



OVERVIEW & SCRUTINY COMMITTEE

MINUTES of the Overview & Scrutiny Committee held on Monday 11 March 2013 at 7.00 pm at 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Catherine Bowman (Chair)
Councillor Dan Garfield (Vice-Chair)
Councillor Neil Coyle
Councillor Toby Eckersley
Councillor Gavin Edwards
Councillor David Hubber
Councillor Lorraine Lauder MBE
Councillor Paul Noblet
Councillor David Noakes
Councillor The Right Revd Emmanuel Oyewole
Councillor Mark Williams

OFFICER SUPPORT: Norman Coombe, Legal Services
Angela D'Urso, Business Manager, Housing & Community Services
Paul Jeffery, Gypsies & Travellers Officer
Paul Langford, Head of Operations, Housing & Community Services
Peter Roberts, Scrutiny Project Manager

1. APOLOGIES

1.1 There were no apologies for absence.

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

2.1 There were no late items of business.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

3.1 There were no disclosures of interests or dispensations.

4. MINUTES

RESOLVED:

That the minutes of the meeting held on 28 January 2013 be agreed as an accurate record.

5. A NEW WRITTEN STATEMENT (AGREEMENT) FOR COUNCIL GYPSY AND TRAVELLER SITES - UPDATE

- 5.1 Paul Langford, head of operations, and Angela D'Urso, business manager, housing & community services, introduced the report. The business manager highlighted action taken since the call-in meeting in respect of fire safety, animals and benefits. She also reported that officers had visited the sites with representatives from Blackfriars Advice Centre. The chair asked why specialist advocacy services had been engaged rather than commissioning Southwark Travellers' Action Group (STAG). The business manager assured the committee that STAG was fully involved and the STAG representative at the meeting explained that Blackfriars had an outreach budget which was made use of in this case.
- 5.2 The business manager went on to confirm that the issue of number of weeks temporary absence from the site had been amended from six to eight weeks (paragraph 10 of the express terms of agreement). Throughout the agreement it had been made clear that officers would support residents needing to make applications in writing. Officers would also support requirements around fire safety (paragraph 5). The business manager explained that further amendments were needed, including rewording of clauses in respect of running business from the site, support for physical adaptations and removal of the ban on breeding of dogs. She explained that the consultation would end on 28 March and that this would be followed by an individual cabinet member decision.
- 5.3 The chair drew attention to paragraph 15 of the report and the committee's previous recommendation that the agreement be amended to allow Gypsies and Travellers eight weeks away from their site before requiring agreement from the council. She sought assurance that the agreement would be amended to a minimum of eight weeks. The business manager confirmed this to be the case and that the council was consulting on a maximum period.
- 5.4 The chair invited Mr Archie Utley, the STAG representative, to comment on the draft agreement and consultation. Mr Utley stated that the consultation had been much better and that STAG had submitted extensive comments. He highlighted paragraph 4.4 of the agreement which in STAG's view should relate only to living on the site and not to staying. The business manager confirmed that this would be amended.
- 5.5 Mr Utley raised STAG's concerns about overcrowding on sites. He said that in the 1990s Southwark had promised a new ten-pitch site but instead a temporary five-pitch site had become permanent. The number of pitches was well below the target set in 2000. STAG was concerned that currently extra family members were

living in caravans on the site at Springside Close but that they would not be able to sign the agreement. The business manager explained that this could be dealt with if the family members were children of tenants. The head of operations commented that site provision fell within the remits of planning and regeneration but that he would welcome discussions at strategic level. The business manager added that Southwark was working with other South East London boroughs to address the issue. Members felt that the consultation on the recommendations coming out of the Housing Commission should include the needs of Gypsies and Travellers.

- 5.6 Mr Utley outlined STAG's concerns that the restrictions on animals roaming sites be amended, particularly in view of sites where there were no external areas that were not communal. The business manager emphasised that the important issue was that animals be restrained at times when contractors were on site. Officers were looking at how the requirement in respect of animals roaming could be amended. In response to a member's questions, the business manager confirmed that nuisance dogs could be dealt with under existing powers relating to anti-social or criminal behaviour.
- 5.7 STAG was also concerned at proposals to introduce payment of water rates, in the context of changes in benefits and also that there would be disparity between old and new agreements. The council would continue to consult on this issue. A member asked whether work was being carried out to identify families who would be affected by benefit changes and the proposals for direct payment. The head of operations responded that the council was looking to put forward Gypsies and Travellers as a group to be exempted.
- 5.8 Members felt that parts of the agreement were in need of written explanations in plain English. The business manager responded that these could be added to the glossary and emphasised that the consultation had been undertaken in face-to-face visits to sites.
- 5.9 Members acknowledged the important part played by STAG in drafting the new agreement and were concerned that STAG continue to be resourced. Mr Utley explained that STAG was funded on an annual basis by the Irish Government and only had funding until the end of July. A member suggested that the council might look at whether it could make use of its re-commissioning of advice services in order to fund STAG.

RESOLVED:

1. That the actions taken and commitments made following on from the call-in of the Individual Decision Making (IDM) report relating to a new written agreement for Gypsies and Travellers be noted.
2. That the actions taken and future actions to be taken following on from further review of the new written agreement for Gypsies and Travellers be noted.
3. That the next steps, including dates for the revised IDM, be noted.
4. That officers' intention to amend paragraphs 4.3 and 4.4 of the new

agreement be noted.

5. In view of overcrowding on sites that it be recommended that the consultation due to be launched into the future of housing provision in the borough include future provision for Gypsy and Traveller sites and that these groups be formally consulted.
6. That cabinet explores funding for Southwark Travellers Action Group so that they can maintain their services, the committee firmly believes that the services provided by STAG save the council money.

[Note: Councillor Toby Eckersley requested that his vote against resolution 4 be recorded.]

6. MATERNAL HEALTH & EARLY YEARS: GYPSIES AND TRAVELLERS (FINAL REPORT, HEALTH, ADULT SOCIAL CARE, COMMUNITIES & CITIZENSHIP SCRUTINY SUB-COMMITTEE)

- 6.1 Councillor Mark Williams, chair of health, adult social care, communities & citizenship scrutiny sub-committee, introduced the final scrutiny report. He drew attention to a further recommendation relating to the future funding of STAG which had been omitted in error:

“That cabinet explores funding for Southwark Travellers Action Group so that they can maintain their services, the sub-committee firmly believes that the services provided by STAG save the council money”

- 6.2 In response to questions from members, Councillor Williams stressed that although Gypsies and Travellers were a very small percentage of the borough’s population their needs still had to be addressed.
- 6.3 The committee thanked the sub-committee for its work and

RESOLVED:

That the report be submitted to cabinet for its consideration.

7. TRA HALLS AND COMMUNAL ROOMS (FINAL REPORT, HOUSING, ENVIRONMENT, TRANSPORT & COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE)

- 7.1 Councillor Gavin Edwards, chair of the housing, environment, transport & community safety scrutiny sub-committee, introduced the final scrutiny report.
- 7.2 In response to members’ concerns about the introduction of a fair rents system, Councillor Edwards explained that the aim was a system where all tenants’ and residents’ associations (TRAs) paid something but that overall the amount of income to the council would not increase.

- 7.3 A member questioned the recommendation that under-used halls be converted into homes (recommendation 9), suggesting that there may be good reasons why halls were not more used. He also raised concerns in respect of the recommendation that halls be converted into homes where the TRA was defunct (recommendation 10), pointing out that TRAs may be in abeyance for a number of years but then be re-formed at which point they would need a hall. The council had a responsibility to keep the facility available. Councillor Edwards indicated that recommendations 9 and 10 could be amended to address these concerns. A member wondered whether there could be a requirement for new build to include the provision of community space. Another member stressed that where community facilities existed before demolition of council housing then these should be replaced in any new development.
- 7.3 A member emphasised that where halls were hired out this should only be after the applicant had formally agreed to specific regulations and procedures. Councillor Edwards reported that the Tenants' Halls Working Party was developing a standard hire agreement. Another member hoped that this work would also address issues such as insurance cover. A member asked whether under-use of a hall might relate to, for instance, lack of sound-proofing. It was suggested that effective regulations and good management usually solved any noise issues.
- 7.4 Members welcomed recommendations 12 to 14, giving examples of incidences of fraud which had in the past been difficult to deal with.
- 7.5 Members identified facilities which were not listed in the table of TRA halls, including Lettsom Hall and facilities on the Glebe and East Dulwich Grove estates. They also hoped that the membership of the Tenants Halls Working Party would be kept up to date to represent all area forums.
- 7.6 The committee thanked the sub-committee for its work and

RESOLVED:

That, subject to appropriate amendments to recommendations 9 and 10, the report be submitted to cabinet for its consideration.

The meeting ended at 9.00 pm