



MINUTES of the OPEN section of the meeting of the OVERVIEW and SCRUTINY Committee held on MONDAY 12th JANUARY 2004 at 7.00 p.m. at SOUTHWARK TOWN HALL, PECKHAM ROAD, LONDON SE5 8UB

PRESENT: Councillor Kim HUMPHREYS (Chair)
Councillors Linda MANCHESTER, John FRIARY, Barrie HARGROVE, Eliza MANN, Andy SIMMON.

ALSO PRESENT: Cllr Veronica Ward
Hamish Horsley – Resident Sculptor Chumleigh Gardens
Remi – Kehndee-Taiwo – Member of the Public
Lynda Evans – Civic Awards
David Elshaw – Civic Awards

OFFICER Shelley Burke - Head of Overview & Scrutiny
SUPPORT: Stephanie Dunstan – Scrutiny Team
Jon Sheaff – Parks Manager
Rachel Prosser – Senior Legal Officer
Sarah Naylor – Assistant Chief Executive Performance & Strategy
Bill Murphy – Assistant Chief Executive Improvement & Development

APOLOGIES FOR ABSENCE

Apologies were received from Cllrs Gavin O'Brien and Neil Watson

NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMED URGENT

None.

DISCLOSURE OF INTERESTS AND DISPENSATIONS

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.

VARIATION OF AGENDA ORDER & CHAIRING OF MEETING

With the agreement of the meeting, the order of business was varied to allow Item 1 to be taken at the start of the meeting, followed by Items 2 , 5, 4, 6, and 3.

MINUTES

RESOLVED: That the Minutes of the open section of the meetings held on 10th November 2003, 17th November 2003, 4th December 2003 and 15th December 2003 be agreed as a correct record of the proceedings and signed by the Chair.

Cllr Humphreys opened the meeting at 7.05pm.

1. DEPUTATION REQUEST: SCRUTINY CHUMLEIGH GARDENS REDEVELOPMENT

Scrutiny Officers distributed supplemental information about the item.

The Chair [Cllr Humphreys] introduced the item and invited Mr Horsley to present to the Committee.

Mr. Horsley thanked the Committee and explained his history of involvement in Chumleigh Gardens, which included being Chairman of 'Art in the Park' and resident sculptor.

Mr. Horsley explained that originally his request for scrutiny was for concerns he had regarding consultation on the Chumleigh Gardens Redevelopment, however these concerns in that time had largely been addressed.

Mr. Horsley's overall concern is with the manner in which consultation on the redevelopment of Chumleigh Gardens was conducted. He was concerned that Southwark Building Design applied for planning permission for the development of the Sure Start Centre before conducting consultation with the Chumleigh Gardens Users Group. Mr. Horsley said that Southwark Building Design had only presented a plan to Chumleigh Users Group but had documented that they had approval from this group.

Mr Horsley's other principal concern was that during the consultation period no alternative plans were considered for the Chumleigh Gardens redevelopment and that the quality of the plans were poor. He felt that Southwark Building Design were biased towards the Sure Start Development and he contrasted the quality of Southwark Building Design plans for the area with that of plans developed by himself and other residents. He commented that although unofficially many users of the Park preferred his plan for redevelopment, including Sure Start, they and Southwark Council could not support his plan because they would risk losing the Sure Start funding.

Mr. Horsley also highlighted the lack of response he received from Southwark Councillors when writing to them on this topic.

The Chair invited questions from the Committee.

Cllr Hargrove commented that the list of consultations looked extensive.

Mr Horsley responded that although the list was extensive the point was that it was ineffective consultation because Southwark Building Design had only presented information rather than consulting and did not consider any alternatives.

The Chair invited Mr. Jon Sheaff [Parks Manager] to respond.

Mr Sheaff explained that of all Southwark Parks, Chumleigh Gardens had been least successful in attracting funding for redevelopment. The previous Parks Manager had received requests from almost simultaneously from Sure Start, Sustainable Energy Association and a Recycling Group to utilise space at Chumleigh Gardens.

Mr. Sheaff said that the decision was granted to build a Sure Start Centre in Chumleigh Gardens namely because it attracted £2 million funding and would encourage better use and ownership of the Park by nearby residents. He explained that because the Sure Start funding had time restrictions they had to go to the Executive with a proposal that hadn't considered how the rest of the Gardens would be redeveloped.

The Chair invited questions from the Committee.

Cllr Hargrove asked if the redevelopment would affect the heritage value of the Park and about the potential safety issues for Sure Start??

Mr Sheaff responded that the western end barns would be demolished but that wouldn't effect the heritage listed areas of the Park. He also commented that extra funding arrangements were being taken to fund extra security at the Centre.

Cllr Simmons asked why the redevelopment hadn't come from the Regeneration, Education or Environment and Leisure sections of the Council, and what lessons could be taken away from this for future consultation projects?

Mr Sheaff explained that redevelopment had come from his section because Chumleigh Gardens was under Parks control. Mr Sheaff explained that it was unfortunate that during the consultation phase the previous Parks Manager left Southwark, taking with him valuable knowledge and resulting in a project time lag. He also commented that with hindsight the design should have gone out to contract because Southwark Building Design were already been involved with Sure Start. However he felt that because the issue was contentious there was never going to be 100% satisfaction in the community.

Mr. Horsley commented that he and the Chumleigh Users Group had a good working relationship with Mr. Sheaff and that many of the problems had occurred prior to him being Park Manager. However he felt that if proper consultation had occurred from the beginning there would be no problems.

RESOLVED:

1. That the Parks Officer (Jon Sheaff) report back in April to Overview and Scrutiny Committee on the implementation of the Master Plan for Chumleigh Gardens.

2. SCRUTINY: CIVIC AWARDS

Ms Shelley Burke [Scrutiny Manager] introduced the item and explained that the Overview and Scrutiny Committee had at last years Away Day requested this item be raised.

The Chair invited Ms. Lynda Stevens [Former Secretary Civic Association] and Mr David Elshaw [Current Secretary Civic Association] to present to the Committee.

Ms Stevens explained that as Mr Elshaw had only just taken over the role of secretary and for that reason she would provide commentary on the Civic Awards.

Ms. Stevens explained that the awards had been running since 1997 and issued an average of 70 awards a year. She stressed that the awards are not Civic Association awards but are Southwark Council's awards with the Civic Association administering the process on behalf of Southwark. She explained that the Civic Association receives the nomination for the award and then makes recommendations to the Council which then issues the awards.

Rachel Prosser [Senior Legal Advisor] also explained the process, commenting that the recommendations from the Civic Association goes to the Standards Committee which then decides whether to issue an Award. The award is either a Letter of Comendation or a Liberty of the Borough.

The Chair asked how many people who get nominated for awards actually receive one?

Ms. Stevens replied that it was approximately 100%. She commented that generally the only people that are rejected is if it is found that they do not fit the criteria which exclude employees of the local authority and states that people's contribution must go beyond their everyday job requirements.

Cllr Friary asked what checks were made of the person nominated for the award and commented that someone within the Council needed to be making checks given that the Civic Association didn't have the resources to do it.

Ms. Prosser commented that the Civic Association Court check over the nominations. The Council runs some limited checks, such as ensuring the Council is not taking legal action against them, or they are in arrears of their Council tax or rent.

Ms. Stevens commented that the checks are done by the Council prior to giving the nominations to the Civic Association .

Cllr Simmons commented that he felt the criteria wasn't particularly stringent and worried that the process is a rubber stamp to receive an award.

Ms Stevens commented that when she receives applications she is often astounded by the amount and length of time the nominated have been involved in some form of community service.

Cllr Hargrove commented that he is concerned about the grading of the awards, with the higher awards sometimes appearing to go to people who have done lesser work than those receiving higher awards.

There was a general discussion regarding what information was required on the nomination sheet. Ms Stevens commented that this year the Civic Association hope to update the forms. The Committee suggested that the form be updated so that the relationship between the nominated and the nominee is clearly stated so that husbands cannot nominate wives and the like.

Cllr Mann commented that she would like to see the work of Young People acknowledged in the Awards. Ms. Stevens commented that there was no age limit and that this is something she hopes to see develop too.

Cllr Friary suggested the Civic Association consider a public register of past awards so that data can be accessed. The internet might be a good way to archive information. He also suggested that they look at similar awards in other London Boroughs to see how they administer and process awards and if any learning could occur.

The Chair commented on how well the Civic Awards Ceremony works in making people feel good about themselves and Southwark. He thanked both Ms. Stevens and Mr. Elshaw for attending the scrutiny and for their continued volunteer work.

RESOLVED:

1. That the Civic Association representatives receive a copy of the January Overview and Scrutiny Minutes.

5. EXECUTIVE ROUNDUP: RESPONSE FROM EXECUTIVE TO OSC REPORTS

Face to Face Services

The Chair introduced the item on the response from Executive for the OSC Face to Face Services Report.

Bill Murphy [Assistant Chief Executive: Improvement and Development] introduced the item and explained that the Executive had taken on Overview and Scrutiny's recommendations

Cllr Simmons asked why the Executive had decided to have June 2004 as the date for cash office closure

Mr Murphy answered that it was because time was needed for effective consultation and this wouldn't have been feasible before June. He explained it will go back to the Executive in March after consultation.

Cllr Simmons asked why the urgent consultation which OSC had recommended had not been followed

Mr. Murphy explained that the Housing Best Value Review included consultation with tenants, so the Executive decided to use this timeframe of consultation.

Cllr Simmons requested that the individual Tenants Associations are made aware that the Housing Best Value Review consultation will include cash office Closure issues.

RESOLVED:

1. That Mr Murphy find out when the existing Neighbourhood Forums are due to cease operating and the new area Forums commence

Charter School

The Chair introduced the item.

RESOLVED:

1. That the Finance and Economic Development Scrutiny Sub – Committee consider if they would like to receive the quarterly monitoring reports on the progress of strategic and other major projects.

Disability Discrimination Act

The Chair introduced the item

RESOLVED:

1. That the Disability Discrimination Act is considered at the February Overview and Scrutiny Committee.

4. SCRUTINY: COMMUNITY COUNCILS

Cllr Hargrove introduced the item and gave an overview of the recommendations of the Scrutiny Report. He explained that a report was commissioned by University of Birmingham which was useful in identifying the issue of 'strategic fit': how Community Councils can work more strategically within the Council. A good definition of 'strategic fit' was contained in section 7.3 of the report (Copy with Agenda Papers). He commented that the report had identified that at some stage the Council is going to have a problem managing community expectations of what Community Councils can achieve, and that Community Councils need to not just be a 'talking shop'.

Cllr Hargrove went through the recommendations of the Scrutiny Report (Copy with Agenda Paper), namely the need to separate between the work of Best Practice Reviews and Community Councils the need to utilise 'cleaner, greener, safer' funding and to overcome staff retention issues.

Cllr Friary commented that the University of Birmingham was useful, particularly the issue of strategic fit. He also commented that the checklist the University had developed on Page 21 of report was very useful and that any funding for community councils should not be equally split between the councils but distributed on a needs basis.

Cllr Simmons felt that the University report wasn't bad but was disappointed that it had not profiled the people that were attending the Community Council meetings and compared it to the census profile of the Community Council area. He commented that he did not feel that Community Councils were empowering new community leaders, rather that the same people were attending the meetings. He suggested that better publicity and promotion might be a way to solve the problem.

There was a general discussion regarding Community Council members being intimidated by people attending the meetings when dealing with planning decisions.. The Committee discussed the merits of planning decisions taking place at the Town Hall versus Community Councils, and the difficulty of drawing a boundary as to when certain decisions should be transferred from Community Councils to the Town Hall.

