

Overview & Scrutiny Committee

Tuesday 4 July 2023

7.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London
SE1 2QH

Supplemental Agenda No.2

List of Contents

Item No.	Title	Page No.
4.	Minutes Contained are Minutes of the meetings held on 11 January 2023, 1 March 2023 and 24 April 2023.	1 - 14

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Date: 3 July 2023



Overview & Scrutiny Committee

MINUTES of the OPEN section of the Overview & Scrutiny Committee held on Wednesday 11 January 2023 at 7.00 pm at 160 Tooley Street, London SE1 2QH

PRESENT:	<p>Councillor Ian Wingfield (Chair) Councillor Irina Von Wiese Councillor Suzanne Abachor Councillor Victor Chamberlain Councillor Ellie Cumbo Councillor Jon Hartley Councillor Laura Johnson Councillor Sunny Lambe Councillor Margy Newens Councillor Jason Ochere Councillor Leo Pollak Martin Brecknell (Co-opted Member) Marcin Jagodzinski (Co-opted Member)</p>
OTHER MEMBERS PRESENT:	<p>Councillor Stephanie Cryan, Cabinet Member for Communities, Equalities and Finance Councillor Darren Merrill, Cabinet Member for Council Homes and Homelessness</p>
OFFICER SUPPORT:	<p>Everton Roberts, Head of Scrutiny Allan Wells, Specialist Governance Lawyer</p>

1. APOLOGIES

There were no apologies for absence.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

There were no late urgent items. The following late reports were circulated on supplemental agenda no. 1:

Item 5 – The HRA Budget Rent Setting and Budget Report
 Item 6 – Council Delivery Plan Performance Update
 Item 8 – Work Programme

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

4. MINUTES

It was reported that the minutes of the meeting held on 5 December were still to be finalised.

5. POLICY AND RESOURCES STRATEGY 2023-24 [INITIAL BUDGET SCRUTINY]

The committee heard from Councillor Stephanie Cryan, Cabinet Member for Communities, Equalities and Finance, and Duncan Whitfield, Strategic Director of Finance and Governance, on the Financial Remit 2023-24. The committee also heard from Tim Jones, Departmental Finance Manager.

Councillor Cryan highlighted the following:

- The current deficit was around £1m. This was considered a good position in comparison to the earlier position in July, £20m deficit, and £6m deficit in December.
- The local government settlement had not provided any inflation uplift - in real terms it was less than 2022/23, taking account of the impact of inflation.
- The government had not provided any financial support for homelessness prevention, homelessness or temporary accommodation for the second year running.
- There was an increasing reliance on ring fencing and grants, which meant the council received funding but it had to be used for a specific purpose, which reduced the local decision making the council could make.
- As grant funding reduced, the government was putting more reliance on local authorities to raise money through council tax and business rates. This meant that residents and businesses were funding a greater proportion than before.

Tim Jones, Departmental Finance Manager went through the presentation on the Financial Remit 2023-24 (available on the council website).

At the end of the presentation, discussion took place around the following:

- Consultation undertaken with residents on the budget.
- Council acquisitions of property – whether collection of commercial rents were exceeding interest being paid, in light of pandemic impact on use of office space.
- Changes to the way Adult Social Care might be funded.
- Climate change implications and climate impact assessment.
- Inflationary pressures and support for the voluntary sector.
- Comparison of this year's settlement to past settlements.
- Council tax and business rates collection targets.
- Local government borrowing and interest rates.
- Growth in budget for No Recourse to Public Funds.
- Use of cash reserves to accrue interest.

Information relating to the Housing Revenue Account HRA budget and rent setting 2023-24 was received under this item.

The committee received a briefing from Councillor Darren Merrill, Cabinet Member for Council Homes and Homelessness and Michael Scorer, Strategic Director of Housing and Modernisation and on the Housing Revenue Account budget and rent setting process for 2023/24. The committee also heard from Ian Young, Departmental Finance Manager.

Councillor Merrill took the report as read and highlighted the following:

- Inflationary costs were at 10%
- Building materials inflation costs were around 30%
- Extreme stress on the HRA ring fenced budget
- Government 7% cap had not allowed for inflation, causing £8m inflationary pressure on the budget
- Proposed rent increase required in order to bring in investment
- Most vulnerable tenants protected by housing benefit and universal credit
- Council proposing to match discretionary housing payments to make sure there are sufficient funds for those in most need that fall just outside of the eligible criteria to receive housing benefit and universal credit.

Following the cabinet member's presentation, discussion took place around the following:

- Increase in district heating and hot water charges, and communication to residents
- Requirements around consulting with residents around charges, and wording in the tenancy agreement in relation to 'consultation'.

- Redesigning the housing revenue account to ensure genuinely affordable high quality council homes.
- Communication strategy to residents around increases
- How cost of energy generated by SELCHP is calculated, and timescales for implementation of heat metering in council housing stock
- Consideration of repayment options for resident leaseholders, in light of potential significant leaseholder charges
- The extent to which the HRA is under unprecedented pressure.

6. COUNCIL DELIVERY PLAN PERFORMANCE UPDATE

The committee received an update on delivery against the council delivery plan for the period Quarter 1 and Quarter 2.

Councillor Stephanie Cryan, Cabinet Member for Communities, Equalities and Finance, and Stephen Gaskell, Director of Strategy and Economy provided a strategic overview of the Council Delivery Plan as set out in the report. Councillor Cryan stressed that detail in relation to specific areas would need to be put to the relevant cabinet member(s) during their cabinet member interviews.

Following presentation of the report, discussion took place around the following:

- Possibility of providing scrutiny with detail around the measures, milestones, commentary and performance schedules.
- Processing data from the census.
- Thoughts around backup Council Delivery Plan, if change in government at next election.
- Including deputy cabinet member portfolios into the Council Delivery Plan.
- Need for scrutiny to be provided with KPI's and benchmarking to quantify data.
- Need for targets set out in the Plan to be SMART.
- Targets for adult mental health support.
- Raising awareness around the decarbonisation of pension funds.
- Through her eyes campaign.
- How to scrutinise emerging issues that are not already in the Plan, but relevant to it.
- Pathways for Ward councillors to bring matters that are emerging to the attention of the relevant cabinet member, such as the cost of living crisis.

RESOLVED:

That it be requested that future reports on performance include RAG ratings and quantifiable KPIs where appropriate.

**7. SOUTH EAST LONDON JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE -
TERMS OF REFERENCE**

RESOLVED:

That the revised terms of reference of the South East London Joint Health Overview and Scrutiny Committee as set out in Appendix 1 of the report be adopted.

8. WORK PROGRAMME

RESOLVED:

1. That the future agenda item on the Central London Bus Review be removed from the work programme in light of the positive outcome of the review consultation.
2. That the work programme as at 11 January 2023 be noted.

The meeting ended at 21.59pm

CHAIR:

DATED:



Overview & Scrutiny Committee

MINUTES of the Overview & Scrutiny Committee held on Wednesday 1 March 2023 at 7.00 pm at 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Ian Wingfield (Chair)
 Councillor Suzanne Abachor
 Councillor Rachel Bentley (Reserve)
 Councillor Victor Chamberlain
 Councillor Ellie Cumbo
 Councillor Jon Hartley
 Councillor Laura Johnson
 Councillor Sunny Lambe
 Councillor Margy Newens
 Councillor Jason Ochere
 Councillor Leo Pollak
 Martin Brecknell (Co-opted Member)
 Marcin Jagodzinski (Co-opted Member)

OTHER MEMBERS PRESENT: Councillor Darren Merrill, Cabinet Member for Council Homes and Homelessness
 Councillor Emily Tester

OFFICER SUPPORT: Debbi Gooch, Head of Litigation, Legal Services
 Everton Roberts, Head of Scrutiny

1. APOLOGIES

Apologies for absence were received from Councillor Irina von Wiese, and apologies for lateness were received from Marcin Jagodzinski.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

The chair gave notice of the following late report. Item 6 – Work Programme.

The chair also notified the meeting of correspondence received from Extinction Rebellion Southwark Lobbying Group in respect of Item 5, Scrutiny Call-in, Abbeyfield Estate – A Way Forward.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Rachel Bentley declared to the meeting that Abbeyfield Estate, Item 5 on the agenda was situated in the Ward she represents (North Bermondsey Ward).

4. MINUTES

It was reported that the Minutes of the meetings held on 5 December 2022 and 11 January 2023, were still to be finalised.

RESOLVED:

1. That the Minutes of the meeting held on 23 January 2023 be approved as a correct record.
2. That the Minutes of the meeting held on 24 January 2023 be approved as a correct record subject to accuracy of the minutes in respect of Item 5, decision 4, and a request for the recording of a vote in connection with a motion relating to waste charges. The Head of Scrutiny informed the meeting that he would review this aspect of the meeting and amend the minutes as appropriate.

5. SCRUTINY CALL-IN: ABBEYFIELD ESTATE - A WAY FORWARD

The committee heard from the requesters of the call-in, the cabinet member for Council Homes and Homelessness, the Head of Regeneration North, the Head of Building Control, and appointed architects. The committee also heard from Councillor Emily Tester in her capacity as local ward councillor.

Councillor Leo Pollak, outlined the grounds for call-in of the decision and highlighted the following:

- Call-in requested to look further at the assumptions and cost that underpinned the decision
- The potential write-off to the council of consultants fees to date, as well as future fees, and the demolition were considerable

- Significant loss of embodied carbon with the demolition of a block of this size
- The decision not sitting in accordance with the council's policies in terms of the strategy for building new council homes, and the strategy for responding to the climate emergency
- There were questions that would be of benefit for residents and interested stakeholders to explore in more depth, namely the extent to which the costings that were presented in the report [£27m] had been allowed to vary according to different depths of refurbishment of the block, viability assumptions and the different tenure mix models that were introduced
- Divergence in the technical consultancy conclusions provided six years ago and three years ago which had led to very different conclusions.
- Increased cost due to building control changes throughout span of project - whether the council approached government to recoup some of these costs
- Aragon Tower, Pepys Estate Deptford (benchmark building, built by same contractor with same construction methods and materials, and built at the same time), sold to Berkley, subsequently refurbished, with an additional five storeys added, and the homes have now been inhabited for around 17 years. Useful to understand similarities and differences between Maydew and Aragon Tower, and also what communications there have been with Lewisham Council building control.

The committee heard from Councillor Darren Merrill, Cabinet Member for Council Homes and Homelessness, Ian Ennis, Head of Building Control, Graham Howarth, Director of Howarth Tompkins (Architects for the project since 2016), and Neil Kirby, Head of Regeneration South.

Councillor Merrill advised that this was the last option going forward and that demolition was not the preferred option. Councillor Merrill explained the process that had been gone through in reaching the decision taken. He highlighted that building regulations had changed, there had been lessons learnt from Ledbury, Grenfell and other buildings. This had resulted in stricter regulations and risk factors that engineers were now required to factor into buildings.

Councillor Merrill informed the committee that he had taken note of decisions taken in the past, and previous considerations around the tenure mix.

The committee then heard from Neil Kirby who provided members with a presentation on the history of the refurbishment project.

The committee then heard from Councillor Emily Tester, local ward councillor. Councillor Tester informed the committee of the experience and concerns of residents living next to Maydew House. Councillor Tester also expressed concerns around, and implications of delaying the project any further, and the need for certainty for residents.

Following the presentations, discussion took place around the following:

- Absence of comparative data around carbon impact of demolition and carbon impact of rebuilding
- History of project before 2012
- Length of time taken to reach this decision and cost implications of that, and lessons to be learnt to ensure this does not happen again
- Building control and communications with Lewisham Council
- Timescales for commitments coming forward in terms future development of the site.
- Communication from Extinction Rebellion Southwark
- Delay in terms of looking for a better design solution [2014]
- Southwark Construction Strategy Report
- Timeline for redelivery of both options – Demolish/rebuilding vs high quality refurbishment
- Space standards
- Consultation with residents
- Options presented to cabinet

The committee discussed the options available to them on how to proceed.

RESOLVED:

That the matter not be referred back to cabinet, but a subsequent scrutiny review be undertaken. Scope of review to be confirmed.

6. WORK PROGRAMME

RESOLVED:

That the work programme as at 1 March 2023 be noted.

The meeting ended at 9.11pm

CHAIR:

DATED:



Overview & Scrutiny Committee

MINUTES of the OPEN section of the Overview & Scrutiny Committee held on Monday 24 April 2023 at 7.00 pm at 160 Tooley Street, London SE1 2QH.

PRESENT: Councillor Ian Wingfield (Chair)
 Councillor Irina Von Wiese
 Councillor Suzanne Abachor
 Councillor Victor Chamberlain
 Councillor Ellie Cumbo
 Councillor Jon Hartley
 Councillor Esme Hicks (Reserve)
 Councillor Sunny Lambe
 Councillor Margy Newens
 Martin Brecknell (Co-opted Member)

OTHER MEMBERS PRESENT: Councillor Stephanie Cryan, Cabinet Member for Communities, Equalities and Finance

OFFICER SUPPORT: Everton Roberts, Head of Scrutiny
 Allan Wells, Specialist Governance Lawyer

1. APOLOGIES

Apologies for absence were received from Councillor Laura Johnson, Councillor Jason Ochere, Councillor Leo Pollak and Marcin Jagodzinski.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

There were no additional late items.

The chair informed the committee that supplemental agenda No.1 contained the

late report in relation to Item 7 – Progress update on the Southwark Equality Framework and Equality Audit.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

4. MINUTES

It was reported that the Minutes would be submitted to the next meeting of the committee for approval.

5. SOUTHWARK COUNCIL CFGS SCRUTINY IMPROVEMENT REVIEW AND ACTION PLAN

Ian Parry, Head of Consultancy, Centre for Governance and Scrutiny (CfGS) presented the scrutiny improvement review report findings to the committee.

Following the presentation, discussion was held around the following:

- Call-in procedures
- An opposition chair of the committee
- Earlier and systematic involvement of cabinet members
- Need for release of information earlier (budget setting process given as example)
- Appropriateness of recommendations monitor
- Chairs of OSC moving minutes on their committee with recommendations to council assembly
- The scrutiny review process undertaken with the council
- Resourcing of support for scrutiny

It was indicated that no decisions would be made at this meeting on the adoption of the scrutiny improvement review recommendations.

Councillor Irina von Wiese moved recommendations that the opposition group members wished to be considered as part of the scrutiny improvement review process – detailed below:

1. To remove the requirement for a councillor to be a sitting member of the overview and scrutiny committee to call-in a decision, allowing any three councillors to request a decision to be called-in.
2. To establish a recommendations monitor to be maintained by the scrutiny team in order to track the progress of recommendations.

3. To treat the recommendations of the scrutiny improvement review as a priority area in the council's action plan.
4. For minutes of the overview and scrutiny committee meetings to be submitted to council assembly, to be moved by the chair, and to be scrutinised and agreed by all members.
5. To offer the position of the OSC chair to a member of the main opposition group of the council.

RESOLVED:

1. That the letter from the Centre for Governance and Scrutiny arising from the scrutiny improvement review commissioned by the council, appendix 1 of the report be noted.
2. That consideration of actions to take forward arising from the scrutiny improvement review be deferred until the June meeting.

6. UPDATE ON COUNCIL RESPONSE TO THE RECOMMENDATIONS MADE IN THE HEALTHWATCH REPORT ON LGBTQ+ COMMUNITY

The committee received an update on the council's response to the recommendations made in the Southwark Healthwatch report on the LGBTQ+ Community as set out in the report from the Community Engagement Manager. The committee heard from Councillor Stephanie Cryan, Cabinet Member for Communities, Equalities and Finance.

Councillor Cryan advised the committee that the work arising from the Healthwatch report was picked up by the CCG and public health, and then Covid 19, impacted on the work as attention was directed to responding to the pandemic. Councillor Cryan highlighted issues contained in the officer report.

Following the cabinet members presentation, discussion was held around the following:

- Consideration of an LGBTQ+ Strategy

RESOLVED:

That the report be noted.

In accordance with Committee Procedure Rule 1.9(4), Councillor Victor Chamberlain requested that his vote against the foregoing resolution be recorded in the minutes.

7. PROGRESS UPDATE ON THE SOUTHWARK EQUALITY FRAMEWORK AND EQUALITY AUDIT

The committee received a progress update on the Southwark Equality Framework and the Equality Audit as set out in the report from the Director of Communities. The committee heard from Councillor Stephanie Cryan, Cabinet Member for Communities, Equalities and Finance, Evereth Willis, Head of Equality, Diversity and Inclusion, and Stephen Douglass, Director of Communities.

Evereth Willis, presented the officer report. Following the presentation of the report, discussion took place around the following:

- Support by the council for LGBTQ+ communities
- Casey Review
- Integrating Socio economic equality into strategy, in light of widening income gap
- Southwark Stands Together
- How the council is dealing with hidden protected characteristics such as sexuality and disability
- Gender critical thought
- Census data – trans and non binary identity

RESOLVED:

1. That the progress update on the Southwark Equality Framework and the Equality Audit be noted.
2. That it be noted that the Equality audit report findings and recommendations contribute to the refresh of Southwark Stands Together and Southwark Equality Framework.
3. That the audit report and recommendations be presented to a future OSC meeting, and that OSC be invited to comment on the findings and engage in the refresh of Southwark Stands Together and the Southwark Equality Framework by way of pre-decision scrutiny.

8. WORK PROGRAMME

RESOLVED:

That the work programme as at 24 April 2023 be noted.

The meeting ended at 8.43pm

CHAIR:

DATED:

OVERVIEW & SCRUTINY COMMITTEE

MUNICIPAL YEAR 23-24

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