



## **OVERVIEW & SCRUTINY COMMITTEE**

MINUTES of the OPEN section of the meeting of the OVERVIEW & SCRUTINY COMMITTEE held on 14<sup>TH</sup> JUNE 2004 at 7.00 p.m. at Southwark Town Hall, Peckham Road, London SE5 8UB

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**PRESENT:** Councillor Kim HUMPHREYS [Chair]  
Councillors Catriona MOORE [Vice-Chair], Fiona COLLEY,  
Stephen FLANNERY, Barrie HARGROVE, Eliza MANN, Mark  
PURSEY and Andy SIMMONS.

**ALSO PRESENT:** Stephen Barber – Pullen’s Arts Business Association [Vice-Chair]  
Romi Bowen - Deputy Director of Social Services/Head of  
Children's Services  
Shelley Burke – Head of Overview & Scrutiny  
Glen Egan – Assistant Borough Solicitor  
Sandi Harris – Pullen’s Arts Business Association [Secretary]  
Stuart Hoggan – Head of Corporate Strategy  
Alex Lewis – Pullen’s Arts Business Association [Chair]  
Lucas Lundgren – Scrutiny Project Manager  
David Plunckett – Pullen’s Arts Business Association  
Caroline Whyman – Pullen’s Arts Business Association

### **APOLOGIES FOR ABSENCE**

There were none received.

### **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 the admittance of the following report for the reasons of urgency stated on the relevant minute, i.e.:

Item 7: Scrutiny sub-committee size, composition and terms of reference

### **DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were no dispensations notified. Councillor Andy Simmons advised the meeting of his interest in Item 3 “Level and nature of mental health services to black, male teenagers”, and stated that he would leave the meeting during its 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 Minutes of the Open section of the meetings held on 26<sup>th</sup> April, 6<sup>th</sup> and 26<sup>th</sup> May 2004 be agreed as a correct record of proceedings and signed by the Chair.

## **VARIATION TO ORDER OF BUSINESS**

The Chair gave notice of variation to the published order of business as follows, i.e. consideration of items 7, 5, 3, 1, 2, 4 & 6.

### **7. SCRUTINY SUB-COMMITTEE SIZE, COMPOSITION AND TERMS OF REFERENCE** (see pages 143-144)

Scrutiny sub-committee terms of reference, size, composition and Chair/Vice-Chair appointments were agreed by OSC on 26<sup>th</sup> May 2004. Members were advised that it has become apparent that the composition of both the Education & Youth and Regeneration & Resources scrutiny sub-committees were not those on which the party groups had agreed. In addition, a reference to "HimP" remained in the terms of reference for Health & Social Care Scrutiny Sub-Committee, although Health Improvement Plans had since been replaced by Local Delivery Plan provision to which the terms of reference should now refer.

**RESOLVED:** 1. That the following correction to the size and composition of the following scrutiny sub-committees be made with immediate effect, i.e.

Name of Sub-Committee	Composition		
	Liberal Dem.	Labour	Con.
Education & Youth	2	2	1
Regeneration & Resources	3	3	1

2. That in respect of the terms of reference for the Health & Social Care Scrutiny Sub-Committee, the following amendment be made, i.e.

(k) replace "*reviewing HimP*" with the words "*Reviewing the Local Delivery Plan*"

### **5. MOTION REFERRED FROM COUNCIL ASSEMBLY, 28<sup>TH</sup> APRIL 2004 [PULLEN'S YARD]** (see pages 118-120)

The Chair agreed to hear a deputation from Pullen's Business Association, the stated reason for the deputation being as follows:

*“Over forty arts businesses are in limbo waiting for the decision of the scrutiny committee to be put into action. If there is any more delay, apart from the stress caused to all the tenants in the yards, Southwark and the local community will lose the businesses as they will be forced to move away”.*

Caroline Whyman spoke on behalf of the deputation, a copy of the written submission having been placed on the Minute File. A potter and tenant of Southwark’s for 21 years, Ms Whyman had helped found Camden Lock. The Yard had been originally set up by a builder [Pullen] and was one of the first live/work arrangements. She explained that Southwark had purchased Pullen’s Yard in 1977. Although being described as “dwellings” the units had always been live-work units and had therefore remained in the Housing Revenue Account.

The Chair reminded Members that the issue of Southwark’s obligations as a landlord were discrete from its role as a community benefactor [acting in the community good], although whatever position was reached would need to take both positions into account.

Caroline Whyman reported that some Members of PABA had moved to other communities as a result of high rents and uncertainty. Some recent leavers owned their own housing and had found live/work units outside of the borough, but this was not the case with all tenants and in two cases ex-tenants had had to relocate outside of London due to prohibitive costs. There were few places if any within London which were affordable for relocation. Ms Whyman stated that if her rent was to double she would be unable to afford to relocate.

The Chair asked PABA what their experience had been of the way in which Southwark had handled them as small businesses. Caroline Whyman advised that in general the nature of the businesses at the yard means that they do not “grow” as is often falsely assumed by the Council in its policies. PABA is very diverse employs and teaches but the businesses do not exponentially grow. PABA wants to stay in the borough and petitioned for this to be enabled. When scrutiny was undertaken on the matter the possibility of a move to some kind of trust status was mentioned. PABA had addressed the Council on the matter.

The usage issue is one problem. The balance of type of businesses is now changing towards more office usage 50:50 ratio. There are currently eight travel journalists sharing a space in the yards, for example. PABA rents are set according to what’s possible to attract on the open market. Currently a group of 14 separate tenants face rent reviews and renewal of leases involving increased rent in October 2004. Outstanding lease renewals are being chased now, which in some cases double the rent and are crippling.

Paul Evans in December 2002 had reportedly mentioned the possibility of becoming a trust. By the time officers reported back on the scrutiny report, Southwark property officers were meant to have put forward criteria for trust of self management arrangements. This was not yet forthcoming, but PABA had looked into this itself. Self-management would require PABA to outlay capital to buy the workshops. PABA would feel more secure in such an arrangement, and it would mean payments went towards a mortgage rather than rent. PABA had however feared that if it was to make an offer on the yards, that LBS would put the yards out to other offers and in doing so might lose the yards. Paul Evans assured PABA that were such a discussion to take place it would be with the tenants of the yards.

The Chair noted that the issue of how the authority deals with small business generally, any such consideration would logically included additional issues arising from the ongoing inquiry into the award of planning permission at 295-297 Camberwell New Road. The Chair felt this matters should be dealt with by Regeneration & Resources Scrutiny Sub-Committee.

Caroline Whyman thanked the Committee for hearing PABA's submission. PBA appreciated what OSC had to say on the matter and urged Members to consider the matter as urgent in the light of the fact that debts were already being accrued.

- RESOLVED:**
1. That scrutiny of this matter be undertaken by Overview & Scrutiny Committee, at an one-off session at an additional meeting of OSC to be held in July 2004, at which will be considered this matter [including the possibility of Pullen's Business Association being established as a trust, and discussion of the processes involved].
  2. That the Strategic Director of Regeneration be invited to the meeting referred to in 1) above.

3. **FINAL REPORT OF THE HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE "THE LEVEL AND NATURE OF MENTAL HEALTH SERVICES TO BLACK, MALE TEENAGERS"** [see pages 20-47]

Councillor Eliza Mann, former Chair of Health & Social Care Scrutiny Sub-Committee during 2003/04 presented the main points of the report, and the recommendations arising from the inquiry. She explained that during the review two site visits had been undertaken and evidence had been gathered widely from organisations and individuals, including those from the voluntary sector.

The Deputy Director of Social Services/Head of Children's Services found it a very helpful report. She planned to make a detailed response at such time as the Executive discussed its Action Plan. She acknowledged that this area was difficult to unravel, with complex interrelationships believed to exist between factors such as behavioural problems, drug use, genetic pre-disposition to mental ill-health. The report's focus cuts across implementation of the Every Child Matters agenda, which seeks to align resources to benefit groups.

Councillor Mann stressed that she believed that much more non-drug intervention could be made, and the voluntary sector seemed to be offering such interventions. However black, male teenagers were not well provided for and work to focus on this group and their carers was needed. She recommended that implementation of the recommendations be monitored in both 6 and 12 months time.

Councillor Flannery had been particularly impressed by the work of Cares of Life project which he felt to be extraordinary and cutting edge.

Members discussed the report and sought advice from the Deputy Director of Social Services/Head of Children's Services in respect of to whom certain recommendations should be directed.

The Chair thanked the Sub-Committee for carrying out the review.

- RESOLVED:**
1. That the final scrutiny report "The level and nature of mental health services to black, male teenagers" be referred to the

Executive for consideration and comment within two months, as defined in the Council's Constitution.

2. That the report's recommendations be addressed by the Executive, with the following recommendations being specifically directed as follows, i.e.

Recommendation 4.4.3

Recommendation directed to the Safer Southwark Partnership Drug Strategy Management Board, Southwark Primary Care Trust and Southwark Social Services.

Recommendation 4.4.4

Recommendation directed to Southwark Primary Care Trust.

Recommendation 4.5.5

Recommendation directed to the Young People's Strategic Partnership.