Cllr Simmons commented that licencing applications were also an issue where Community Council members faced intimidation. He gave an example of a contentious nightclub licencing application coming up in his area. He suggested that a scrutiny is conducted in the future which looks at this issue of intimidation.

Cllr Hargrove felt that similarly it was difficult for Community Councils to decide on School governors.

Rachel Prosser commented that Peckham Community Council may have received incorrect procedural advice on the approach to take regarding school governors.

RESOLVED:

1. That the Executive considers the links between Community Councils and Neighbourhood Renewal Funding.

2. That the Executive looks at ways to encourage the profile of Community Council attendees to match the profile of the Community Council area

3. In the next review of the Community Councils the issues of planning, licensing and school governors are considered in detail.

6. DISCUSSION ITEM: SOUTHWARK ALLIANCE

The Chair introduced the Item and invited Nathalie Hadjifotiou (Head of Social Inclusion) to present to the Committee.

Nathalie Hadjifotiou advised that Overview and Scrutiny Committee could formally scrutinise the council's participation but not the Southwark Alliance itself, which is accountable to the Government Office for London. The Council is the accountable body for Neighbourhood Renewal Fund (NRF) but only in a formal sense in terms of ensuring that the spend is lawful and within financial regulations. The delivery plans are agreed by the Alliance. The Chief Executive's view is that Overview and Scrutiny Committee can call in the Southwark Council representatives and scrutinise their role and the benefits and risks of their participation, as well as how effectively the Council is servicing and supporting the Alliance.

Rachel Prosser commented that the Southwark Constitution does not mention partnerships, including that of the Southwark Alliance. However the Standards Committee are considering how the Constitution can be updated to include partnerships, which should improve transparency

Ms. Hadjifotiou supported Ms Prosser's comments, suggesting that the questions of accountability apply to partnerships across the board.

Cllr Friary questioned where the funding for the Southwark Alliance is going

Ms. Hadjifotiou commented that the funding allocation is in line with the financial requirements imposed by Southwark Council, but if the Committee had specific questions regarding funding they should put them in writing to her.

Cllr Simmons commented that although it appears that everything can be accounted for financially this does not mean that you are getting value for money. He commented that it would be good to have a comparison of similar alliances with other London Boroughs.

Ms. Hadjifotiou commented that the strategy Southwark is taking is to avoid singular projects and rather support mainstream strategic approaches. She commented that the benefit of Southwark Alliance is that it represents other decision makers in the borough besides elected representatives at the local level.

RESOLVED:

1. That Overview and Scrutiny Committee prepare initial questions on the Southwark Alliance for the Leader's executive interview. In the new municipal year, the committee should consider a scrutiny of the Southwark Alliance focussing on:

- Constitutional issues
- Value for Money Issues

3. SCRUTINY: THAMES WATER RESPONSE TO RECENT FAILURE IN SUPPLY

Scrutiny Officers distributed supplemental information about the item.

Shelley Burke [Manager Scrutiny] introduced the item and explained that the response from Thames Water had only been received on the past Friday.

Cllr Ward asked if there was any way of checking if Thames Water have actually implemented what they refer to in the letter, because her constituents are still unsatisfied.

There was a general discussion regarding the original terms of reference for the Scrutiny on Thames Water and what sort of recommendations the Committee wanted to take to the Executive.

Cllr Friary commented that he felt it was important that the Committee say they are concerned that Thames Water do not appear to know who their customers are in water supply areas.

Ms Burke commented that she recently received a letter from OFWAT saying that Thames Water have fulfilled their statutory obligations to pay compensation to customers, but this does not ensure that Southwark Tenants have been paid their compensation.

RESOLVED:

1. That scrutiny officers report back to Overview and Scrutiny in February regarding the issue of compensation for tenants from Thames Water so that the report can be finalized.

The Meeting Closed at 9.50pm.

CHAIR:

DATED: