
REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

(SPECIAL) MEETING HELD ON 14 NOVEMBER 2006

Chairman: * Councillor Jean Lammiman

Councillors: * Archie Foulds (3) * Richard Romain
 * B E Gate * Anthony Seymour
 * Salim Miah * Navin Shah (4)
 * Jerry Miles * Dinesh Solanki (1)
 * Christopher Noyce * Mark Versallion

* Denotes Member present
 (1), (3) and (4) Denote category of Reserve Members

[Note: Councillors David Ashton and Chris Mote also attended this meeting to speak on the item indicated at Minute 55 below].

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
50. Attendance by Reserve Members:

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Members:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Myra Michael	Councillor Dinesh Solanki
Councillor Mitzi Green	Councillor Archie Foulds
Councillor Mrs Rekha Shah	Councillor Navin Shah

51. Declarations of Interest:

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
6. Question and Answer Session with the Leader, the Deputy Leader and the Chief Executive	Councillors Chris Mote, Richard Romain, B E Gate, Dinesh Solanki, Navin Shah	The Members indicated personal interests set out below and remained in the room to ask questions, respond to the questions and listen to the responses:- <u>Councillor Chris Mote (Leader)</u> – His brother and son were disabled badge holders, his brother was in receipt of disability benefit and Councillor Mote also indicated that he was the Vice-President of Harrow and Wealdstone Swimming Pool. <u>Councillor Richard Romain</u> – He was a disabled badge holder. <u>Councillor B E Gate</u> – A relative was in receipt of Council Tax discount as a single occupant of a property in Harrow. <u>Councillor Dinesh Solanki</u> – His daughter was visually impaired and a blue badge holder. <u>Councillor Navin Shah</u> – He was an Executive Member of the

Harrow Council for Racial Equality and a Member of the governing body of Glebe School.

52. **Arrangement of Agenda:**

RESOLVED: That (1) in accordance with the provisions of the Local Government (Access to Information) Act 1985, the following item be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda Item</u>	<u>Special Circumstances / Grounds for Urgency</u>
6. Question and Answer Session with the Leader, Deputy Leader and the Acting Chief Executive – List of Questions	This document contained the questions, which were not available at the time of the circulation of the agenda as the questions were being constructed. Members agreed to consider the questions, which related to the main item on the agenda and was the purpose for which the special meeting had been convened.

(2) that all items be considered with the press and public present.

53. **Minutes:**

RESOLVED: That the minutes of the meetings held on 18 July 2006 and 10 October 2006 be deferred to the next ordinary meeting of the Committee.

54. **Deputations:**

RESOLVED: To note that no deputations were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 10.

55. **Question and Answer Session with the Leader, Deputy Leader and the Acting Chief Executive:**

The Chairman welcomed the Leader and the Deputy Leader of the Council and the Acting Chief Executive to the meeting. She stated that the Overview and Scrutiny Committee was an independent Committee and that it was intended to have full and frank discussions. She indicated that a total of five minutes for each question would be allowed.

The Chairman invited Members to put their questions to the Leader, the Deputy Leader and the Acting Chief Executive. Members also asked supplemental questions, which were duly answered.

Delivering the Corporate Strategy

Question 1: *With the culture of serious cuts in corporate budgets and cuts in front line services, how do you propose to salvage the Corporate Plan?*

The Leader responded that a large proportion of the foreseeable savings were contained in the February 2006 budget. The savings plan in August 2006 had been risk assessed for its impact on Council performance. Decisions were made in the light of value for money of services and through benchmarking Harrow's services with other boroughs. The delivery of the Corporate Plan was monitored through the Strategic Performance Report, which would be reviewed at the Cabinet in December 2006. Overall, Harrow's services continued to improve in line with the plan but there were areas of concern. In the planning service, there were challenges in turning around planning applications and it was harder to make the workforce more representative in the context of low levels of recruitment.

The Leader responded to a supplemental question as follows:-

- given the Council's financial situation, a value judgement would be made about the savings proposed;
- a detailed reply on the level of savings proposed, its impact on the voluntary sector and the Council's ability to achieve its vision in the light of these savings would be given in December 2006;

- responses would be given at the Open Budget Panel public meeting on 21 December 2006.

The Acting Chief Executive stated that an Extraordinary meeting of Council in December would debate the draft budget in detail and that the savings plan had been considered/measured against the Council's corporate priorities, its impact on services and the Joint Area Review (JAR). She added that when developing budgets, high-level service plans would be considered together with their impact on the Council's corporate priorities.

The Chairman stated that the question would be addressed in December 2006 by the Overview and Scrutiny Committee at its Scrutiny Budget Challenge Panel on 18 December 2006.

Budget and Financial Issues

Question 2: *The public had been told that Harrow Council was on the verge of bankruptcy after the May 2006 elections and that there was a lack of financial competence which drastic measures had to address. How do you reconcile that position with the 2005 Local Government Chronicle Awards in which Harrow's strong financial performance was commended and the 2004 Audit letter which stated that the financial management arrangements were improving and the CPA assessment in which Harrow achieved 4 out of 4 for its use of resources?*

The Deputy Leader stated that the public had been told that Harrow Council was facing serious financial problems and was taking the necessary action to address the situation. There had never been any suggestion of a lack of financial competence.

For a number of reasons Harrow had overspent in 2005-06. Many of these reasons were outside the Council's control, such as economic pressures, demand for services, and the actions of the Primary Care Trust (PCT). However, all possible steps had been taken during that year to manage the situation and this had been recognised by the external auditor.

The budget process for 2006-07 was difficult and many of the pressures facing the Council at the time were reflected in that budget. For instance, several of the income and savings targets were scaled back.

During the early part of 2006-07, new pressures had come to light and these were addressed at the earliest opportunity via the savings plan agreed by Cabinet on 3 August 2006.

Detailed work was being done to develop the new medium term budget and ensure that the Council was on a stable financial footing going forward.

Financial management arrangements were improving, for example, the budget monitoring reports to Cabinet. The Use of Resources score awarded last year was actually 2 out of 4. Harrow did not win a Local Government Chronicle (LGC) award in 2005 but had won awards for pension fund management in the past.

In response to a supplemental question, the Deputy Leader stated that he did not agree that the statements were excessive. The public needed to be aware of the Council's financial situation and urgent action was necessary to address it.

The Chairman reported that issues relating to the budget would be picked up by the Scrutiny Budget Challenge Panel on 18 December 2006. She reminded Members of the Open Budget Panel public meeting on the budget, scheduled to be held on 21 December 2006.

Question 3: *You have stated that the Council would consider what services it was required to provide and what should be the level of service provision. Can you explain precisely what you meant by this and give a precise indication of the range of services on which this would impact?*

The Leader stated that the report to Cabinet on 4 October 2006 explained that five strategic projects had been carried out to inform the new medium term planning process. These projects included a service delivery review and a value for money study.

The service delivery review was designed to map and review the Council's services, looking at:-

- level of spend;
- the split between statutory and discretionary provision;
- level of provision;
- the extent to which services had been subject to challenge either through procurement or benchmarking;
- the impact of any changes to or reductions in service.

The value for money review had three key objectives:-

- development of a new value for money framework for the Council;
- to compare and benchmark Harrow's cost and performance position against three comparator groups;
- to agree a set of value for money indicators to monitor and challenge performance going forward.

The value for money review was complete and detailed information about cost and performance of all services was available.

The service review, alongside the value for money project, would provide the detailed information that Councillors would need to make decisions about service strategies in the medium term. This was critical given the size of the funding gap. It was too soon, however, to say which services would be affected.

In response to a supplemental question, the Leader re-iterated that the value for money project had been completed but that he was unable to comment on its contents as he had not yet viewed the statistical data it contained. He added that information on savings would be available in December 2006 and January 2007 when the results of the consultations were available.

The Chairman stated that the Member concerned raise this matter at the Open Budget Panel public meeting on 21 December 2006. She asked that the Overview and Scrutiny Committee Members be advised when the reviews would be submitted to the Committee.

Question 4: *Can you please explain the MTBS priorities – would it be to reduce Council tax or to improve services?*

The Acting Chief Executive stated that all Councils needed to find the right balance between Council tax levels and service levels to meet the needs of their residents. The report to Cabinet on 4 October 2006 stated that Harrow was a relatively low spending but high Council Tax borough. This situation was largely due to the poor grant levels received compared to other boroughs. She explained the figures set out in that report and the comparisons with other boroughs and informed the Committee that only 18% of the Council's income was derived from the Council Tax.

The Acting Chief Executive stated that funding gaps had been identified up to 2010 and that, given that Harrow was already spending at relatively low levels, it would be a challenge to find further reductions in spending.

The Deputy Leader added that it might be necessary to scale back some services to bridge the gap between spending and funding. In response to a supplemental question, he stated that the Council's objective was to keep the Council Tax steady.

