



## **OVERVIEW & SCRUTINY COMMITTEE**

MINUTES of the OPEN section of the meeting of the OVERVIEW & SCRUTINY COMMITTEE held on MONDAY 27 FEBRUARY 2006 at 5.30 P.M. at the Town Hall, Peckham Road, London SE5 8UB

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**PRESENT:** Councillor Kim Humphreys (Chair)  
Councillor Bob Skelly (Vice-Chair)  
Councillors Barrie Hargrove, Eliza Mann, Neil Watson and Anne Yates

**ALSO PRESENT:** Councillor Columba Blango – Executive Member for Equalities, Culture & Sport  
Councillor Catherine Bowman – Deputy Leader  
Councillor Toby Eckersley  
Councillor Jeff Hook - Executive Member for Regeneration & Economic Development  
Councillor Nick Stanton – Leader of the Council  
Councillor Lorraine Zuleta - Executive Member for Resources  
Ann Macrae – Half Moon Lane resident  
Red Post Hill Residents Committee  
David McNulty – London Borough Tower Hamlets

**OFFICER SUPPORT:** Joe Brady – Housing Divisional Service Manager, Performance & Quality  
Keith Broxup – Strategic Director of Housing  
Shelley Burke – Head of Overview & Scrutiny  
Mike Carroll – Head of Performance Review & Improvement  
Fiona Cliffe – Housing Investment Strategy Manager  
Nicky Costin – Parking Section, Environment & Leisure  
Paul Evans – Strategic Director of Regeneration  
Stephanie Fleck – Legal Services  
Martin Green - Divisional Leasehold Manager  
Harry Marshall – Divisional Housing Manager  
Sarah Naylor – Assistant Chief Executive, Performance & Strategy  
Tim Walker – Parking Section, Environment & Leisure  
Des Waters – Head of Streetscene & Public Protection  
Peter Roberts – Scrutiny Project Manager

### **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Fiona Colley and Andy Simmons.

### **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 accepted item 2, Marine Street – urgency decision, as late and urgent.

## **DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were none.

## **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, subject to the following amendment, the Minutes of the Open section of the meeting held on 23 January 2006 be agreed as a correct record of proceedings and signed by the Chair:

Paragraph 4.2, second sentence, delete "Executive" and insert "relevant decision maker".

### **1. CALL-IN: HERNE HILL AND NORTH DULWICH CONTROLLED PARKING ZONE** [see pages 1 - 19]

- 1.1 Councillor Toby Eckersley briefly introduced residents' concerns about parking. Residents of Half Moon Lane commented that there was an acknowledged parking problem in the area around North Dulwich station, made worse by commuter parking and the loss of parking spaces following extension of the yellow lines. They asked that the controlled parking zone (CPZ) be extended. The Vice-Chair of the Red Post Hill Residents' Committee reported that the Committee was in opposition to extending the zone, on the basis of issues of safety.
- 1.2 The Head of Streetscene & Public Protection and Officers from the Parking Section introduced the background to the report to the Strategic Director of Environment & Leisure. Members of the Committee asked whether consideration had been given to extending the CPZ. Officers explained that any extension would displace the problem of commuter parking onto other roads, principally Ardbeg Road and Red Post Hill. Extending the CPZ longitudinally along Half Moon Lane had been considered but, again, was ruled out. There was also a question of lack of support as, in order to create an effective CPZ, a group of at least three roads had to support it. Consultation had shown that sufficient support did not exist.
- 1.3 The Committee was of the view that the decision-making process had properly consulted residents and taken all possibilities into account. At the same time, it was considered that parking in this area would remain a problem and Members asked that the Strategic Director review extension of the CPZ in 2007/2008.

- RESOLVED:**
1. That the decision of the Strategic Director of Environment & Leisure of 31 January 2006, in respect of Herne Hill and North Dulwich Controlled Parking Zone, shall not be referred back to the decision-maker, but shall remain and take effect from the date of its consideration by Overview & Scrutiny Committee, i.e. 27 February 2006.
  2. That the Strategic Director of Environment & Leisure be requested to include the area around North Dulwich Station in any review of controlled parking zones in 2007/2008.

**2. MARINE STREET – URGENCY DECISION [see pages 32 - 39]**

- 2.1 The Head of Performance Review & Improvement introduced the report.
- 2.2 The Strategic Director of Regeneration stated that he was satisfied that the underlying approach and decision taken in respect of Marine Street were correct and referred the Committee to the action points at paragraph 16 of the report. Councillor Jeff Hook, Executive Member for Regeneration & Economic Development, confirmed that the action points would address problems that had arisen.
- 2.3 Members of the Committee highlighted problems encountered in resolving issues clearly across Council departments. Any difficulties in cross-departmental working needed to be addressed quickly and if necessary taken up the line of management.
- 2.4 Generally, the Committee was of the view that, as soon as senior managers were aware that a situation had arisen which might necessitate the use of urgency procedures, this should be brought to the attention of the appropriate Executive Member and the Chair of Overview & Scrutiny.
- 2.5 The Strategic Director of Regeneration & Environment agreed to add the following to the action points arising from the review of the Marine Street urgency decision.

**RESOLVED:** That the following be added to actions resulting from the review:

- No verbal advice to be given in respect of procurement issues, or, if given, to be confirmed in writing.
- The relevant Executive Member and Chair of Overview & Scrutiny to be notified as soon as possible when urgency procedures are likely to be necessary
- That, to avoid reoccurrence of delays in decision-making, the Chief Executive review procedures to ensure that interdepartmental differences are identified and resolved quickly.

**3. EXECUTIVE MEMBER INTERVIEWS**

**To the Deputy Leader:**

- 3.1 **“Is Southwark making adequate progress on developing a children's trust? How will the children's trust be held accountable to and by Members?”**

- 3.2 Councillor Catherine Bowman responded that very good progress was being made and had been recognised by the first external Annual Performance Assessment of local Children's Services in December 2005 and a recent IDeA publication. She stressed that the changes did not exempt the Council from its usual raft of statutory responsibilities.
- 3.3 In terms of accountability, Councillor Bowman commented that the scrutiny function retained its powers to examine what the council was doing and whether inter-agency working continued to be effective. Performance would continue to be reviewed by the Executive on a quarterly basis. Annual Performance Assessments and Joint Area Reviews would be reported to both the Executive and Scrutiny. The Children and Young People's Plan would be presented for approval to full Council Assembly. All governance arrangements would be documented in the Plan.
- 3.4 In response to a question from the Chair, Councillor Bowman gave her view that it would be helpful for the scrutiny structure to reflect children's services, perhaps by the establishment of a separate sub-committee on children and young people.

**To the Executive Member for Equalities, Culture & Sport:**

- 3.5 **"What is Southwark's progress in implementing the requirements of the Disability Discrimination Act, in terms of access to both the council's buildings and its services?"**
- 3.6 Councillor Blango briefly outlined the requirements on local authorities that followed the Disability Discrimination Act. In terms of buildings accessible to the public, 106 buildings had been audited in 2003 and work arising was programmed for completion by 2008. To date, 23 buildings had been made accessible, including the Town Hall. Work was underway on another 32 buildings. In addition, training was being undertaken to raise staff awareness of issues around disability.
- 3.7 Councillor Blango reported that good practice and guidance were being consulted in terms of provision of services, particularly to address communication issues such as signage and language. The Council was consulting and working closely with the Southwark Disability Forum, disability groups and the Community Involvement Development Unit.
- 3.8 The Committee asked for further detailed figures in respect of the number of council buildings on which work was underway or yet to be programmed. Some Members were of the view that the Council had not acted quickly enough to ensure compliance with the Act.
- 3.9 As a supplemental question, Members asked for progress in respect of getting the council's leisure facilities, such as Peckham Pulse, the Elephant & Castle Leisure Centre and the Camberwell Baths, back up and running. Councillor Blango stressed the importance of bringing leisure centres up to the standard expected by people in the borough. In respect of the Peckham Pulse, he explained that the Council was actively looking at legal issues of redress and at the same time taking steps to bring the centre back into full use as soon as possible. Councillor Stanton, Leader of the Council, emphasised that investigating the legal accountability would not delay the work that was necessary for the centre.

- 3.10 The Chair of the Environment & Community Support Scrutiny Sub-Committee reported that the Sub-Committee would be visiting the Peckham Pulse as an initial step in reviewing problems at the centre. He emphasised that the priority should be to bring the centre back into use as soon as possible and was disappointed at the current projected date for completion of work. Councillor Stanton stressed that investigations needed to be finished in order to establish the cause of the problem and the repairs that were necessary.
- 3.11 The Committee asked whether the Executive Member was satisfied that the Ouseley review was being fully implemented. Councillor Stanton reported that the Audit Commission had confirmed that the council was taking the review seriously and responding appropriately.

**To the Leader:**

- 3.12 **“Modernisation of local government's decision-making structures coincided with your administration coming to power. Four years on, what is your evaluation of these changes? How has Southwark as an authority adapted to these changes?”**
- 3.13 Councillor Stanton expressed the view that the Executive worked well as a visible accountable body. Procedures for individual decision-making were now more firmly in place and understood. The Community Councils had proved a success, especially in engaging with the community. However, Council Stanton wondered if the Council Assembly had suffered under the new structure and had yet to establish a clear role. He suggested that this should be addressed by the new administration.
- 3.14 The Committee drew attention to problems encountered in respect of urgent implementation reports and operation of the Forward Plan.
- 3.15 **“We received the Executive’s response to our review of Southwark Alliance at our last meeting. What improvements do you think we can hope to see as a result?”**
- 3.16 Councillor Stanton indicated that there would be an end of term report and regular briefings in the new administration. The new resident members of the Alliance would hopefully be appointed in May or June, at a similar time to the new council representatives. The Committee was concerned that the new council representatives reflect the political composition of the council.
- 3.17 **“Can the Leader update Overview & Scrutiny Committee on progress on the community strategy? What does he see as the key areas/issues where partnership work will make real difference in Southwark over the coming years?”**
- 3.18 Councillor Stanton reported that the response to consultation on the second draft of the Strategy had been better and wider than previously. All partners were engaged in the process of drafting the Strategy and broad consensus had been achieved around the themes. The Strategy would be formally signed off by the new administration.
- 3.19 **“Is the Leader confident that the government is going to accept Southwark's proposals in respect of housing options appraisals?**

**What progress has been made on establishing a successor body to SGTO?”**

- 3.20 Councillor Stanton was confident that the council's submission was properly costed and realistic and would enable the Decent Homes Standard to be achieved by the target date of 2010. This was on the basis of the council's own resources and had the widespread support that would hopefully ensure the agreement of the Government Office for London. He commented that Southwark might at some time be one of only a few councils to be managing its own housing stock and wondered if central government would in the future require local authorities to divest themselves of their stock.
- 3.21 Councillor Stanton reported that tenants wanted to retain SGTO and consequently there were no plans to replace it. The Committee expressed the view that any umbrella organisation would need to represent the concerns of leaseholders as well as tenants.
- 3.22 **“Leaseholders’ Council continues to be extremely concerned about the systems the council has in place for calculating leaseholders’ service charges, despite meetings with three successive executive members for housing, and the leader, all of whom have reassured us that the situation would be rectified. Members of Leaseholders’ Council have been giving up their time on a daily basis to work through accounts with the Leaseholder Management Unit, and are continuing to find extensive inaccuracies. To date, errors amounting to £1.5M have been found in proposed charges to leaseholders.**

**Can the Leader tell us:**

- a) **What systems have been put in place to ensure that leaseholders’ charges are accurately calculated?**
- b) **What action is being taken against those officers who continue to submit inaccurate figures?”**
- 3.23 Councillor Stanton stated that the council was about to issue the agreed actual bills for 2003/2004, was still going through the bills for 2004/2005 and was about to produce estimates for 2006/2007. He would look into any action appropriate to be taken against Officers but stressed the importance of achieving a system of auditing which would be faster and satisfy the concerns of leaseholders. The priority was to be able to send bills out faster, for them to be more accurate, and to be able to provide better explanations of billing around major works.
- 3.24 In response to questions from the Committee, Councillor Stanton expressed the view that, following its reorganisation, morale within the Housing department was good. The creation of the Home Ownership Unit had been very positive. The Committee emphasised that training for all staff around leaseholder issues was essential.
- 3.25 **“Leaseholders’ Council asked for a breakdown of costs between Public Highway and Housing of the integrated cleaning contract, which commenced 1/4/03, but to date this has not been provided. Can the Leader provide details?”**
- 3.26 Councillor Stanton provided the Committee with the following split of costs between public highway and housing:

Estate cleaning and ground maintenance -

2005/6 - £11,646,000 est  
2004/5 - £11,364,000  
2003/4 - £10,795,000

Public highway -

2005/6 - £7,684,000 est  
2004/5 - £7,784,000  
2003/4 - £6,729,000

- 3.27 The Committee asked for further figures in respect of overtime payments and use of agency staff.
- 3.28 **“What is the leader’s reaction to the Respect action plan, and the proposals for a “community call for action”? What arrangements will the council put in place to support members in their proposed new duty?”**
- 3.29 Councillor Stanton highlighted the need for care and support of families whose behaviour was likely to cause problems and outlined a number of initiatives available locally. He referred to the new community call for action and looked forward to seeing how this would work in practice. It would be important to work out how local councillors could effectively link in to the Safer Neighbourhoods Police Team and Together Action Zones, as well as Community Councils.
- 3.30 In respect of the effectiveness of the Southwark Anti-Social Behaviour Unit, Councillor Stanton stressed the need to be clear about what was a SASBU case and what was a Housing case. Housing Officers were now more visibly taking enforcement action on estates. There was also a need to manage public expectation, particularly in terms of the time necessary to gain evidence, while still showing a proactive response to problems.

**4. MANAGEMENT OF MAJOR WORKS – ISSUES FOR TENANTS AND LEASEHOLDERS** [see pages 20 - 31]

- 4.1 Officers responded to the points raised by Leaseholders at the meeting on 27 February 2006, initially emphasising that a number of policies had been introduced which demonstrated the Housing Department’s positive attitude towards leaseholders. The former Leasehold Management Unit had been reviewed. Related functions had been centralised as a result and presentation of accounts had been improved. A range of Officer training was in progress, including on procurement and contract management, and on Section 20 consultation and inspection of accounts.
- 4.2 It was acknowledged that tenants compacts needed to be reviewed with both tenants and leaseholders. Five-year major works programmes were being developed in each of the Housing Areas, informed by the stock condition survey and in order to meet the Decent Homes Standard. A report was to be submitted to the Executive in March on major works partnering contracts.

**RESOLVED:** That the draft report be brought back to the next meeting for finalisation.

## CLOSED BUSINESS

### **1. CALL-IN: AUTHORISATION OF DEBT WRITE-OFFS BETWEEN £5,000 & £50,000 FOR NATIONAL NON-DOMESTIC RATES – HOUSING DEPARTMENT**

- 1.1 Members of the Committee sought and received assurance that the Housing Department was liaising with other council departments in an attempt to identify occupants liable to pay National Non-Domestic Rates. The Committee received information about one business where the Housing Department had been unable to establish a link between the occupant of the property in question and a license holder at the property and consequently had requested that a debt be written off.
- 1.2 Officers clarified limitations in the use of bailiffs to seize goods at a property against debts owed, particularly where it was not possible to establish whether the goods still belonged to the person liable for the original debt. The Executive Member for Resources and Officers confirmed that, even though a debt was written off, the option still remained to pursue the debt should new information become available that would enable this.

- RESOLVED:**
1. That the decision of the Executive Member for Resources of 17 February 2006, in respect of the authorisation of debt write-offs between £5,000 & £50,000 for National Non-Domestic rates – Housing Department, shall not be referred back to the decision-maker, but shall remain and take effect from the date of its consideration by Overview & Scrutiny Committee, i.e. 27 February 2006.
  2. That Officers continue to liaise with Licensing, prior to the write-off of debts, in order to identify occupants liable to pay National Non-Domestic Rates.
  3. That the Licensing Committee be requested to consider reviewing policy so that licenses are not granted where National Non-Domestic Rates are owed by an applicant.

The meeting closed at 10.15 p.m.

**CHAIR:**

**DATED:**