOPMENT PLAN (THE SOUTHWARK PLAN) FIRST DRAFT FOR DEPOSIT AND SPECIAL PLANNING GUIDANCE** (see pages 364-366)

The Acting Manager, Planning Policy, introduced the report and made a presentation entitled "The Southwark Plan", a copy of which can be found on the Minute file.

- RESOLVED:**
1. That scrutiny of the Council's Unitary Development Plan be undertaken by Housing & Regeneration Scrutiny Sub-Committee. That this Sub-Committee report back to Overview & Scrutiny Committee by the end of the 2002-03 Municipal year. In undertaking scrutiny Members should have particular regard to:
    - Assessment of the appropriateness of the Action Areas identified in the UDP document, and of the Opportunity Areas in the London Plan;
    - Assessment of the proposed housing densities for areas

- within the borough;
- Understanding sustainability appraisals.

2. That each scrutiny Sub-Committee be invited to comment on any areas of particular concern to them within the U.D.P., and any such comments shall be incorporated into the final scrutiny report from Housing & Regeneration Scrutiny Sub-Committee.

25. **SCRUTINY DEVELOPMENT** (see pages 367-371)

The Constitutional Support Team Manager (Scrutiny) introduced the report.

**RESOLVED:**

1. That Officers be asked to commission scrutiny chairing training for Overview & Scrutiny Members, plus the Chair of Finance & General Purposes Scrutiny Sub-Committee, to take place in early 2003.
2. That Officers be asked to commission an IDeA evaluation of the scrutiny structure and process with the points of focus being those listed a) – e) at paragraph 8 of the report, plus the following additional points, i.e.
  - f) Effectiveness – what impact is scrutiny having ?
  - g) Support - what does scrutiny need from the authority do carry out its work ?

26. **PROJECT BRIEF: SCRUTINY OF SOUTHWARK'S CENTRAL COMPLAINTS HANDLING** (see pages 372-375)

The Head of Corporate Strategy introduced the report.

**RESOLVED:**

1. That the Project Brief for scrutiny of Southwark's Central Complaints Handling, as set out in Appendix B to the report, be agreed, and that:
  - (a) The District Audit investigation of complaints be taken into account, and a representative invited to input into the scrutiny.
  - (b) Those individuals who had raised micro-scrutiny issues be advised that this scrutiny would be undertaken.
  - (c) That scrutiny of this issue include evidence from the general public, and that publicity of the inquiry be arranged to this end.

27. **SCRUTINY MONITOR** (see pages 376-388)

The Chair introduced this item. Members each outlined the recent and forthcoming scrutiny activity for their respective scrutiny Sub-Committees with reference to the Scrutiny Monitoring Report at Appendix B.

- RESOLVED:**
1. That the Scrutiny Monitoring Report be noted.
  2. That the Executive be asked to publicise the work of the Community Support & Safety Scrutiny Sub-Committee on Enviro-Crime, Graffiti summit and Street Wardens.

28. **FINAL REPORT: HEALTH AND SOCIAL CARE SCRUTINY SUB-COMMITTEE "ACCESS TO PRIMARY CARE"** (see pages 389-403)

The Constitutional Support Team Manager (Scrutiny) introduced the item. The Vice-Chair of Health & Social Care Scrutiny Sub-Committee and the Medical Director of Southwark Primary Care Trust spoke to the final report and responded to Member questions. Councillor Catriona Moore, previously the Chair of Health & Social Care Scrutiny Sub-Committee and now Executive Member for Health & Social Care was present for this item.

- RESOLVED:**
1. That the final report of the Health & Social Care Scrutiny Sub-Committee on Access to Primary Care, be endorsed and referred to the Executive and the Primary Care Trust for consideration with the following comments of Overview & Scrutiny Committee, i.e.:
    - (a) That the Primary Care Trust be asked to address the matter of access to primary care for working people;
    - (b) That the Executive be asked to ensure that this report is publicised, and the Council's Press Office be asked to assist.
    - (c) That the Primary Care Trust be asked to consider as a matter of priority access to primary care by black and minority ethnic people, people with disabilities, refugees and asylum seekers and homeless people.
    - (d) That the Primary Care Trust be asked to take steps to address provision of exit interviews for general practitioners, in line with the recent Audit Commission comments.

29. **REFERENCE FROM FINANCE & GENERAL PURPOSES SCRUTINY SUB-COMMITTEE (20/11/02): FINANCIAL MANAGEMENT OF THE EDUCATION CONTRACT** (see pages 441-442)

The Head of Corporate Strategy introduced the report.

- RESOLVED:**
1. That Members acknowledge that issues arising from the Post Ofsted Inspection Action Plan gave rise to the request for

scrutiny of the financial management of the education contract.

2. That the Education, Youth & Leisure Scrutiny Sub-Committee scrutinise the financial recommendations in the Post Ofsted Inspection Action Plan, and that Members of Finance & General Purposes Scrutiny Sub-Committee be invited to these sessions.

30. **DEPUTATION REQUEST: PLANNING PERMISSION GRANTED IN RESPECT OF BORLAND ROAD/STUART ROAD, SE15 (NUNHEAD ACTION GROUP)** (see pages 404-440)

The Chair agreed to hear a deputation from Councillor Dominic Thorncroft on behalf of the Nunhead Action Group, and subsequently allowed four representatives from that group to speak to the meeting. Details of the deputation were circulated to those present, a copy of which can be found on the Minute file, pages 451-461).

**RESOLVED:**

1. That the deputation from Nunhead Action Group be heard by this Committee.
2. That the Executive be asked to consider development of a best practice guide for community liaison for future large developments.
3. That the concerns expressed by the Nunhead Action Group as set out in their written deputation request on pages 451-461 of the Minute file be considered as part of the forthcoming scrutiny of the Unitary Development Plan.
4. That the Executive be asked to improve information provision to residents about planning law and process, including wider electronic circulation.
5. That this matter be referred to both the Executive and Planning Committee for their input.

31. **HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE – APPOINTMENT OF CHAIR** (see pages 443-444)

Councillor Catriona Moore's membership and position of Chair of this Sub-Committee had fallen vacant following her appointment to the Executive. Overview & Scrutiny Committee Members were asked to receive nominations for the vacant post of Chair of the Health & Social Care Scrutiny Sub-Committee, and make this appointment in accordance with proportionality rules.

**RESOLVED:**

1. That this Committee notes the appointment of Councillor Eliza Mann as Member of Health & Social Care Scrutiny Sub-Committee, effective from 13<sup>th</sup> December 2002.
2. That Councillor Eliza Mann be appointed as Chair of Health & Social Care Scrutiny Sub-Committee, with effect from 13<sup>th</sup> December 2002.

32. **REPORT FROM COMMUNITY SUPPORT & SAFETY SCRUTINY SUB-COMMITTEE – PUBLIC DISORDER AT THE COUNCIL’S 2002 FIREWORK DISPLAY** (see pages 445-450)

Councillor Barrie Hargrove, Chair of Community Support and Safety Scrutiny Sub-Committee, introduced this item.

The Borough Solicitor & Secretary advised Councillor Simmons that there was no conflict of interest apparent in his suggesting this as a topic for scrutiny and serving on this Committee for its consideration.

**RESOLVED:**

1. That the report of Community Support & Safety Scrutiny Sub-Committee be endorsed, and the recommendations and findings from this review be referred to the Executive as follows, i.e.
  - (a) That no future firework displays should take place at all unless the Council can be better satisfied as to the adequacy of policing arrangements and communication between the sections of the Council, the Police, and others concerned.
  - (b) That the Community Support and Safety Scrutiny Sub Committee review the arrangements for any firework display planned for 2003 in the light of lessons learned from this review.
  - (c) That Overview & Scrutiny Committee notes that Peckham Rye Common had proved an unsuitable venue for firework displays in the light of issues outlined in section 14 above and recommends that it should not be used for such an event in the future.

The meeting ended at 9.45 p.m.

**CHAIR:**

**DATED:**