The Chairman stated that this line of enquiry should be re-visited at the Open Budget Panel public meeting on 21 December 2006.

Question 5: Withdrawn at the meeting.

Question 6: *Wouldn't you agree that the protection of frontline services and the most vulnerable people, both old and young, was more important than keeping the reserves well above the minimal level and having a zero Council Tax rise?*

The Leader stated that the Council had to find a balance between service levels and tax levels and that protecting the vulnerable was vital. The Council also needed to have sufficient reserves to deal with unforeseen circumstances. The Council had agreed that the absolute minimum of reserves required was £3.5m. The new medium

term plan would include contributions to reserves to get back to this level and give the Council financial stability in the future. It was recognised, however, that excessive reserves were a waste of valuable resources.

In response to a supplemental question that emphasis was being placed on the building-up of the reserves and a reduction in Council Tax rather than on the provision of front line services, the Leader stated that this was not the perception of his administration. He added that it was not intended to hold a level of reserves in excess of £3.5m although some boroughs held reserves of £15m.

Question 7: *Given the financial problems facing the Council, wouldn't you agree that it was absolutely vital that Capita, through the Business Transformation Partnership (BTP), made the savings which it had promised. Bearing in mind the failure to make the savings promised in the first year, can you assure us that the promised savings would be made next year and in the future?*

The Acting Chief Executive stated that it was vital that Capita made the savings they had promised and that they had provided assurances to the Deputy Leader at the relevant meetings. They were on target to deliver £1.3m this year. Officers were monitoring the position closely through fortnightly Board meetings. The new deal negotiated with Capita included realistic savings targets for future years. Many of the savings this year would have a part year effect and the full year effect of these savings in 2007-08 would go some way towards meeting next year's target.

In response to a supplemental question about who would bear the risks associated with the new deal with Capita, the Deputy Leader stated that Capita would be bearing the financial risks and that a general report would be submitted to the Cabinet and the Overview and Scrutiny Committee on this issue.

The Chairman stated that the Overview and Scrutiny Committee received reports on the BTP on a regular basis and requested that the report referred to by the Deputy Leader above be submitted to its January 2007 meeting.

Question 8: *Who was accountable for the delivery of the procurement savings?*

The Leader stated that the Deputy Leader, in his capacity as the Portfolio Holder for Finance and Business Matters, and the Director of Financial and Business Strategy were accountable.

In response to a supplemental question about targets not being achieved, the Deputy Leader stated that procurement savings had been subsumed in the budget for August 2006 and that specific savings were now required which would be monitored and were on budget. Savings would be achieved and 'harvested'.

Question 9: *As a result of recent budgetary decisions, a "consultation" was being conducted regarding Community Care provision. It is apparent that users are being assessed to see if we could reduce the amount of time/visits or use cheaper agencies. What do you think would be the impact of these proposals on service users and their carers?*

The Leader stated that it was too soon to assess the impact. He added that there were four consultations regarding community care services, namely the proposal to merge Amner Lodge and Milmans Older People's Day Centres, the proposal to re-provide Wiseworks either through merging with the Bridge or by providing integrated employment support through the existing Community Mental Health Team Service, the proposal to revise the current charges for Home Care, and the proposal to make changes to the existing meals on wheels arrangements for which the consultation period did not expire until January 2007.

As part of routine delivery, the Council would continue to conduct reviews of all existing service users with a view to achieving the most cost effective safe service options to meet assessed needs. It remained open to the Council to manage delivery within its available resources, which might result in those with lower priority needs having to wait for services to be put in place. The administration remained committed to ensuring its most vulnerable citizens received a safe service.

In response to a supplemental question about false savings and their adverse impact on the vulnerable, the Leader stated that he could not comment at this stage as the outcome of the consultations were not yet known. Over 40% of the residents in care were funded entirely by the Council and did not pay anything towards their care. He added that the decision of the Council was likely to adversely impact some of the residents in care and that the decision would be made by Council in 2007. He

undertook to consider the letter received by the Member asking the question and provide comments. He also agreed to look at the consultation issue.

Question 10: *Officers recommended that schools should be consulted about the Education items contained in the mini-budget agreed by the Cabinet on 3 August 2006. Indication was given at the Call-In Sub-Committee, held on 22 August 2006, that the education cuts in the paper could be made up from school delegated budgets. Did you consult with schools?*

The Leader clarified that this was not a mini-budget and that the administration had had to amend the budget previously agreed to ensure that it balanced. The Call-in Sub-Committee on 22 August 2006 and the Special Cabinet on 4 September 2006 had addressed these issues.

Given the Council's financial position, there had been a very limited time for detailed consultation on every item in the plan. He added that:-

- in relation to clothing grants, applications received prior to 3 August 2006 would be honoured, grants would continue for year 8 pupils for the remainder of the year and the schools had been advised of the changes;
- in relation to music teaching subsidy, the cuts would not affect music teaching delivery until September 2007 and a detailed timetable for consultation had been published;
- in relation to the community sports scheme, the first phase was completed in July 2006 and no new activities were planned until September 2006. The administration would not consult on something that had not yet started.

In response to a supplemental question about the passing of costs to schools through delegated budgets, the Leader stated that costs would be spread evenly across the Borough.

The Chairman stated that the issue of consultation would be included in the Scrutiny Work Programme.

Question 11: Withdrawn at the meeting.

Question 12: *If the outcome of the Social Care Statutory Consultations showed a total rejection of the proposed charges by the service users and the voluntary sector, would you be prepared to scrap your proposals?*

The Deputy Leader stated that the final decision on home care charging would be taken at the Cabinet meeting in December 2006 and it was too early to state the position on this issue, which was the subject of consultation.

The following responses were given to various supplemental questions:

- the administration shared the concerns of the vulnerable and consideration would be given to the outcome of the consultation process;
- all letters received had been forwarded to the consultation panel and all paper work would be available for inspection;
- consideration would be given to holding a dedicated meeting on the budget for HSP Board members and a meeting with the voluntary sector representatives would be arranged.

The Chairman commented that the results of the consultation process would be examined by the Scrutiny Budget Challenge Panel, which would determine how the paper work/case work could inform this Panel's work.

Question 13: *Would you agree that in last year's budget severe cuts were made to Children's Services and that the Chief Executive, on the advice of the Director of Children's Service, had to issue a formal notice that the health and safety of young people in the Council's care could not be guaranteed if any further cuts were made? Can you give us an assurance that no further cuts would be made to Children's Services?*

The Acting Chief Executive stated that the then Chief Executive had not issued a formal notice on the health and safety of young people during last year's budget round. The Chief Executive and Director of Children's Services had made the statutory

requirements for Children's Services clear to the administration at the time. Throughout the budget process, officers and Members had been made aware of the difficult issues and decisions that were required and had detailed discussions on the impact of the proposals.

Members were informed that all services were currently being reviewed to identify spending pressures and potential savings, including Children's Services.

In response to supplemental questions, the Acting Chief Executive informed Members that benchmarking on the various services for children had been carried out and the results would be made available to Members.

Question 14: *How much money has been spent since last May in handing out green boxes to local residents and how much money will the introduction of blue bins to replace them cost?*

The Leader stated that the Council had distributed 30,000 Green Boxes since July 2006 at a cost of approximately £82,500. Distribution costs had been contained within the existing Public Realm Services' budget.

The introduction of Blue Bins would cost approximately £1.1m, including distribution costs.

Question 15: *How will the distribution of the blue bins be managed to avoid the July scenario?*

The Leader reported that the changes would be phased in over a period of time. He added that trials would be carried out and the results assessed before taking a decision on how the scheme should be rolled out to the other parts of the Borough and to what extent. He anticipated long-term savings and stated that refuse vehicles would be used to collect recycled material.

The Leader stated that the Green Boxes, which would be redundant as a result of the introduction of the Blue Boxes, could be returned to the Council for recycling. He added that publicity on the changes would be improved and circulated to Members for comment.

Question 16: *A mini budget was introduced on 3 August 2006 without any consultation whatsoever. The settings on 2007-08 budget will be very challenging. What are your plans to consult in a meaningful way with key stakeholders?*

The Deputy Leader stated that the savings plan agreed by Cabinet on 3 August 2006 did not constitute a mini-budget. Under the Constitution, once the budget had been set for the year, the Executive may only take decisions which were in accordance with the budget framework. In this case, the decisions dealt with savings built into the 2006-07 budget but not allocated, the need to restore reserves and the new spending pressures that had emerged after the budget had been set. This was entirely consistent with the budget framework and the virement rules. The report to the Cabinet was also entirely consistent with the Local Government Act 2003 which required the Executive to take action if budget monitoring reports showed a deterioration in the Council's financial position.

The Deputy Leader stated that it was not true to say that the savings plan had been implemented without any consultation. Staff and Unions were consulted about the plan and their comments were presented to the Cabinet. Key partners had also been kept informed. In addition, a statutory 12 week consultation was underway on three items and the final decisions would reflect the findings of the consultation. He advised that due to the severity of the Council's financial position, there was a need to find a balance between full consultation on each item and achieving the required savings in the time available.

The Deputy Leader indicated that the questioner was right to say that the 2007-08 budget process would be very challenging and the report to the Cabinet on 4 October 2006 had shown that there was a potential funding gap of £18m. Consultation would be carried out during the process with the Open Budget Panel, the public via the Open Cabinet question time meetings, and with individual stakeholder groups. A special session would be arranged for the Overview and Scrutiny Committee to examine the issues in December 2006 and there would be a special public meeting of the Open Budget Panel on 21 December 2006. An extra edition of Harrow People would be circulated in January 2007, which would consult on budget issues and in addition, the Harrow Strategic Partnership (HSP) Board would be offered a dedicated meeting on the budget.

Question 17 (as amended at the meeting): *How is the Open Budget process to be organised this time and how effective will it be?*

The Leader stated that the Open Budget Panel had been elected by the Open Budget Assembly last October. The Panel had met a number of times between November 2005 and February 2006 to contribute to the 2006-07 budget round.

This year, the Deputy Leader had invited the Panel members to continue their involvement and also invited the former Community Budget Group (which had emerged from the scrutiny review of the budget) to participate. Some 15 individuals had expressed the wish to be involved and they had had two meetings (September and October 2006). The next meeting was scheduled to take place on 21 December 2006. The Deputy Leader had written to the Panel encouraging them to attend this session as the draft budget for 2007-08 to 2009-10 would be discussed. This meeting would also be open to all members of the public and would be advertised nearer the time.

The Leader mentioned that given all the pressures and issues that emerged during 2005-06, the budget round last year had been very difficult. He advised that the administration was working hard to deliver a new medium term plan that was robust and put the Council on a sound financial footing for the future. The Open Budget Panel provided an opportunity for residents to contribute to that process.

The Deputy Leader added that a public meeting of the Open Budget Panel was scheduled and that the Council could not afford to go through the whole process of setting up the Assembly again. He mentioned that, to date, the focus of the members of the Panel had been on the Business Transformation Partnership, rather than the budget, and that the public meeting would concentrate on the budget.

The Deputy Leader responded to supplemental questions. He invited suggestions from Members about the consultation process and indicated that no decision had yet been taken on how the consultation would be carried out through Harrow People. In response to a question from the Chairman, the Deputy Leader stated that the form of Open Budget Panel meeting on 21 December 2006 would depend on the number of people attending. It was, however, envisaged that there would be a presentation on the budget setting out its impact on the Borough followed by a question and answer session. Other types of broadcasts would also be considered.

The Chairman stated that the Chairman of the Scrutiny Budget Challenge Panel would also focus on key lines of enquiry on the budget.

Access Harrow

Question 18: *When Access Harrow was launched in July 2006, the public was told that it would make contact with Harrow easier. How do you explain the frustration that the public still feel with contacting Harrow and the perception that Harrow is not willing or able to talk to its 'customers' or address their needs? I am told that:-*

- *Telephone – constant engaged tone even at 9:00 am and unhelpful staff at the end of the line, unable to pass the call to a supervisor if they cannot deal with the query;*
- *Email – gets lost in ether and does not get answered;*
- *Personal callers – the pleasure of a 2-hour wait.*

What is being done to evaluate Access Harrow and address these areas of poor 'customer service'?

In response, the Acting Chief Executive stated that the introduction of Access Harrow had made it easier for the citizens of Harrow to make contact with the Council.

Telephone

As at the 9 November 2006, Access Harrow (launched in May 2006) had answered 334,000 calls, which did not include internal switchboard calls. During that time, average waiting times had improved, the average speed to answer was currently 1 minute 35 seconds across all services.

There were some services that had experienced heavy demand, including Revenues and Benefits, particularly during recovery periods. The average speed to answer on this service in October 2006 was 5 minutes 45 seconds. Although this was longer than the contact centre average, it was important to note that the advisers did not merely

capture information and/or pass callers on to the service area. They resolved over 80% of the Revenue and Benefit enquiries at this first point of contact.

The Acting Chief Executive reported that high demand had been experienced by the Public Realm team as a result of the changes to waste collections and that the Committee had received a report on this issue.

