



OVERVIEW & SCRUTINY COMMITTEE

MINUTES of the OPEN section of the meeting of the OVERVIEW & SCRUTINY COMMITTEE held on 6TH FEBRUARY 2003 at 7.00 P.M. at the Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Kim HUMPHREYS (Chair)
Councillor Linda MANCHESTER (Vice-Chair)
Councillors Eliza MANN, Mark PURSEY and Neil WATSON.

ALSO PRESENT: Councillor Toby ECKERSLEY – Chair of Finance & General Purposes Scrutiny Sub-Committee
Councillor Graham NEALE – Environment & Transport Scrutiny Sub-Committee
Councillor Lorraine ZULETA – Executive Member for Finance

OFFICERS: Keith Brown – Chief Finance Officer
Shelley Burke – Constitutional Support Manager (Scrutiny)
Amanda Hirst – Head of Communications & Customer Relations
Deborah Holmes – Borough Solicitor & Secretary
Ian Hughes – Head of Corporate Strategy
Alan Layton – Head of Corporate & Strategic Finance
Lucas Lundgren – Constitutional Support Officer (Scrutiny)
Bill Murphy – Assistant Chief Executive (Performance & Improvement)

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Aubyn GRAHAM, Barrie HARGROVE, Andy SIMMONS 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 42 Review of Revenue Budget 2003-04: Appendices:
- (a) Report to Finance & General Purposes Scrutiny Sub-Committee (F&GPSSC) 4/2/03
 - (b) Correspondence from Cllr Zuleta to Cllr Eckersley 3/2/03
 - (c) Correspondence from Cllr Eckersley to Cllr Zuleta 11/12/02
 - (d) Report to Executive 17/12/02
 - (e) Budget Monitoring Reports
 - (f) Minutes of Executive 17/12/02

- (g) Cllr Zuleta's response to questions raised at F&GPSSC 4/2/03
 - (h) (draft) Minutes of F&GPSSC 4/2/03
 - (i) Note: Alan Layton to Cllr Colley response to question concerning base budget, raised at F&GPSSC 4/2/03
 - (j) (draft) Report to Executive (11/2/03): The Council's Medium Term Financial Strategy & the 2003/04 Revenue Budget – The Budget & Policy Framework
- Item 43 Presented as pp.793-798 of Item 42
- Item 44 Environment & Transport Scrutiny Sub-Committee: Further Proposals for Seminar on Alternatives to Landfill as part of the Review of the Waste Management Strategy
- Item 45 Charter School Scrutiny: Draft Project Brief
- Item 46 Scrutiny Publicity Protocol

DISCLOSURE OF INTERESTS AND DISPENSATIONS

No disclosures of interests or dispensations were made.

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.

At 7.05 p.m. it was proposed, seconded and

RESOLVED: That the meeting stand adjourned for twenty minutes to allow time for Members to read late papers tabled at the meeting.

At 7.35 p.m. the meeting reconvened.

MINUTES

RESOLVED: That the OPEN Minutes of the meeting held on 15 January 2003 be agreed and signed as a correct record of the proceedings.

42. **REVIEW OF REVENUE BUDGET 2003/04** (see pages 712-792, 815-925)

The Chair welcomed the Executive Member for Finance, the Chair of Finance & General Purposes Scrutiny Sub-Committee, the Chief Finance Officer, the Head of Corporate & Strategic Finance and the Assistant Chief Executive (Performance & Improvement) to the meeting.

At 7.40 p.m. it was proposed, seconded and

RESOLVED: That the meeting stand adjourned for five minutes for the Chair to speak to the Labour Group Chief Whip.

At 7.45 p.m. the meeting reconvened.

The Chair of Finance & General Purposes Scrutiny Sub-Committee introduced the item and outlined his concerns about scrutiny's involvement in the budget setting process, difficulties experienced in securing background papers during the process, and particular points of disagreement with Councillor Zuleta's response as set out on page 815-820 of the Agenda.

The Executive Member for Finance then gave a presentation on the budget 2003/04, a copy of which is appended to these Minutes.

The Chief Finance Officer introduced his report, set out at pages 890-925 of the Agenda. He apologised for its lateness, the final settlement agreement having been received on 5th February 2003.

Following Member discussion, and together with the Chief Finance Officer the Executive Member for Finance responded to Member questions.

RESOLVED:

1. Overview & Scrutiny Committee noted that up to date written budgetary information was not available to the Finance & General Purposes Scrutiny Sub-Committee when it considered the Revenue Budget 2003/04, and as such had prevented consideration of budget outturn.
2. Overview & Scrutiny Committee noted that Finance & General Purposes Scrutiny Sub-Committee received insufficient information at its meeting on whether Best Value Review implications had been taken on board.
3. That the Committee recommends that for next year a better protocol be developed for scrutiny of the Council's Revenue Budget, in line with paragraph 2.29 of the New Council's Constitutions Guidance Pack Volume 1, October 2001, Chapter 2.
4. That the Committee recommends that for 2004/05 budget, the Executive is invited to submit its initial budget and policy priorities to the Sub-Committee for discussion for July 2003.
5. That Finance & General Purposes Scrutiny Sub-Committee be provided with training to help them scrutinise the budget in future years.
6. That in future budgetary deliberations the Executive consider the transfer of Early Years to the main Education budget.
7. That, as part of the budget process, the Executive addresses the member intelligibility of the current S.A.P. system, with the aim of rendering it an effective and timely budget monitoring tool.

43. **REPORT FROM ENVIRONMENT AND TRANSPORT SCRUTINY SUB-COMMITTEE: REVIEW OF RECYCLING ARRANGEMENTS** (see pages 793-798)

The reports (Items 36 & 36a) had been considered as part of Item 42 earlier in the meeting and accordingly Members

RESOLVED: That the reports here presented as Items 36 and 36a): Review of Recycling Arrangements be appended to the resolutions made by Overview & Scrutiny Committee in respect of Item 42: Review of Revenue Budget 2003/04 for the consideration of the Executive.

44. **ENVIRONMENT & TRANSPORT SCRUTINY SUB-COMMITTEE FURTHER PROPOSALS FOR SEMINAR ON ALTERNATIVES TO LANDFILL AS PART OF THE REVIEW OF THE WASTE MANAGEMENT STRATEGY** (see pages 809-814)

The Chair of Environment & Transport Scrutiny Sub-Committee introduced the report. He outlined the revised bid, and responded to Member questions.

Members acknowledged the urgent need to find viable alternatives to landfill and the benefit of expert advice on the matter. However, concerns were expressed that the proposals as presented risked raising unreasonable public expectation that scrutiny would find a solution, and in one session alone.

Discussion ensued, following which Members

- RESOLVED:**
1. That Overview & Scrutiny Committee notes the importance of finding alternatives to landfill.
 2. That a budget of £1,500 be agreed for Environment & Transport Scrutiny Sub-Committee to secure expert witness advice for ongoing inquiry into alternatives to landfill as opposed to a conference session.

45. **CHARTER SCHOOL SCRUTINY – DRAFT PROJECT BRIEF** (see page 799-808)

The Constitutional Support Manager (Scrutiny) introduced the item.

- RESOLVED:**
1. That the draft Charter School scrutiny Project Brief be agreed as follows, i.e.

“Objective:

To consider how the capital building project at the Charter School was planned, approved and monitored at Member level, and make recommendations to the Executive as to how such projects could be better managed in future, taking into account the findings of the reports arising from inquiries carried out by the District Auditor and the Director of Education.

Methodology:

19th February 2003 O&SC:

- *The Director of Education to provide Overview and*

Scrutiny Committee with chronology, highlighting key dates in the project's development;

19th March 2003 O&SC:

- *Based on the above and with advice from the Head of Corporate Strategy, Overview & Scrutiny Committee to interview key Members and officers including:*
 - i. *The former Cabinet Member for Education;*
 - ii. *The current Executive Member for Education, Youth & Leisure;*
 - iii. *The current Director of Education;*
 - iv. *The Chair of the Charter School governing body or Headteacher of Charter School, as appropriate.*

to explore how the project was managed, what arrangements were in place for detailed monitoring on progress and spend, and how these were reported to Members.

- *To review the findings of the other inquiries and take into account any findings which relate specifically to Member roles in managing the project”.*

2. That the Chief Executive and the Director of Education be notified of Overview & Scrutiny Committee's continuing concern that the reports on Charter School from Atkins and District Audit are no closer to completion.

46. **SCRUTINY PUBLICITY PROTOCOLS** (see pages 711a]-711b])

The Head of Communications and Customer Relations introduced the report. The Borough Solicitor & Secretary advised that the draft Member/Officer Protocol, including paragraphs specifically relating to scrutiny, would be presented to Standards Committee for consideration on 12th February 2003.

RESOLVED:

1. That the report be noted and endorsed, mindful of the reference to scrutiny in the following extract from the (draft) Member Officer Protocol, i.e

“Key Spokespeople

The people who are our key council spokespeople are the Leader and Deputy Leader and executive members within their portfolio, the chair of the Overview and Scrutiny Committee, Planning chair, licensing chair and the Chairs of the Community Council. They will be quoted or featured in publicity where it relates to their responsibilities on the council. Officers, too, may act as spokespeople. In the first instance, these will be Chief Officers, unless alternative officer spokespeople are agreed by the Chief Officer and Head of CCCR.

The role of the spokesperson is to present facts about council decisions, the context in which they were taken,

actions and issues faced by the council.

There are instances when a ward councillor may act as a council spokesperson. This may be, for example, in the case of an emergency where the issue affects their ward. However, in this instance the spokesperson will be speaking for the council and should not be politically controversial. Council spokespeople, whether member or officer, will not disclose confidential information to the media”.

2. That paragraph 3, sentence 4 of the protocol extract as set out on page 711b) of the agenda be amended to read “...decisions made by the Council Assembly, Executive, Overview & Scrutiny Committee and its Sub-Committees, Community Councils, Planning or Licensing...”

Overview & Scrutiny Committee agreed to invite the Leader of Southwark Council for interview on 16th April 2003, and the Deputy Leader on 19th March 2003, subject to their availability to attend. Sub-Committee Chairs were asked to formulate questions for the interviews and were encouraged to include those matters to which responses were outstanding from Sub-Committee Executive Member interviews undertaken during the year.

The meeting ended at 9.55 p.m.

CHAIR:

DATED: