



OVERVIEW & SCRUTINY COMMITTEE

MINUTES of the OPEN section of the meeting of the OVERVIEW & SCRUTINY COMMITTEE held on 18TH DECEMBER 2002 at 5.00 P.M. at the Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Kim HUMPHREYS (Chair)
Councillor Linda MANCHESTER (Vice-Chair)
Councillors Barrie HARGROVE, Mark PURSEY, Andy SIMMONS, Neil WATSON and Ian WINGFIELD (Reserve).

ALSO PRESENT: Councillor Beverley BASSOM – Executive Member for Housing
Councillor Bill SKELLY – Executive Member for Education, Youth and Leisure
Lorraine Beck – Southwark Group of Tenants Organisations
Richard Lee

OFFICERS: Chris Brown – Acting Head of Housing Management
Keith Broxup – Director of Housing
Paul Butler – Best Value Lead Officer
Mike Carroll – Best Value Manager
Sam Eastop – Strategy & Commissioning Manager, Education & Culture Department
Janet Fasan – Borough Solicitor's Office
Glenn Garcia – Early Years Operations Manager, Education & Culture Department
Ian Hughes – Head of Corporate Strategy
Lucas Lundgren – Constitutional Support Unit (Scrutiny)
Karen Murphy – Borough Solicitor's Office
Marian Nash – Strategic Project Manager, Housing Department
David Wallis – Head of Early Years, Play and After School
Adrian Ward – Commissioning Manager, Community Care

APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Aubyn Graham, Sheila Simpson and 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 DEEMS AS URGENT

The Chair agreed to accept all items on the Agenda as late and urgent.

DISCLOSURE OF INTERESTS AND DISPENSATIONS

No disclosures of interests or dispensations were made.

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.

33. **CALL-IN : BEST VALUE REVIEW OF HOUSING MANAGEMENT (FINAL VISION)** (see pages 462-520 & 556-633)

The decision had been called in following a request received in accordance with Scrutiny Procedure Rule 18.6 to scrutinise the consultation on the Final Vision (in contrast to the current service) following concerns raised by tenants and residents.

The Committee agreed to receive deputation requests from Lorraine Beck on behalf of Southwark Group of Tenants Organisations and from Mr Richard Lee, written details of which can be found at pages 645[a] and 645[b] of the Minute File.

The deputation from S.G.T.O. focused on consultation with tenants at the vision stage of the Best Value Review of Housing Management. The deputation asserted this had been inadequate and that in addition this indicated that tenants and residents were losing the representation with the Council they had previously enjoyed.

Mr Richard Lee focused initially on the report considered by the Executive on 3rd December 2003, which outlined the BVR process but not the exact issues on which consultation would be carried out. He asserted that tenants had understood they were involved in a review of the current structure and existing service, and that consideration of the future vision would take place at a later date. He believed, in comparison to the current consultation, the Council's consultation on the Stock Transfer issue had been fair and inclusive. A similar approach should have been taken to the draft vision, he asserted.

The Chair clarified that no decision had been taken to delegate housing management functions to Community Councils.

The Acting Head of Housing Management stated that consultation had been carried out in accordance with Best Value process and had taken into account the views of all involved in the service, not solely tenants and residents. Presentations had been made to all Neighbourhood Forums and invitations sent to everyone in the borough. Feedback from forum meetings had been incorporated into the report to the Executive and into other documents. He believed the review to be robust and that BV inspectors would find it so following their visit in March 2003.

He did however acknowledge that concurrent discussion about Community Councils and Best Value consultation may have caused confusion.

He acknowledged the active tenant movement in the borough, and stated that intensive work was necessary to engage residents in street properties. Users of sheltered housing were represented through Tenants' and Residents' Associations.

The composition of the Stakeholder Forum and the Tenant and Resident Panel was confirmed as set out on page 557 of the Agenda. The Union had not chosen to serve on the BV Project Board, which met on fourteen occasions during the course of the review.

In respect of proposals to reduce the number of Neighbourhood Housing Offices there was no intent to remove the facility and outreach would be maintained for isolated communities. Scope existed for residents to request the establishment of a sub-office.

The Executive Member for Housing acknowledged that a mechanism for consulting every tenant and resident in the borough was required, and that a review of tenant participation and representation was planned. She believed the review to have been thorough, and confirmed that feedback could be given during the implementation stage.

The Best Value Manager stated that the decision to restructure had been driven neither by Community Councils discussion nor a desire to identify budgetary savings but by the need for improvement to service delivery to users. Consultation had been undertaken using existing structures. The Executive report included suggestions for new means of user consultation, including the use of focus groups and newsletters.

Following agreement of the final vision extensive consultation with tenants and residents on the detail of implementation would take place. The Legal Officer confirmed that unless this was undertaken the authority could not argue that its consultation had been reasonable.

The Legal Officer confirmed that whilst the authority had a duty to consult, and had done so satisfactorily, guidance on the matter was not prescriptive. Comparing the processes of consultation on Stock Transfer and the Best Value Review of Housing Management was not useful as each represented very different consultation environments.

A motion, details of which are recorded on the Minute File, was proposed by Councillor Simmons, seconded and on being put to the vote was lost. In accordance with Council Procedure Rule 1.17(5) Councillor Andy Simmons asked for his vote in favour of the motion to be recorded.

Opposition Members stressed that future reviews should incorporate sufficient time for consultation on the final vision prior to the implementation stage of review and that this would signal goodwill on the part of the Council towards service users and act to increase confidence in the authority amongst users.

RESOLVED:

1. That the Best Value Review of Housing Management (Final Vision) be referred back to the Executive for reconsideration.
2. That the Executive take into account the following particular concerns of Overview & Scrutiny Committee, i.e.

- (a) That tenants and residents associations be clearly advised that formal consultation on the implementation phase of the Best Value Review of Housing Management will be undertaken. This should be fully explained by Housing Management through active engagement with stakeholders.
- (b) That the important role of neighbourhood sub-offices within Option 4 of the Best Value Review in providing opportunities for tenants and residents to discuss matters in person be acknowledged. Overview & Scrutiny Committee recommends that the option of sub-offices be actively pursued in the implementation stage of the BVR where appropriate.
- (c) That the Executive be asked to formulate proposals for improvement of consultation and engagement with stakeholders in future.
- (d) That detailed consultation on the implementation phase of the review be undertaken on the basis of the Tenant Participation Compact. That information should go to individual tenants and residents and tenants' and residents' associations.

34. **CALL-IN: BEST VALUE REVIEW OF EARLY YEARS** (see pages 521-555 & 634-645)

The Executive Member for Education, Youth and Leisure introduced the item. David Wallis, Sam Eastop and Adrian Ward were present to field Member questions and provide information in respect of the original Executive decision.

The decision had been called-in on the basis that key financial information on the proposed costs of childcare in excess of the maximum working Family Tax Credit/Childcare Tax Credit had been excluded from the report to the Executive meeting on 3 December 2002 at which the Best Value Vision for Early Years had been agreed.

Appendix 2 to the report contained at pages 634-645 of the Agenda set out details of childcare tax for parents on different incomes based on £135 p.w. childcare costs per child.

Councillor Simmons expressed concern that changes proposed would increase childcare costs, be a disincentive to working people and render childcare too expensive altogether for low income families. The flat rate proposed was not linked to affordability.

The Head of Early Years, Play and After School confirmed that the proposed rates would first be applied in-house before being rolled-out externally, and would not be effective for another 12 months. Analysis of the potential impact of the changes on uptake of places would be undertaken.

The Best Value Lead Officer stated that Southwark's fees were lower than those in London Boroughs of Greenwich, Lambeth and Islington. Officers were confident in the ability of the in-house service to manage transfer to the new system through provision of benefit and claim advice.

Discussion ensued about the impact of the proposed changes on early years provision within different sectors.

The Executive Member confirmed that a report back on the changes would be made in March 2004. Whilst he acknowledged that misgivings had been expressed, he believed these had been allayed by assurances of safeguards having been given.

Angela Stansworth (Southwark Community Care Forum) expressed concern that the changes could result in children missing out on opportunities for a head start. She suggested a feasibility study, with consideration being given to support for delivery of the strategy.

RESOLVED:

1. That the Best Value Review of Early Years be referred back to the Executive for consideration.
2. That the Executive be asked to take into account the following particular concerns of Overview & Scrutiny Committee, i.e.
 - (a) That the Executive be asked to reconsider the affordability of the in-house charges for childcare for two of more children prior to budget-setting.
 - (b) That the Executive consider the experience of boroughs where changes to subsidy have led to the collapse of the community sector.
 - (c) That future reports on Early Years should explicitly address the affordability of charges in excess of the maximum tax credit.
3. That scrutiny look at Early Years implementation in the current municipal year, with particular attention to points 2 (a)-(c) above.

Overview & Scrutiny Committee noted that the Executive Member for Education, Youth and Leisure gave his assurance of his intention that the small number of families with multiple children receiving services in-house should not lose childcare services as a result of budget-setting.

The meeting ended at 7.45 p.m.

CHAIR:

DATED: