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**REPORT OF OVERVIEW AND SCRUTINY COMMITTEE**


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**MEETING HELD ON 1 APRIL 2008**


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Chairman:	* Councillor Stanley Sheinwald	
Councillors:	* B E Gate * Mitzi Green * Manji Kara * Barry Macleod-Cullinane * Jerry Miles * Mrs Vina Mithani	* Anthony Seymour * Mrs Rekha Shah (4) * Dinesh Solanki * Yogesh Teli * Mark Versallion
Voting	(Voluntary Aided)	(Parent Governors)
Co-opted:	† Mrs J Rammelt Reverend P Reece	* Mr R Chauhan * Mrs D Speel

\* Denotes Member present  
(4) Denotes category of Reserve Members  
† Denotes apologies received

[Note: Councillor Husain Akhtar also attended this meeting to speak on the item indicated at Minute 295 below].

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

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Mrs Margaret Davine	Councillor Mrs Rekha Shah

**283. Declarations of Interest:**

**RESOLVED:** To note that the following interests were declared:

Agenda Items 9, 10 and 11 – Report from the Scrutiny Policy and Performance Lead Members' Quarterly Briefings/Annual Health Checks' – Developing Scrutiny's commentaries on NHS Trusts' Declarations to the Healthcare Commission/Brent Birth Centre: Public Consultation Feedback

Councillor B E Gate stated that his spouse and daughter were employed at General Practices in Harrow and Pinner respectively;

Councillor Vina Mithani stated that she was employed by the Health Protection Agency;

Councillor Mrs Rekha Shah stated that that she was employed by Brent Council and that she was Scrutiny Lead Member for Adult Health and Social Care;

Councillor Stanley Sheinwald stated that he was Chair of the Carers' Partnership Group;

Councillor Yogesh Teli stated that he had been a patient at Northwick Park Hospital and that his uncle was a patient at Northwick Park Hospital. The Councillor added that his wife worked for a Dental Practice in Brent.

**284. Arrangement of Agenda:**

**RESOLVED:** That (1) in accordance with the Local Government (Access to Information) Act 1985, the following items 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>
10(b). Annual Health Checks – North-West London Hospitals NHS Trust	The report was not available at the time the agenda was printed and circulated because of the requirement of the NWLH to adhere to its own internal procedures prior to releasing the report. Members were requested to consider this item, as a matter of urgency, as part of the overall discussion on Annual Health Checks.
11/12. Brent Birth Centre: Public Consultation Feedback/ Feedback on the RNOH	These reports were not available at the time the agenda was printed and circulated because written reports were requested a couple of days prior to the despatch of the agenda. Members were requested to consider these items, as a matter of urgency, in order to avail themselves of developments on matters that they had previously received reports on.
13. In-Depth Reviews – Scopes (Town Centre Development/ Support to the Voluntary Sector) – revised scope in relation to the Voluntary Sector	The revised scope was not available at the time of publication of the agenda as the Review Group did not meet to finalise the scope until 27 March 2008. Members were requested to consider the revised scope, as a matter of urgency, in order to allow the scope to be approved by the Committee and to enable the review work to continue in a timely manner.

(2) item 14 - Scrutiny Review of Cultural Services – Beacon Centre Case Study – be taken at item 9 and that item 9 - Report from the Scrutiny Policy and Performance Lead Members' Quarterly Briefings - be taken at item 14;

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

[Note: For clarity, business is recorded in the order set out on the agenda.]

285. **Minutes:**

**RESOLVED:** That the minutes of the meeting held on 12 February 2008, be taken as read and signed as a correct record.

286. **Public Questions:**

**RESOLVED:** To note that no public questions were put at the meeting under the provisions of Overview and Scrutiny Procedure Rule 8.

287. **Petitions:**

**RESOLVED:** To note that no petitions were received at the meeting under the provisions of Overview and Scrutiny Procedure Rule 9.

288. **Deputations:**

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

289. **References from Council/Cabinet:**

Post Offices in Harrow - Motion considered by Council

The Chairman referred to the Motion on Post Offices in Harrow considered by Council on 21 February 2008 and circulated at the meeting asking the Overview and Scrutiny Committee to undertake an urgent review of the proposed closures, the effect they would have on the community and the provision and access to Post Offices in Harrow.

**RESOLVED:** That the request be considered in conjunction with agenda item 9 - Report from the Scrutiny Policy and Performance Lead Members' Quarterly Briefings - which, inter alia, addressed the issue of the Post Office closures.

(See also Minute 290).

290. **Report from the Scrutiny Policy and Performance Lead Members' Quarterly Briefings:**

The Scrutiny Manager introduced the report, which set out the items that had been considered by the Scrutiny Policy and Performance Lead Members at their quarterly briefings between January and April 2008. The report detailed recommendations from the Lead Members for action/escalation. She also referred to the reference from the full Council meeting in relation to Post Offices in Harrow (Minute 289 refers) and confirmed that the national consultation on the proposed closures of post offices would end on 2 April 2008.

The Committee agreed to respond appropriately to full Council in relation to the motion on Post Offices in Harrow. Members felt that the letter at pages 36-37 of the agenda ought to be amended to highlight the inadequate level of consultation.

Members discussed the necessity for a Challenge Panel on the Byron Leisure Centre redevelopment, which had been proposed by the Scrutiny Policy and Performance Lead Members for Sustainable Development and Enterprise. They explained how this matter had been raised and the representations they had received from a local resident. Some Members felt that the Challenge Panel would add value to the redevelopment proposals and set out how the Panel would be handled. Other Members felt that the Panel was not justified as it would leave many questions unanswered and raise expectations. These Members were of the view that the redevelopment proposals were beyond the scope of a Challenge Panel and necessitated an in-depth review.

The Scrutiny Manager stated that officers had been of the view that the Challenge Panel would assist the Executive in its deliberations on the redevelopment proposals. However, given the discussion that evening and given the political context, it would be appropriate to seek legal advice on the observance of the 'purdah' on the weeks leading up to the Greater London Authority (GLA) elections. Subject to Members' agreement, this matter could be reconsidered at the next meeting of the Committee scheduled to be held on 22 April 2008.

A Member agreed to provide her questions in relation to the Fair Access to Care Services (FACS) to the Scrutiny Manager with a view to seeking responses from the relevant Portfolio Holder on this matter.

Following agreement that the implementation of the second recommendation under the corporate effectiveness Scrutiny Lead Members report on cultural change ought to be delayed until after May 2008 when the SAP system would be fully operational, it was

**RESOLVED:** That (1) the report from the Scrutiny Policy and Performance Lead Members be received and that the recommendations therein be agreed subject to the following:-

- deferral of the decision on the Challenge Panel for the Byron Leisure Centre redevelopment to the next meeting of the Committee and following receipt of legal advice;
- the implementation of the second recommendation under the corporate effectiveness Lead Members report on cultural change be delayed until after May 2008.
- the letter responding to the consultation in relation to the Post Office Network Change Programme be amended, in consultation with Councillor Barry Macleod-Cullinane, with a view to reflecting the Committee's view that the consultation period had been inadequate and was therefore meaningless;
- the questions in relation to FACS from the Scrutiny Performance Lead Member for Adult Health and Social Care be submitted to the Portfolio Holder for Adult Services.

(2) in relation to the motion from full Council on Post Offices in Harrow, Members be informed that scrutiny considered the nature of the consultation to be flawed and that any work in relation to the proposed closures would be meaningless.

(See also Minute 289).

291. **'Annual Health Checks' - Developing Scrutiny's commentaries on NHS Trusts' Declarations to the Healthcare Commission:**

The Chairman welcomed representatives of the Trusts that served Harrow to the meeting.

A Scrutiny Officer introduced the Interim Divisional Director of Strategy and Improvement's report, which set out the background to the Healthcare Commission's Annual Health Check for NHS Trusts with suggestions for scrutiny's role in providing commentaries to the Trusts. She referred to the core standards set out in the report and stated that commentary from scrutiny had to be based on evidence and submitted to the NHS Trusts by 30 April 2008 for inclusion in their submissions to the Healthcare Commission. Scrutiny was not obliged to comment on all the standards or indeed all the Trusts if it did not have sufficient evidence. Members noted that the Annual Health Check process offered Overview and Scrutiny Committees across the country an opportunity to provide their views on the performance of the NHS Trusts that served their borough.

Timothy Billings from the Healthcare Commission addressed the meeting and stated that the role of the Overview and Scrutiny Committee was to use the work the Committee had done in the past 12 months to provide commentaries to the NHS Trusts that would allow the Healthcare Commission to make judgements on the Trusts that served Harrow. He referred to an aide memoir that he would circulate which identified five key points that the Committee would need to adhere to when providing views on performance of the Trusts. He explained how the Healthcare Commission used the information. It helped the Commission to decide where further action was required.

Sarah Crowther, Chief Executive of Harrow PCT, Fiona Wise, Chief Executive of North West London Hospitals NHS Trust, Claire Murdoch, Chief Executive of Central and North West London NHS Foundation Trust, and Andrew Woodhead, Chief Executive of the Royal National Orthopaedic Hospital NHS Trust, addressed the meeting and introduced their draft declarations of compliance against core standards for the 2007/08 Annual Health Check.

**Harrow PCT**

Sarah Crowther referred to the action plans developed by Harrow PCT to improve performance where non-compliance against core standards was likely. She identified areas where compliance would be improved. In response to Members' questions, Sarah Crowther replied that issues of hygiene across service areas would remain a high priority. Non-compliance was an issue for the PCT in terms of the message it gave. Whilst there were no financial penalties for non compliance, public perception was of paramount importance. Particular focus would be on ensuring compliance in relation to community services. Performance Management of standards, including in relation to services provided by independent contractors was a key matter for the PCT. She added that the PCT Board would consider the final compliance statement on 6 May 2008.

**North-West London Hospitals NHS Trust**

Fiona Wise referred to the spot checks made by the Healthcare Commission and identified standards that were non-compliant. She informed the Committee that the Trust was expecting to achieve compliance on the core standard relating to healthcare acquired infections by next year and also identified the work that was being done on organisational and personal development programmes for staff. However, the latter would remain non-compliant because the evaluation work in relation to the framework remained outstanding. She spoke briefly on the other standards detailed in her report and responded to questions from Members. In her answers to questions, she referred to the improvement plan developed to help reduce incidences of MRSA through screening exercises in hospitals and the community. She was proud that the Trust had introduced screening before the national implementation date. Fiona Wise responded to issues around the ineffective use of resources and alluded on the historic borrowing, which was not a reflection on its current use of financial resources. She expected the Trust to be classified as 'weak' in its use of resources for historical reasons.

**Central and North West London NHS Foundation Trust**

Claire Murdoch, in presenting her report, referred to the scrutiny the Trust had already gone through by way of a self-assessment. Members were briefed on the investment of £7m intended for the provision of a mental health acute inpatient site at Northwick Park Hospital and that the Trust would be consulting on provision of single sex wards. She undertook to provide Members with a report on compliance against standards relating specifically to Harrow, and highlighted the work that had been done during its application for Foundation Trust status on provision of quality/value for money services. The Trust Board was driven by efficiency and service line management would be

introduced as part of its Project Galaxy, a project that matched service provision with cost of providing that service. In responding to Members' questions, Claire Murdoch referred to the investment in staff, which had been received positively, and the need to look at ensuring that staff employed by the Trust were representative of the local community.

The Vice-Chairman suggested that scrutiny adopt the 'deep dive' approach, as used by the CNWL NHS Foundation Trust.

Royal National Orthopaedic Hospital NHS Trust

Andrew Woodhead introduced his report and informed Members that one of the three standards that indicated non-compliance had now been met. The two remaining standards related to the physical environment of the buildings, which were old and outdated. He added that although the environment was not modern, the buildings were adequately maintained and the hospital provided a safe and clean environment for patients and visitors. No cases of MRSA had been identified in the last year but the hospital was not complacent.

Members welcomed the report and stated that the non-compliance with the standards justified the need for redevelopment of the site.

**RESOLVED:** That (1) the reports be used to inform the Committee's discussions around each of the NHS Trusts' draft declarations to the Healthcare Commission and to guide its commentaries to NHS trusts;

(2) the Chairman of the Overview and Scrutiny Committee, in consultation with the two Scrutiny Leads for Adult Health and Social Care (Policy and Performance), approve the final scrutiny commentaries to the NHS Trusts on behalf of the Committee.

(See also Minute 283).

292. **Brent Birth Centre: Public Consultation Feedback:**

The Chief Executive of the North West London Hospitals NHS Trust introduced the report, which provided an overview of the responses received during the Brent Birth Centre public consultation, which had ended on 8 February 2008. The report outlined the next steps in terms of the communication and implementation of the consultation outcome. She confirmed that Option 4 (the transfer of the Midwifery Led Unit Service to Northwick Park Hospital and maintaining Antenatal Care at the Central Middlesex Hospital site) was the preferred option.

In response to Members' questions on use of resources at Brent Birthing Centre, the Chief Executive undertook to provide historical information previously circulated to the Committee but stressed the need for the Trust to move forward. She added that the consultation process had fundamentally changed. It had been thorough and rigorous and, furthermore, the Trust would be seeking the endorsement of Brent Council's Overview and Scrutiny Committee that the final report and consultation process were fair and thorough.

The Chairman agreed that there was a need to cultivate the partnership between the Council and the Trust and stressed the need to support the Chief Executive in her work in this regard.

**RESOLVED:** That (1) the report and the comments above be noted;

(2) the undertaking given by the Chief Executive to provide Members with the historical information in relation to use of resources be welcomed.

(See also Minute 283).

293. **Feedback on the Royal National Orthopaedic Hospital:**

The Chief Executive of the Royal National Orthopaedic Hospital NHS Trust introduced the report, which set out the status of the proposed development of the hospital and its NHS Foundation Trust application. The Chief Executive, in highlighting the key aspects of the report, thanked the Overview and Scrutiny Committee for its support in this regard.

**RESOLVED:** That the report be noted.

294. **In-Depth Reviews - Scopes (Town Centre Development/Support to the Voluntary Sector):**

The Scrutiny Officers introduced the report of the Interim Divisional Director of Strategy and Improvement, which set out the scopes for the reviews of the Town Centre redevelopment and the Council's support to the voluntary sector for agreement by the Committee. Members' attention was drawn to the revised scope for the Voluntary and Community Sector, as circulated with the second supplemental agenda.

**Town Centre Development**

The Scrutiny Officer informed Members that the project was divided into three streams, each of which would produce an interim report. Site visits would cut across the three streams, details of which would be fed into the review. A final report would be submitted to the Committee in January 2009 for submission to Cabinet thereafter.

In response to questions from the Vice-Chairman, the Chairman of the Review Group and the Scrutiny Officer confirmed that the effect of the redevelopment on the users and the residents of the borough were implicit in the vision. They agreed with the suggestion from a co-opted Member that the views of young people were of importance and agreed to get the schools involved in this regard.

**Support to the Voluntary Sector**

The Scrutiny Officer referred to the revised scope and identified the main changes made by the review group at its meeting held in the last week. She stated that an interim report would be produced in July 2008, which would establish the current position and best practice. The final report would be produced in autumn 2008.

**RESOLVED:** That (1) the scope for the review of the Town Centre redevelopment, as set out on pages 92-94 of the agenda, be agreed;

(2) the scope for the review of delivering a strengthened voluntary and community sector, as set on pages 1-4 of the second supplemental agenda, be agreed.

295. **Scrutiny Review of Cultural Services - Beacon Centre Case Study:**

The Chairman of the Overview and Scrutiny Committee welcomed Tracey Lees, Chief Executive for Home South, and Jeannie Cohen-Brand of Harrow College to the meeting.

The Chairman of the Scrutiny Review Group introduced the report titled 'Review of Cultural Services – Beacon Centre Case Study', which set out the findings and recommendations of the Group that had investigated the operation of the Beacon Centre in Rayners Lane. She explained the reasons behind the review and stressed that the remit of the Review Group was specific to the operation of sport and cultural services at the Beacon Centre. The wider relationships with the Rayners Lane Estate including housing and regeneration issues were not part of its remit.

The Chairman of the Review Group added that the study showed that there were tensions over access to the Beacon Centre, which had culminated with a number of recommendations, the main one being that a Summit ought to be convened to set out a new strategic vision for the Beacon Centre as the first step forward. She explained that scrutiny had tried to perform its role as 'an honest broker' in a difficult situation with a view to charting a way forward for the management and operation of the Beacon Centre. She thanked all those who had participated in the Review, including the Scrutiny Officer for his support. A Member of the Review Group commented on the need to provide value for money and a service to the community at the Beacon Centre.

Members' attention was drawn to an erratum to the report circulated at the meeting, which set out corrections to the report of the Review Group in relation to the work carried out by Harrow College at the Beacon Centre. In addition, a supporting statement was also circulated at the meeting on behalf of Harrow College.

The Chief Executive for Home South, having been invited to address the meeting, stated that Home South was of the view that the report of the Scrutiny Review Group was unbalanced and did not highlight the range of activities provided. The Chief Executive added that whilst Home South was aware that scrutiny was examining the provision of sport and cultural activities at the Beacon Centre, it felt that the matter was being looked at in isolation, as the Rayners Lane Estate, of which Beacon Centre was a part of, was changing for the better. She made the following points:-

- Rayners Lane Estate had the highest levels of need in the borough and that Home South, its landlord, had concentrated on the provision of the needs of the community, which were delivered in partnership with the Council, Harrow

College and other stakeholders. Cultural and art activities together with holiday play schemes were catered for at the Beacon Centre. Home South acknowledged that there were gaps in provision and would welcome the Council's and other stakeholders participation in making improvements;

- Home South provided revenue funding for the Beacon Centre and that £330k provided by the Council was a one-off payment. The Centre was currently running a deficit and Home South's commitment was exemplified by the financial support it provided. The Beacon Centre also needed to serve the wider community, which was charged a commercial rate for the use of the premises, in order to provide a valuable contribution to its financing and to help facilitate other events;
- Home South was committed to working with the Council on the community engagement aspect and acknowledged that the report of the Review Group provided an opportunity to clarify the Council's role in this regard;
- Whilst the majority of the recommendations were welcomed, recommendation 6 was complex and provided particular challenges. It was essential that expectations were not raised as a result. Home South appreciated that more work needed to be done on the community engagement aspect, and would appreciate support from the Council including resources to help increase capacity.

The Chief Executive for Home South stated that it was important that the roles of the stakeholders were clarified, relationships built-on and there was a need to move forward. She responded to Members' questions on experiences that could be drawn from similar schemes run by Home South in the UK, the work done through Forums to resolve tensions at the Beacon Centre and the financial aspects in which the Beacon Centre was expected to be self-financing, as part of its 5-year Business Plan.

The representative of Harrow College also addressed the meeting. She stated that whilst Harrow College was supportive of the recommendations, there were, in the opinion of the College, two factual inaccuracies, which ought to be corrected. These were in addition to those referred to in the erratum to the report of the Review Group circulated at the meeting. She stated that Harrow College had engaged fully with the residents, listened to their needs and had based staff at the Estate. A reflection of the activities provided had been undertaken prior to taking a decision on courses offered. The representative also stressed the need to ensure that expectations that could not be met were not raised.

In responding to questions from Members, the Chairman of the Review Group stressed the need for a dialogue and increased level of communication, with the Council acting as a community leader. She added that the Beacon Centre had heightened the demand for cultural and sporting facilities and the best way forward to resolve the issues identified were for all stakeholders to engage in a dialogue. It was a matter for Cabinet to allocate additional resources should they be thought necessary. The Overview and Scrutiny Committee would check on progress in six months' time.

In light of the aforementioned comments from Home South and Harrow College, some Members suggested the need for a further report prior to taking a decision on the recommendations presented by the Review Group. They added that a fuller report evaluating the depth of concern and the remits of the various stakeholders to be an appropriate way forward. The Scrutiny Manager stressed the purpose of the review and advised that, as there was no dissent from Home South and Harrow College to the recommendations of the Review Group, the most appropriate way forward was to approve the recommendations. She was of the view that recommendations were unlikely to change as a result of the additional information requested by some Members. She suggested that the comments of Home South and Harrow College be appended to any recommendation to Cabinet. The Chairman of the Review Group also noted that Home South and Harrow College had largely supported the recommendations. She acknowledged that although there was further work to be done on the wider issues relating to the estate, the parameters of the review had been to look at the Beacon Centre only.

At this juncture, another Member of the Review Group addressed the meeting. He outlined the remit to which the Group had worked as set out in the original scope of the review. It was essential that the operation of the Beacon Centre was compatible with the needs of residents.

The Chairman of the Overview and Scrutiny Committee welcomed the report of the Review Group and stated that it highlighted the breakdown of communications. He urged stakeholders to address this issue. It was essential in his view that the Council, Home South and Harrow College met to identify challenges before arranging a Summit to which the Portfolio Holder for Community and Cultural Services ought to be invited.

Following a short discussion on the need to append all comments and factual inaccuracies in its recommendations to Cabinet, it was

**RESOLVED:** That (1) the findings of the Review be noted;

(2) the recommendations be endorsed and their implementation monitored;

(3) the report of the Review Group, together with the amendment circulated at the meeting and the inclusion of inaccuracies identified by Harrow College, be recommended to 15 May 2008 Cabinet for approval and to Home South for consideration;

(4) additional comments and evidence submitted by Home Group and Harrow College be appended to the body of the report.

296. **Any Other Business:**

(i) Pan-London Joint Overview and Scrutiny Committee (JOSC)

The Vice-Chairman stated that the action in relation to Minute 265(2) of the minutes of the meeting held on 12 February 2008 remained outstanding. The Chairman agreed to raise this matter with the Leader of the Council.

**RESOLVED:** That the above be noted.

(ii) Awayday

It was noted that the Awayday to consider the reconfiguration of scrutiny would be held on 2 April 2008 at 1.00 pm and was aimed at Scrutiny Chairmen, Vice-Chairmen and Lead Members.

**RESOLVED:** That the above be noted.

297. **Extension and Termination of the Meeting:**

In accordance with the provisions of Committee Procedure Rule 14 (Part 4B of the Constitution) it was

**RESOLVED:** At (1) 10.00 pm to continue until 10.30 pm;

(2) at 10.30 pm to continue until the close of business.

(Note: The meeting, having commenced at 7.39 pm, closed at 11.00 pm).

(Signed) COUNCILLOR STANLEY SHEINWALD  
Chairman