The Acting Chief Executive did not accept the comment that staff in the Contact Centre were unhelpful. The Council placed great emphasis on customer care. Many calls were recorded and monitored and she indicated that any Councillor who cared to visit the contact centre and take the opportunity to listen in to calls would be most welcome. Any instances of unprofessional conduct were investigated and the necessary action taken. Members, officers and citizens were encouraged to give feedback on performance. In the event that advisers required assistance in answering a customer query, team leaders and managers were always available to assist. In most instances, it took the form of providing clarification and advice, however, the manager did occasionally take over calls, if required.

E-Mail

Over 10,000 e-mails had been received and dealt with in Access Harrow. This figure did not include the many thousands received on the waste@harrow e-mail account which was used for the refuse and recycling campaign. However not all e-mails to the Council were directed to Access Harrow, some accounts, including Council Tax, were instead dealt with by the service area.

Personal Callers

As at the 9 November 2006, the One Stop Shop had received over 37,500 customers.

The vast majority of visitors to the One Stop Shop were seen quickly and efficiently. Two customer satisfaction surveys carried out in September and October 2006 would confirm this positive view of the service.

The average waiting time in October 2006 was 19 minutes 13 seconds. Long waiting times were the exception rather than the norm.

In response to a supplemental question, the Acting Chief Executive acknowledged that there were stumbling blocks, such as communication problems and she indicated that officers were tracking to identify the problems, particularly those in the 'back' office (rather than Access Harrow) where responses appeared to be slow. She added that improvements were required in certain areas.

The Chairman stated that a report relating to this question was on the agenda for the 21 November meeting of the Overview and Scrutiny Committee. She stated that the Committee had not yet received details of the surveys. She asked that officers arrange a visit to Access Harrow for Members of the Committee.

General

Question 19: *In preparation for the 2012 Olympics do you still intend to pursue the idea of an Olympic swimming pool for Harrow?*

The Leader supported the idea of an Olympic swimming pool in Harrow. He added that the quality of Harrow's leisure facilities was a key corporate priority for both the Council and its communities, ensuring existing facilities were of high quality and well maintained. The provision and management of indoor and outdoor sport and leisure facilities had a vital role to play in improving the quality of life and reducing inequalities at a local level.

The CPA Cultural Services Inspection in June 2005 awarded the service a 1 (Fair) Star Rating, with promising prospects for improvement. One of the key findings of the Audit Commission was the need to maximise the partnership with the service provider, Leisure Connection Limited (LC).

A recently commissioned independent building condition survey of the Borough's leisure facilities had recommended the need for major maintenance expenditure of at least £2m over the next 10 years by the Council.

High level negotiations were currently taking place between Cabinet Members and Leisure Connection Limited, and this capital funding would potentially enable the revision of the current Management Agreement to achieve:

- Enhanced performance and customer-focused outcome-based agreement;
- Joint Investment to revitalise the Borough sports and leisure facilities;
- Determining how LC could take on the responsibility for all day to day and long term maintenance at all contract facilities.

Should the discussions with Leisure Connection, regarding the future provision of leisure facilities in the Borough produce viable proposals, then a paper would be produced for consideration at the Cabinet. The Leader stated that the investment would only be made if the proposals were viable and that LC were looking for a suitable site for an Olympic sized swimming pool in Harrow. He added that the project would only go ahead if it was at a zero revenue cost to the Council and that any facilities provided would be for both the Paralympics and the Olympic games.

The Acting Chief Executive confirmed that the legislation did not allow Council to raise money through lotteries, such as Harrow lottery.

Question 20: *Can you elaborate on what plans you have in place to prepare young people in Harrow to become Olympic athletes?*

The Leader stated that an inaugural meeting of the Olympics Task Force – now named Championing Harrow - on 7 November 2006 had agreed a structure for the development and delivery of a sports, cultural, business and tourism programme in response to the opportunity provided by the London 2012 Olympic and Paralympic Games. The structure included a delivery team to focus on Young Athletes, both in terms of engaging young people in physical activity and supporting gifted and talented youngsters. The Leader advised that the already restructured Sports Development Team would be working with Harrow Sports Council, local voluntary clubs and organisations and schools to identify and support young athletes and provide opportunities for their progression.

In addition the Youth Service was successfully targeting its activities on hard to reach groups, those from ethnic minorities and those not currently engaged in mainstream services. The aim was to give young people places to go, things to do, a sense of achievement and, where appropriate, an accredited outcome.

Examples of activity currently being delivered for young people in sports in Harrow either through Sports Development or the Youth Service were:-

- London Youth Games – the premier opportunity for young people to compete and develop their skills in competition;
- Community Sports Development at Canons and Whitmore High Schools – programmes that engaged young people in a wide range of sporting and fitness training opportunities;
- Canons Cricket Academy - bringing together young people from a number of schools in the east of the Borough, offering coaching, nets, matches and a trip to Lords to watch a test match and play 'quick cricket';
- Basketball in the community - bringing together young people in central Harrow, offering coaching, matches and an opportunity to share ideas and fashion, based around the basketball lifestyle;
- Tae Kwon Do - coaching and competition in a number of locations;
- Kickz - in partnership with Watford Football Club (WFC) and the Police, bringing more football into the Harrow community and enabling young people to utilise the WFC facilities. This also linked to national 'get racism out of sport' initiatives;
- Boxing - a developing partnership with a local club offering coaching and competition.

In response to a supplemental question about the £16,000 grant, the Leader stated that he would send a response to the Deputy Leader of the Labour Group on this matter.

Question 21: *How much more can be done to stop illegal selling of videos in Harrow Town Centre, as once again they were being sold openly on Saturday 4 November 2006. As this is not fair on the shops in the area, do you think this could be better enforced to put a stop to this illegal trade?*

The Acting Chief Executive stated that there was a major problem, and increasing public concern, in the Harrow area with itinerant DVD traders selling counterfeit DVDs. The problem had increased considerably in the last twelve months. The overwhelming majority of these traders were originally from mainland China. They often had language difficulties and no permanent address, which made dealing with them effectively a major problem, including any follow up enforcement.

The traders were usually illegal immigrants or asylum seekers and many were selling DVDs in order to pay back fees to people traffickers who had assisted them to enter the country. When interviewed, similar stories emerged to the effect that the sellers were unable to claim benefits and could not work legally in the UK. They, therefore, considered themselves to have few options but to continue in this trade.

The Acting Chief Executive reported that the problem had been actively tackled on a multi-agency basis with regular liaison between Trading Standards, Police, CCTV, FACT, Highways Enforcement and the Immigration Service. In view of the large number of complaints received, all services, in particular, Trading Standards and the Police continued to devote a considerable proportion of limited resources to this issue.

In March 2006, in an operation code named 'Predator', (funded separately by Harrow Council), twelve sellers were arrested in a zero tolerance approach by Police and Trading Standards Officers. These traders, many of whom were well known, were interviewed, charged and kept in custody over the weekend until they appeared at Court on the following Monday. In Court, most of the traders had asked for a catalogue of previous offences to be taken into consideration. As a result of this operation, three traders received prison sentences of up to 28 days while the remainder were given conditional discharges.

Members were advised that during June 2006, in an early morning raid code named 'Orchard', Harrow Trading Standards, with the assistance of Headstone South Police Safer Neighbourhood Team had seized a large quantity of counterfeit and pornographic DVDs from a residential address in Harrow. Four people that had been arrested with three being formally charged by Trading Standards.

There had been numerous checks, daily enforcement by various agencies and patrols of Harrow Town Centre looking for illegal street traders.

A further action in September 2006 had resulted in the arrest of 9 DVD sellers, 3 of which received Anti Social Behaviour Orders (ASBOs) banning them from undertaking the sale, and from entering the Town Centre. A further ASBO was later granted in October 2006 of a pernicious seller who was arrested following identification by the CCTV team and arrest by the Police.

The development of a zero tolerance enforcement project by all of the relevant partner agencies was being considered.

The outcome the Council was seeking was to use ASB Powers to request the courts to approve ASB Orders against the individuals, banning them from entering Harrow Town Centre and from illegal street trading anywhere in the UK. This would ensure that they could not act as lookouts or provide other assistance to new sellers and from ensuring they were not moved to or from other boroughs to ply their trade. It was intended that this would be implemented in mid-November 2006, running through the Christmas period.

The Police had agreed to fund an additional street based team dedicated to the Town Centre with the key remit of dealing with illegal street trading. This team would operate on different shifts to the Greenhill Safer Neighbourhood Team provision of coverage at all times during the trading period. In addition, there would be police street enforcement teams on training duties through November and December 2006 to target the sellers through 'pulse' enforcement.

The CCTV team were gathering intelligence, including facial shots of all sellers, and, where it could be proven that any one person had sold illegal DVDs on more than two occasions, prosecution as well as ASBOs on all those arrested banning them from Harrow Town Centre, possessing counterfeit goods and from illegal street trading anywhere.

The Leader and the Acting Chief Executive stated that ASBOs appeared to be the best way forward as any breach carried a six month prison sentence. They would consider placing notices advising people not to buy such goods and seek advice on whether it was illegal to purchase such goods.

The Chairman suggested that this matter could be considered by the Safer and Stronger Communities Scrutiny Sub-Committee.

Scrutiny

Question 22 (as amended at the meeting): *Doesn't it go against the very spirit of good practice and accountability that neither the Executive nor the Overview and Scrutiny Committee leadership are shared?*

The Leader stated that he had previously answered this question at Council. He replied that the consistent picture historically across London was that where a Party held a clear majority on the Council it formed a single party Cabinet and took the Overview and Scrutiny chair.

The Chairman stated that the Overview and Scrutiny Committee was an independent body and that she hoped that this was the last time such a question was asked.

Question 23: *Will the Leader of the Council uphold Overview and Scrutiny's role in holding all Portfolio Holders to account by insisting they attend when required by its committees at appropriate meetings?*

The Leader stated that he was supportive of the idea that Portfolio Holders should attend relevant scrutiny meetings to be held to account. He would always encourage Cabinet colleagues to attend these sessions but he could not insist they always attend on specific dates because diaries did not always allow this. The same applied to the Call-In Sub-Committee.

The Leader stated that where an individual Portfolio Holder could not attend, a replacement Portfolio Holder could attend.

It was noted that a letter from the Chairman had been sent to all Portfolio Holders specifying dates of all the Scrutiny Committees to which they might be expected to attend.

Question 24: *What does the Leader expect of Portfolio Holders in relation to attendance at Scrutiny's Sub-Committees if there are public questions?*

The Leader stated that Portfolio Holders would be encouraged to attend, provided their diaries were free.

Staffing

Question 25: *When do you anticipate having a new Chief Executive in post?*

The Leader stated that an advertisement for the post had been placed. Interviews would be carried out in the New Year (2007) and it was hoped that the permanent Chief Executive would be in post by April. He also outlined the membership of the appointments Panel.

The Chairman stated that there was an issue about the gender balance of the Panel and stated that the Overview and Scrutiny Committee expected to be full partners in this appointment.

Question 26: *Do you have any plans to restructure the senior management structure of Harrow Council. Is it intended to cut back or increase the number of (i) Executive Directors, (ii) Directors, (iii) Group Managers?*

The Acting Chief Executive stated that the Council was currently considering some short term changes to the senior structure which would refocus a small number of roles and ensure coverage of roles that were being held vacant to deliver the planned savings in the senior structure.

The longer term structure would be considered in the light of the new Corporate Plan and Medium Term Budget Strategy (MTBS). The structure had to be fit for purpose to deliver the performance priorities and planned efficiency savings over the next three years. It would also be helpful to discuss proposals with the permanent Chief Executive, once in post.

The Chairman stated that the January 2007 meeting of the Overview and Scrutiny Committee would focus on Human Resources issues and that an update on the position would be sought at that time.

Question 27: *What was the position with regard to staff displaced under the Middle Management Review (MMR) process?*

The Acting Chief Executive reported that the MMR process formally concluded on 31 March 2006. The change management team had remained in place for a further three months to support employees who had been displaced. Seventeen members of staff had been displaced, that is, either not applied or failed to be appointed to one of the new management roles. All but three had now been offered redundancy, redeployment or a temporary assignment intended to last upwards of six months.

The Chairman stated that an exception report would be submitted to the January 2007 meeting of this Committee.

Question 28: *How is the Council's smoking policy being policed?*

The Acting Chief Executive stated that the Council's policy, introduced in March 2001, required staff to check with their manager before taking a smoking break and that those staff who completed a flexi sheet record the time lost and agree with the manager how it should be made up. The policy was explicit in that it was the responsibility of all managers to ensure it was adhered to.

In response to a supplemental question, the Acting Chief Executive stated that where staff did not work flexible hours, different rules applied and provided examples. She stated that the scheme had to be equitable.

Conclusion

The Chairman thanked the Leader, the Deputy Leader and the Acting Chief Executive for their attendance and responses.

(Note: The meeting, having commenced at 7.30 pm, closed at 10.00 pm).

(Signed) COUNCILLOR JEAN LAMMIMAN
Chairman