Recommendation 4.5.7

Recommendation directed to Safer Southwark Partnership.

## 1. **SCRUTINY ANNUAL REPORT 2003/04 – DRAFT OFFICER NOTES**

The Head of Overview & Scrutiny presented draft officer notes intended to serve as a basis for discussion of the Annual Report document for 2003/04. She noted that the final report was not only a record of scrutiny activity during the previous year, but was a useful tool for promotion of scrutiny in Southwark, and a measure for monitoring review and improvement.

**RESOLVED:**

1. That the following changes be made to the draft scrutiny annual report, i.e.
  - Chair's "Introduction" section to include a brief reference to lack of response to scrutiny reports from the Executive, with the matter being addressed more directly within a discrete paragraph within the "Developing Scrutiny" section of the report.
  - That review outcomes be drawn out with more emphasis in the report.
  - That reference to be made to the new appointment of Housing co-opted members to Housing Scrutiny Sub-Committee in 2003/04, and to the links established between Tenant and Leaseholder Councils.
  - Reference should be made to the involvement of a co-opted Member on Environment & Community Support Scrutiny Sub-Committee
  - "Developing Scrutiny" section to include a paragraph addressing public engagement achieved in 2003/04, including Thames Water scrutiny, Elephant & Castle scrutiny public meeting etc.
2. That Members submit proposed changes, additions or comments on the draft scrutiny annual report to the Head of Overview & Scrutiny by the end of June 2004, for incorporation into the final version of the Annual Scrutiny Report for presentation to Council

**2. SCRUTINY WORK PLANNING 2004/05**

The Head of Overview & Scrutiny gave a presentation reflecting on progress towards implementation of the Office for Public Management 2003 scrutiny review recommendations, and suggesting ways in which Southwark's scrutiny practice might be developed in 2004/05 in respect of work planning. A copy of the presentation has been placed on the Minute file.

**RESOLVED:** That an additional meeting of OSC be held in July 2004, at which the work programmes of the scrutiny sub-committees shall be formally considered.

**4. REPORT FROM REGENERATION & TRANSPORT SCRUTINY SUB-COMMITTEE 2003/04 "PUBLIC ENGAGEMENT, ELEPHANT & CASTLE REGENERATION PROJECT"**

Councillor Neil Watson, former Chair of Regeneration & Transport Scrutiny Sub-Committee 2003/04 presented the sub-committee's final report, and fielded Member questions about the report and the review.

- RESOLVED:**
1. That the report be agreed subject to the following amendments, i.e.
    - i) Developing a definition of community engagement  
That Southwark's Community Involvement and Development Unit be asked to provide some principles for the Executive to discuss with the Southwark Alliance as a blueprint for community engagement, building on existing work including the Community Engagement Toolkit.
    - ii) Strategic recommendations
      - 1) That the Council should incorporate transparent responsibility for overseeing community engagement at a senior officer and Member level.
      - 4) That the Council look to attract additional, specific external funding opportunities to develop community engagement and capacity-building skills within the community, especially amongst hard to reach groups.
      - 6) That further research be conducted to assess the best way to contact hard to reach communities, in particular youth groups.
    - iii) Youth recommendations
      - 2) That the Council conduct more community capacity building to engage young people.
    - iv) Diversity Panel recommendations

All recommendations refer to the "Elephant & Castle Diversity Panel".

      - 2) The Elephant & Castle Diversity Panel should become the

core body for identifying and involving community involvement in physical regeneration processes to enthuse attendees.

iv) General recommendations

1) That prior to any community engagement exercise the Council is clear what the community's role is in consultation and if they are aware of what decisions they are being asked to make.

2) That adequate resources need to be allocated to consultation exercises as they are resource and time intensive.

3) & 4) combined into new recommendation 3) i.e. :-

3) That a review be undertaken of how well managers in Regeneration and other departments who conduct community consultation adhere to best practice in community engagement within Southwark and other local Councils, and in addition that the review look at Community Involvement & Development Unit's ability to transfer knowledge of community involvement across the Council.

2. That the final report be referred to the Executive for consideration and response within two months, as set out in the Council's Constitution.

6. **REPORT FROM REGENERATION & TRANSPORT SCRUTINY SUB-COMMITTEE [2003/04] "HIGHWAYS BEST VALUE REVIEW"** [see pages 121-142]

**RESOLVED:** That consideration of this report be deferred to the next meeting of Overview & Scrutiny Committee, to which meeting appropriate officers should be invited to assist in responding to Member questions on the report.

The meeting ended at 9.40 p.m.

**CHAIR'S SIGNATURE:**

**DATED:**