



OVERVIEW & SCRUTINY COMMITTEE

MINUTES of the OPEN section of the meeting of the OVERVIEW & SCRUTINY COMMITTEE held on 15 SEPTEMBER 2003 at 7.00 p.m. at Southwark Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Kim HUMPHREYS (Chair)
Councillor Linda MANCHESTER (Vice-Chair)
Councillors John FRIARY, Barrie HARGROVE, Eliza MANN,
Andy SIMMONS, Neil WATSON and Anne YATES.

OFFICER Shelley Burke – Head of Overview and Scrutiny
SUPPORT: Bob Coomber – Chief Executive
Glen Egan – Assistant Borough Solicitor
Ian Hughes – Head of Corporate Strategy
Lucas Lundgren – Scrutiny Team
Sarah Naylor – Assistant Chief Executive
Pauline Nee – Borough Architect & Building Surveyor
Dr Roger Smith – Director of Education & Culture

ALSO PRESENT: Neil Gray – Audit Manager, Audit Commission
Linda Vargas – Performance Specialist, Operations Directorate,
Audit Commission

APOLOGIES FOR ABSENCE

Apologies were received from 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 DEEMED URGENT

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

Open Business [Agenda Part A]

Item 3: Scrutiny: Charter School Overspend – District Audit report on Peckham Pulse Capital Project [September 1999]

Closed Business [Agenda Part B]

Item 1: Scrutiny: Charter School Overspend – Draft Audit Commission Report "Overview of Capital Project at the Charter School"

DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests made nor dispensations notified.

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: The Open Minutes of the meeting held on 7th July 2003 were agreed as a correct record of proceedings and signed by the Chair, subject to the addition of Neil Gray to the list of those present.

EXCLUSION OF PRESS AND PUBLIC

At 7.10 p.m. it was proposed, seconded and

RESOLVED: That the public be excluded from the meeting for consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information that falls within **categories 7, 8, 9 & 10** as defined in paragraph 10.4 of the Council's Access to Information Procedure Rules.

3. SCRUTINY: CHARTER SCHOOL OVERSPEND: DRAFT AUDIT COMMISSION REPORT "OVERVIEW OF CAPITAL PROJECT AT THE CHARTER SCHOOL" [see Closed Business, Agenda Part B, pages 1-27]

The meeting went into closed session to discuss the revised draft Audit Commission report "Overview of Capital Project at the Charter School".

At 8.00 p.m. the meeting returned to open session to consider open Item 3: Scrutiny Charter School – District Audit report on Peckham Pulse [September 1999].

The Borough Architect & Building Surveyor was asked to speak to the report. Southwark Building Design Service [SBDS], the authority's in-house architect department, had incorporated the report's recommendations into procedure notes now used by all its staff. Recommendations referred to in the report to Ratification Committee of July 2001 were currently being implemented and SBDS would work alongside the new commissioning process.

The main work that had arisen from the District Audit report included: work on the various functions of the GC suite of standard contracts; training on the GC contracts; development and roll-out of the project management procedure handbook "Prompt", based on Prince and approved by the Royal Institute of British Architects [RIBA], in Oct-Nov 2003; and reissue of guidance following conclusion of the BVR Capital Programme. Prompt, a toolkit for managers to ensure best project management practice went beyond the DA recommendations.

Members concerns included:

- the authority's delay in implementing the changes suggested by the DA;
- the authority's delay in achieving the necessary skillsets recommended, across all departments of the Council;
- whether all managers had access to the toolkit and the DA report; and
- whether there was any requirement for managers to use Prompt.

The Assistant Chief Executive advised Members that the central procurement function was currently being strengthened. The function would provide cross-Council corporate best practice, ensuring policy consistency and address quality control monitoring responsibility. The post of Head of the unit had been advertised last week. A central database of recommendations from internal/external audit reports and inspectorate reviews was being established and monthly reports on the progress of Capital Projects would be made to Executive Members.

The Chief Executive confirmed that the cost, size and remit of all individual schemes would be monitored, with large projects being subject to special conditions. There would be the expectation that contractors for large projects would have previous experience on a similar scale, and the authority might consider ways to differentiate between contractors on the basis of large-scale experience.

The Strategic Director of Education & Culture stated that he had raised concerns about the project in 2002 with the previous Executive Member for Education, who had become responsible following commencement of the project. In addition, the Dr Smith initiated an internal investigation.

The Head of Overview & Scrutiny reported that whilst the former Leader of the Council had been invited but was unable to attend the meeting, she had offered to input into the review formally.

EXCLUSION OF PRESS AND PUBLIC

At 8.25 p.m. it was proposed, seconded and

RESOLVED: That the public be excluded from the meeting for consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information that falls within **categories 7, 8, 9 & 10** as defined in paragraph 10.4 of the Council's Access to Information Procedure Rules.

At 8.27 p.m. the meeting returned to open session.

The Chair wished the final scrutiny report to be an open document, and acknowledged that this would require the final District Audit report on Charter School to be finalised prior to this time.

- RESOLVED:**
- 1) That the Head of Overview & Scrutiny prepare the first draft report on Scrutiny of the Charter School Overspend for electronic circulation to Members of this Committee by 29th September 2003, and brought to the next meeting of this Committee on 13th October 2003 for agreement;
 - 2) That Scrutiny Team officers pursue arrangements for site visits to Waverley and Kingsdale Schools prior to the Committee's next

meeting on 13th October 2003;

- 3) That regular quarterly update reports on the progress of Capital Projects be brought to both Overview & Scrutiny Committee and the Finance & Economic Development Scrutiny Sub-Committee;
- 4) That the Assistant Chief Executive bring back a report to Overview & Scrutiny Committee in six months time on the implementation of the strengthening of the central procurement function. This report should address how closely Capital Projects are being monitored;
- 5) That formal input into the scrutiny of Charter School overspend be invited from the former Leader of the Council.

MOTION OF ADJOURNMENT

At 8.40 p.m. it was proposed, seconded and

RESOLVED: That the meeting be adjourned for ten minutes for a Member comfort break.

At 8.50 p.m. the meeting reconvened.

1. DEVELOPING SCRUTINY [see pages 1-14]

The Head of Overview & Scrutiny introduced the report, proposing a development plan for scrutiny which drew together recommendations of the Office for Public Management review of Southwark's scrutiny function and discussions at the recent away day held for Overview & Scrutiny Committee members.

The tabulated progress report on last year's reviews, set out at Appendix A to the report, was discussed. Discussion ensued and scrutiny Sub-Committee Chairs (with the exception of Finance & Economic Development Scrutiny Sub-Committee Chair, Councillor Toby Eckersley who is not a Member of Overview & Scrutiny Committee) introduced those items relevant to their own Sub-Committee.

RESOLVED That the scrutiny development plan as set out in the report be agreed;

That the Head of Overview & Scrutiny report progress towards implementation of scrutiny recommendations to Overview & Scrutiny Committee on a quarterly basis;

That the Head of Overview & Scrutiny develop standard correspondence to request formal responses to scrutiny recommendations for use forthwith;

That the following points in respect of individual items included within the progress report on last year's reviews be noted, i.e.

1. Overview & Scrutiny Committee

- OSC wished to consider the BVR Housing Management [in particular giving attention to the issue of neighbourhood housing office re-organisation] prior to its consideration by the Executive;

- Closed report due to OSC on Council's Anti-Squatting policy;
- Corporate Complaints Procedure report due to OSC in October 2003.

2. Environment & Community Support

- It was anticipated that enviro-crime issues would be revisited during joint work on Anti-Social Behaviour later this year;
- Scrutiny Teams to contact SRB6 Board for feedback on gaps in funding streams between the Police and SRB6;
- Chair to chase response on issue of homogeneity of Community Warden identity;
- Response on Neighbourhood Renewal Fund had been unsatisfactory [insufficient information] – Nathalie Hadjifotou to report to OSC November 2003 meeting;
- Officers to report to OSC November 2003 meeting on Disability Discrimination Act compliance.

3. Finance & Economic Development

- That the Chair of OSC write to the Executive Member for Resources in respect of scrutiny recommendations on establishment of a Capital Working Group;
- That in respect of scrutiny recommendations on the Council Tax and Housing Benefit Contract, the Chief Finance Officer's report to the Executive be awaited, following which he be asked to respond to all scrutiny recommendations, if he has not already done so in his report;

4. Health and Social Care

- Chair of Education, Youth & Leisure Scrutiny Sub-Committee concurred with plans that joint work on Prevention of Teenage Pregnancy should consist of Health & Social Care Scrutiny Sub-Committee leading on the review with Members of the other body being invited to meetings at which this topic was discussed with;
- That the PCT's overdue response to scrutiny recommendations on Access to Primary Care be re-requested;

5. Housing

- Plans for joint work on Anti-Social Behaviour [Crack Houses on Estates] were being made with a view to starting joint scrutiny in early 2004;
- Councillor Hargrove expressed concern that work already being undertaken on the review of the secure tenancy agreement by the time of the ASB joint work might close off scrutiny's opportunity to meaningfully input.

6. Regeneration & Transport

- In respect of the focus for scrutiny of the Elephant & Castle project, OSC gave direction to the Chair that the primary focus should be community involvement in the regeneration.

7. Education, Youth & Leisure

- Invite Eden campaign and Waverley School representatives to OSC October 2003 meeting for update discussion on

- Secondary School Provision in East Dulwich issue;
- Noted that no further movement on Behaviour Management issue until education budget determined;

2. **REFERENCE FROM COUNCIL ASSEMBLY: STATEMENT OF ACCOUNTS 2002/03 – REPORT RECOMMENDING THIS ITEM BE REFERRED TO FINANCE & ECONOMIC DEVELOPMENT SCRUTINY SUB-COMMITTEE FOR CONSIDERATION**
[see pages 15-85]

RESOLVED That the Statement of Accounts 2002/03 be referred to the Finance & Economic Development Scrutiny Sub-Committee for consideration.

The meeting ended at 9.40 p.m.

CHAIR:

DATED: