

OVERVIEW AND SCRUTINY COMMITTEE MINUTES

24 OCTOBER 2012

Chairman:	* Councillor Jerry Miles	
Councillors:	* Sue Anderson * Susan Hall (3) * Zarina Khalid * Barry Macleod-Cullinane	* Paul Osborn * Victoria Silver (3) * Ben Wealthy (2) * Stephen Wright
Voting Co-opted:	(Voluntary Aided) * Mrs J Rammelt Reverend P Reece	(Parent Governors) Mrs A Khan
In attendance: (Councillors)	Christine Bednell James Bond Mitzi Green	Minute 320 Minute 315 Minutes 320, 323 and 324

* Denotes Member present
(2) and (3) Denote category of Reserve Members

314. Attendance by Reserve Members

The Chair indicated that, with the Committee's agreement, he would vary the order of business as a Member had advised that she may be required to leave the meeting early. The Chair indicated that he would therefore take agenda items 12 and 13 after item 6.

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

Ordinary Member

Councillor Kam Chana
Councillor Ann Gate
Councillor Krishna James

Reserve Member

Councillor Susan Hall
Councillor Ben Wealthy
Councillor Victoria Silver

315. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 7 – School Expansion Programme, Agenda Item 8 – Academies School Conversions and Agenda Item 10 – Council Service Level Agreements

Councillor Christine Bednell, who was not a member of the Committee, declared a non-pecuniary interest in that she was a governor at Vaughan School. She would remain in the room whilst these matters were considered and voted upon.

Councillor James Bond, who was not a member of the Committee, declared a non-pecuniary interest in that he was a governor at Longfield School. He would remain in the room whilst these matters were considered and voted upon.

Councillor Mitzi Green, who was not a member of the Committee, declared a non-pecuniary interest in that she was a governor at Kenmore Park School. She would remain in the room whilst these matters were considered and voted upon.

Councillor Zarina Khalid declared a non-pecuniary interest in that she was a governor at Canons High School. She would remain in the room whilst these matters were considered and voted upon.

Councillor Paul Osborn declared a non-pecuniary interest in that he was a governor at Norbury School and Roxbourne School. He would remain in the room whilst these matters were considered and voted upon.

Councillor Barry Macleod-Cullinane declared non-pecuniary interests in that his sister was a teacher at an academy in Harrow and he was employed by London Councils. He would remain in the room whilst these matters were considered and voted upon.

Councillor Stephen Wright declared non-pecuniary interests in that he was a governor at Pinner Wood School and Canons High School, he visited Glebe School and was a member of the Planning Committee. He would remain in the room whilst these matters were considered and voted upon.

Agenda Item 9 – Youth Justice Plan and Youth Offending Improvement Plan

Councillor Sue Anderson declared a pecuniary interest in that she was employed by Central and North West London Hospital Trust. She would leave the room whilst the matter was considered and voted upon.

Councillor Mitzi Green, who was not a member of the Committee, declared a non-pecuniary interest in that she had previously been an employee of the

Crown Prosecution Service. She would remain in the room whilst the matter was considered and voted upon.

Agenda Item 10 – Council Service Level Agreements

Councillor Sue Anderson declared a pecuniary interest in that she was employed by Central and North West London Hospital Trust. She would leave the room whilst the matter was considered and voted upon.

316. Minutes

RESOLVED: That the minutes of the meeting held on 20 September 2012 be taken as read and signed as a correct record.

317. Public Questions

The Chair indicated that he would not restrict the time limit for the asking and answering of public questions to 15 minutes.

RESOLVED: To note that the following public questions were received at the meeting:

1.

Questioner: Graeme Neale

Asked of: Councillor Jerry Miles, Chair of the Overview and Scrutiny Committee

Question: 'Regarding the Vaughan School Expansion plan can you please advise how you are going to safeguard the children, parents and residents against road accidents when there will be an additional 210 pupils plus guardians arriving at school each day? From the most recent plans shown to some residents in September there is only 1 additional teacher / visitor parking place and therefore this will further exacerbate the real risk of a serious accident happening as not only will there be additional road and pedestrian traffic from pupils and guardians but there will also be a significant increase from teachers and visitors trying to find parking spaces in the surrounding streets.'

Answer: As part of the process to develop the building plans for each school proposed for expansion, consideration has been given to the site, how traffic is managed within the site and the impact on the local area. As part of the planning application process, the approaches and proposals for traffic and travel will be considered.

The expansion of any school will obviously increase the quantity of pedestrian traffic and may increase the amount of vehicular traffic going to and from the school.

However, these issues have been carefully considered and there is already a package of mitigating actions in place to deal with these issues.

In respect of pedestrian safety, Vaughan Primary School is located within an existing 20 mph zone and traffic speeds around the school are relatively low as a consequence. Parking controls have already been put in place in the vicinity of the school entrances to prevent obstructive parking and to discourage people from choosing to drive to the school at the busy start and finish times. School travel surveys were carried out last year with staff, parents and pupils at the school which indicated that the vast majority of children attending Vaughan Primary School either walk, cycle or scoot to school and it is clear that the measures introduced have helped with this. It is expected that this trend would continue with the school expansion and limit any additional traffic from the "school run".

A key part of the Council's transport strategy is to improve road safety and reduce the number of journeys by car, particularly for schools. The work of the Council's Road Safety officers and school travel planner are specifically focused on working with the schools to achieve these aims and they are in regular contact with Vaughan Primary School to ensure an effective travel plan is in place and offer road safety education advice and pedestrian / cycle training so that sustainable modes of transport are promoted.

The problems of traffic around schools is a widespread problem across the country and measures to achieve modal shift and support walking and cycling are the only realistic way of addressing these problems. Significant progress has been made with this at Vaughan Primary School currently and is expected to limit the future impact of the school expansion.

The proposals provide 35 car parking spaces and seek to improve existing movement around the site and management of both pedestrian and vehicle flows. For example, where the vehicle route crosses over pedestrian access route on site it is proposed to provide a raised table and a 'shared surface' which prioritises pedestrians. This will be further aided by management of access and deliveries by the school.

Supplemental Question:

You talk about travel plan and a lot of what you talk about there is very generic and not specific to Vaughan Primary School but the travel plan that was put forward at the meeting held at the school in September

suggested that the way forward was to encourage pupils to use bikes and scooters as they would prefer this method of transport.

However, the school's own newsletters to parents have highlighted serious safety concerns that currently exist using these modes of transport. In fact it has been mentioned in seven newsletters with a further two newsletters covering other road safety issues. Additionally, each day there are cars parked on the school driveway which proves that there is insufficient parking to meet the current demand for parking and also proves that the school is unable to manage its own parking issues today.

If the expansion goes ahead, what is going to change to make the issues that are unmanageable today suddenly manageable? Isn't it about time that the Council realised that another 210 pupils plus guardians, that is 400 people a day is a totally unsafe, unviable proposition and that they should withdraw their planning application immediately and take a serious look at the options available?

(I have some pictures here that highlight the current parking problems in the school. I also have the quotes from the school newsletter which highlights the existing problems that they have).

**Supplemental
Answer:
(Written
response)**

The increased traffic and congestion issues associated with the proposals to permanently expand schools in Harrow are fully acknowledged. These are existing issues in an urban area like Harrow and will inevitably be exacerbated by the additional numbers of children that will be attending the schools. The generic planning approach in relation to these issues is important and demonstrates how seriously these issues are viewed and the determination to do all that is possible to alleviate the issues.

In this context it is to be welcomed that pupil preferences are for walking, cycling and scooting rather than cars. The school quite rightly does all it can to encourage safe and considerate travel to school, as demonstrated in its newsletters. The newsletters highlight issues of congestion in the playgrounds and on the pathways and ask that bikes and scooters are not ridden on the school premises at the beginning or the end of the school day. The plans for the proposed building works at the school seek to improve existing movement around the site and include provision of additional cycle racks to promote safe use for travelling

at the beginning and end of the school day.

2.

Questioner: Rosalyn Neale

Asked of: Councillor Jerry Miles, Chair of the Overview and Scrutiny Committee

Question: 'Regarding the Vaughan School expansion plans Catherine Doran's report to this committee states "there were open meetings in July and September which were publicised to parents through the schools and to local residents via a leaflet distribution to the surrounding streets in accordance with Planning Department's practise when planning applications are submitted. Meetings such as these are not a statutory requirement and were considered to be appropriate to convene for engagement with the school communities and local residents."

The September meeting held at Vaughan School was only held because a number of questions raised by residents could not be answered at the July meeting due to inadequate council representation. It was also not an open meeting and only residents who had previously raised questions were invited and even then not all were.

The consultation process has been appalling with only part of the surrounding streets advised. As the council decided that it was "appropriate" to hold meetings to engage with the local residents, then why have they not taken the appropriate action to make sure that engagement was robust. Why are you therefore proceeding with the planning application which should be halted until an appropriate consultation with residents has been undertaken?'

Answer: I will read out the answer I have got and then I would just like to add a bit more information I have already mentioned to you because I have approached the Planning Department, just to let you know where the planning application is.

There are statutory processes for consultation on Planning Applications. The consultation on the Planning Application submitted about Vaughan Primary School will be undertaken once the application has been validated by the Planning Department.

Prior to the submission of planning applications on the

schools proposed for permanent expansion, open events were held to provide an opportunity for parents and local residents to view the design drawings and talk to representatives from the school, architects, constructors and Harrow Council. These events were engagement activity with local residents.

The events were publicised to local residents via a leaflet distribution to the surrounding streets in accordance with the Planning Department's practice when planning applications are submitted. Vaughan Primary School informed all parents about the open meeting in July, the majority of whom are local residents.

A further meeting was held at Vaughan Primary School on 12 September 2012 in response to requests from residents who attended the meeting on 18 July 2012, and those residents were invited to attend. Officers were aware that you would be advising other people of the meeting who had yet to respond for various reasons.

As I mentioned before the meeting started, to the residents, I have checked with the Planning Department. The actual application has yet to be validated because they are awaiting further information before that could be done but it will be brought to the Planning Committee. The earliest date I've got is January but there will be an application early next year on Vaughan in front of the Planning Committee and therefore there will be another round of consultations. You will also have the opportunity to make representations to the Planning Committee when the application is actually heard.

I understand the Planning Committee is meeting this Thursday and I know there are two other school expansion applications on the agenda. As far as I am aware there are no particular issues with those but obviously when the time comes, you will have the opportunity to make representation about Vaughan.

Ms Neale: Just in answer to what you have just kindly advised us of. You said that there was further information that was needed before the application. Can we be advised what that information is?

Cllr Miles: No, I don't have the details of that. I was just advised that the Planning Department needs further detailed information about the application. I don't know what particular aspect. That will be provided and as I said, the application will then be validated and it will go to a Committee at the early part of next year. It has been

suggested that January 2013 is the first possible date but it might be slightly later than that.

Supplemental Question: One Councillor told us that if a few residents got upset about this, then so be it. From the lack of transparency that there has been throughout the consultation period, this would seem to be the view of the Council in general.

The Council are pushing this development through without properly listening to any of the issues being raised. This is morally wrong. It is causing immense stress to many residents.

Every time we challenge what you say, we get a different answer. For example, we were told in writing last month that in January the plans were discussed with local businesses and they were asked to put up signs regarding the January meetings. This version of events has now been changed to leaflets were distributed to local businesses.

I am still awaiting a written response to the question I raised at the Cabinet meeting on 11 October and a response to my supplemental question. The minutes have yet to be published and despite me being advised they would be available early this week, they are still not. The verbalised response I received to my main question confirmed that only part of one side of the surrounding roads had leaflets delivered to them. I am sure you will agree this is not sufficient engagement with the residents, bearing in mind that the Council has acknowledged that the notices in relation to the planning application will be distributed more widely.

We have a petition against the plans presently signed by over 130 residents which will be submitted in due course. This demonstrates that there are still many concerns.

In view of this, I will again ask, as clearly the consultation has not been carried out in a way that the Council consider appropriate, then is the Council going to halt the plans until an appropriate consultation has taken place?

Supplemental Answer: Firstly, I don't know what Councillor you are talking about. I know it wasn't me but obviously it is not up to individual Councillors to decide what applications do go through and don't go through.

Obviously in your opinion, the consultation has not been satisfactory but I would say, if you stay on for item 7

which does outline the consultation process for Vaughan Primary School and all the other schools, it has been quite extensive and it has been going on for quite a length of time and it has gone to Cabinet twice. All the schools have been consulted. All the residents and parents have been involved as far as possible and as I have said before, there will be a detailed application. It will go to the Planning Committee that will have details of the final scheme. There will be then a further consultation and you will have an opportunity to make a representation to Planning to present a petition if you so wish. So we are not at the end of the process and I do assure you that there will be further opportunities to comment on the final scheme and make representations as appropriate.

3.

Questioner: Anant Shah

Asked of: Councillor Jerry Miles, Chair of the Overview and Scrutiny Committee

Question: 'Vaughan school expansion at the July meeting the figure was mentioned £6. Million then Adrian Parker confirmed on Sept email that total budget was £8.5. Then Catherine Doran's report of October stated £8.9 m. in matter of three months cost shot up nearly by 50% Surely with this amount of money you could build new school on the allotment land next to the present school thus not depriving the children of play ground for nearly two years.'

Answer: The cost of the proposed development at Vaughan Primary School has not been set at £6 million at any point, and this information in July would have been incorrect. On 20 June 2012 Cabinet took the decision to expand Vaughan Primary School and 8 other schools and the indicative cost provided in the report for Vaughan Primary School was £8.9 million.

The use of allotment land to achieve the expansion of Vaughan Primary School is also not being pursued for the following reasons, amongst others:

- Development on open space is not acceptable from a planning policy perspective and there is an unequivocal presumption against the loss of open space in the Core Strategy.
- The complexities and additional expense that the new build on the allotment land would entail. This

would include but not be limited to:

- New site access (roads, paths, car parking, site fencing etc).
- New service provision (sewers, drainage, surface water attenuation, water, gas, electricity, phone, internet etc.).
- Additional demolition of the infant block.
- Reinstatement of all the existing school including the hard landscaping to either allotment or soft play.
- Additional consultations and planning applications.
- Legal and planning fees to change the use of the allotment land, if this were possible.

Rebuilding the school on allotment land would entail additional costs above the current budget. Detailed costings have not been undertaken for all these elements, however indicative costings are given below as an example.

The structure elements (floors, walls and roof) of the current infant block (937m²) are being retained and remodelled, which limits where the new school can be built. If this block was demolished and rebuilt on the allotments then additional uplift cost from remodelling to rebuilding is calculated as £843,000. This in itself is a 10% increase in the cost of the project, which cannot be justified in the current economic climate given that there is an alternative cheaper solution available. On top of that basic cost there would be the cost of the demolition of the infant building and reinstatement. There will then be additional costs associated with the new drainage, sewerage, roads, power, gas, water, internet, CCTV and telephone requirement to service the relocated block in the allotment area. The additional work to the infant block will also incur additional site preliminary costs at 15%. As an estimate the total additional project cost from just considering rebuilding the Infant block will be in excess of £1.5million.

Supplemental Question: When you say it was going to be an additional 10% cost building on the allotment, according to the report, it is clearly costing £9 million to build it now on the playing fields.

Supplemental Answer: Yes, the cost is £8.9 million and I think the answer is saying this will be increased by another £1.5 million if it was rebuilt.

Mr Shah: Yes, but then how much income will be taken away from all the residents who are now being affected by this building being constructed on the playing fields?

Cllr Miles: We are merely making a point that a new build would be very, very expensive.

4.

Questioner: Mr Raja

Asked of: Councillor Jerry Miles, Chair of the Overview and Scrutiny Committee

Question: Regarding the Vaughan School expansion plans, residents who back onto the proposed development have sought the advice of a local estate agent on the impact to their house prices. They have been advised in writing that it could reduce the price by between £10,000 and £20,000 and make the properties difficult to sell. In fact during the near 2 year construction period it would probably make them impossible to sell.

How are the council going to compensate residents for this detrimental effect on the value of their main asset which they have all worked extremely hard to buy and maintain?

Answer: I will read the answer I've got which isn't too long and then I will just add a bit of my personal experience in Planning as it might be useful to supplement the answer.

Planning Committee will make a decision whether or not to approve the proposed development of the school based on the planning merits of the application. The Planning Committee has no power to award compensation to adjoining owners for disruption caused by works to implement a planning permission or in relation to the effect of the works / development on the value of adjoining properties.

A construction programme will impact on local residents and this is recognised. Keepmoat, the Corporate Construction Contractors, would be the constructor for the build programme. Keepmoat is experienced at school construction projects and is sensitive to the needs of local residents as well as those of an operational school during the construction period.

Keepmoat will ensure that local residents are kept informed of the programme and there will be opportunities prior and during the construction period for residents to meet with the project manager. This will contribute to the management of disruption during construction.

As part of the detailed development of the scheme, Keepmoat will be engaging with residents, especially those with properties bordering the school site to discuss and gather their suggestions on the final landscaping and screening that will be provided.

My own observations on the first issue you raised about the price of your property. I think unfortunately, what tends to happen if you put forward that an objection, to planning, I think the stock phrase is "it's not a material planning consideration".

So officers will look at the development purely in terms of the strategic development plan for the area then they will go down and look at the effect on the environment, neighbouring houses, how it looks in the street scene and obviously make sure it adheres to planning laws. Unfortunately, generally in planning applications, the effect or any purported financial affect on neighbouring residents is not part of the planning procedure so if you put that down as an objection, in my experience you will just get the response it is not a material planning consideration. It is a bit like if you have got a row of local shops and somebody wants to build a supermarket, they are going to lose business but they just look at the building and its affect on the street and the planning laws. The financial consideration is not part of the planning application so that is just my personal observation.

Supplemental Question: What compensation will be paid to the residents for the stress and the anxiety, noise from the two year building planned and construction and what requirements have been put into the planning application to reduce the level of the noise, destruction and pollution during the construction period to screen the view and the noise of the construction? We understand that the noise level survey was undertaken but despite asking, we still await an answer as to what the survey found or how they assessed the noise impact on the residents during and after the construction.

Supplemental Answer: Drawing on my experience of Planning, I think there are three issues. Firstly, the Planning Committee does have power to put various sorts of controls in. So, they can

specify the hours of construction, how it will be done and the site itself. So that will hopefully will appear in the actual final planning report that I mentioned that will go to the Planning Committee, so you should be able to look at that and hopefully there will be some controls in there.

As it said in the written answer, the constructor is experienced at, and specialises in, school construction projects. So they are aware of the problems that may occur but there will be the opportunity to speak to the project manager/ the site manager, to make sure if there are any problems, or noise and disruption, they are kept to a minimum. Also, I would think or hope they would follow the Considerate Contractor Code so again there would be controls on the hours they work and to make sure the site is well administered and safe.

Obviously, it will be for a time a construction site so inevitably, there will be an element of noise and disruption but overall, from what I have said, it will be kept to a minimum. There will be hopefully controls in place to minimise any disruption to local residents.

5.

Questioner: Elizabeth Kaptur

Asked of: Councillor Jerry Miles, Chair of the Overview and Scrutiny Committee

Question: 'Dear Councillor,

Responding to your letter I would like to ask the following:

One of the Councils Corporate Priorities is; "United and involved communities" but in relation to the Vaughan School Expansion plan they are failing dismally to do this, as neither they nor the local councillors have involved the community enough. Ironically, because of the strong feelings against the expansion plan, the community is more "united and involved" but this is in spite of the Council not because of it and probably not in a way the Council would like.

The Corporate priority goes on to say "A council that listens". They definitely hear us because we make sure they do, but they don't listen to what we are saying and they certainly don't give full replies or take appropriate action. Even if they are listening, how would we know? They haven't sent out any communication to any of the

residents updating them with progress from any of the meetings held in the school despite re-assurances that our comments would be taken into consideration.

Another of the corporate priorities is "Supporting and protecting people who are in most need" but no consideration has been given for the housebound/disabled people who back on to the school and whose lives will be blighted by a two year building plan. There has been scant communication to them from the council and none from local councillors.

How can the Council have Corporate Policies that are meaningless as they certainly do not apply to the residents of West Harrow whose lives are going to be severely affected by the expansion should it go ahead?'

Answer:

The report to the Overview and Scrutiny Committee sets out the extensive consultation activity that has occurred in relation to the proposals to expand schools in Harrow. The responses to the consultations have been considered carefully and reported to Cabinet to inform the decisions that have been made and are available to the public.

Statutory consultation in relation to the planning application will occur after the application is validated by the Planning Department. The Planning Department will write to residents, including residents of streets suggested by a local resident, which will be an opportunity for views and any concerns to be expressed.

Vaughan Primary School has sent a number of communications to parents, staff and governors during the consultation processes to keep them informed. Many of the parents of children attending Vaughan Primary School are residents local to the school.

Supplemental Question:

I am saying that all the residents are taking their children to that school; there will be a further distance from now on.

Do you think it is morally right what you are putting the residents of West Harrow through? Do you have any idea of an uncertain future we all have whilst the planning application is pending?

We have asked so many questions that remain unanswered which lead us to believe you have no answers but are ploughing ahead anyway.

You have not thought through the consequences of your

actions on the lives and homes of residents and are totally out of touch with residents and seem to want to remain that way. Even the Convention on Human Rights states that people have the right for the peaceful enjoyment of one's possessions. How is having two buildings sat at the bottom of the people's gardens for 21 months going to allow this? I can just show you how my personal house is going to be affected by it. (Can you pass this round please). This is my vision. I every day think of that and cannot sleep.

Is Harrow Council oblivious of people's rights and the detrimental affect of proposed changes will have on people's quality of life, or not simply care at all? When is the Council going to start listening? Withdraw the planning application and take a serious look at the viable options rather than pursue them, carrying on with the ridiculous plan.

Supplemental Answer: As has been laid out in the report tonight, there has been quite extensive consultation with parents and governors, the school, local residents, as set out in the report. As we have already discussed tonight, when the development does ahead, it still needs planning permission, there will be quite extensive planning controls and there will be a chance to try and influence what is put in place before the development goes ahead and if it does go ahead, there will be opportunity for regular on site meetings to ensure any disruption is actually minimised.

I also mentioned during my answers that obviously it is still due to go before the Planning Committee, so the form of the development and how it will be implemented is still to be decided. There will be a chance for further consultation, the chance for residents to actually seek the planning report and if necessary, make a deputation to Planning.

The final form and development has not yet been decided and you will get a chance to put your views to the Planning Committee for approval.

318. Petitions

RESOLVED: To note that no petitions had been received.

319. References from Council/Cabinet

RESOLVED: That no references were received.

RECOMMENDED ITEMS

320. Youth Justice Plan and Youth Offending Improvement Plan

The Committee received a report of the Corporate Director of Children and Families which contained the Youth Justice Plan and the Improvement Plan. Members agreed to consider the Inspection of Youth Offending, which had been circulated on the supplemental agenda, as a matter of urgency in order to enable scrutiny of the Improvement Plan. The report had been included on the agenda at the request of a member of the Committee, in accordance with Committee Procedure Rule 37.4. The Committee agreed that scrutiny policy lead for Children and Families, who was not a member of the Committee, could speak on this item.

The Corporate Director of Children and Families introduced the report stating that this was clearly an area of significant challenge and that there were some long term and ingrained issues to be addressed. She stated that it was both her and her manager's responsibility to turn the service around, that there had been some key staff changes and the service had also moved to a new directorate. She regretted that she had been unable to turn the service around as quickly and effectively as she would have liked and accepted responsibility for that. She expressed her concern that the Youth Justice Plan had not been submitted to Cabinet in the past and that this was a discrepancy. The Plan would be considered by Council on 8 November 2012.

Members expressed their significant concerns at the findings of the Inspection and, in particular, questioned the delay in the submission of the report both to Cabinet and the Committee, the decision making of officers and Members and the chronology of events. Members robustly challenged the officers and Portfolio Holder for Children, Schools and Families on the findings of the Inspection Report and the reporting of those findings and asked questions and made comments which included the following:

- There had been no mention of the poor performance of this service in the Strategic Performance Reports that had been submitted to Cabinet. The purpose of these reports was to flag up to Members key issues such as these. It had not been apparent from the recent Cabinet report the seriousness of the problems in the YOT. The Member expressed concern at the number of Improvement Boards and stated that it would be helpful to have a diagram/flow chart showing how issues were being addressed. He requested that a further report with more data be submitted to a future meeting of the Committee and a separate discussion with the Corporate Director on the staffing structure.
- The transparency in relation to the findings of the Inspection was questioned and Members challenged the apparent decision to inform the Council's partners but not elected Members of the findings. An officer advised Members that an Improvement Board had been established to work on the findings. The Portfolio Holder added that the closure of Harrow Magistrates' Court had not helped the delivery of the service.

- A Member sought clarification as to those areas where the Youth Offending Team (YOT) continued to under perform and the Portfolio Holder advised that such significant problems could not be resolved quickly. She added that the financial challenges faced should not be underestimated and that work in the YOT was focused on delivering improvement.
- The report stated throughout that there was substantial or drastic improvement required but there was no sense of ownership in the Improvement Plan or timescales and it was therefore questioned how this would be moved forward. The Interim Divisional Director of Targeted Services stated that the Inspection should be considered in the context that a number of YOTs across London were facing difficult issues and that the Improvement Plan had been put in place and was constantly refreshed. The YOT management team was overseeing progress. The Corporate Director added that names of the officers leading on the various aspects of the Improvement Plan could be provided to Members. She received fortnightly reports and reported to the Chief Executive on progress/issues.
- There appeared to be a 'culture' problem and until this was resolved performance would not improve. The Member added that there had been no YOT manager since 2010 and problems in the service appeared to have started in October that year. He questioned where the senior management intervention was and why it had taken a year to advertise for a YOT manager. The Corporate Director responded that culture remained an issue in the team and that its functions had been separated. The solutions introduced had not been successful but the performance data had given a different picture. In terms of recruitment, she accepted that in hindsight she should have perhaps requested permission to recruit externally for the manager role rather than fill it with an interim postholder.
- A Member requested that the Improvement Plan remain a regular item on the Committee's agenda given the level of Members concern at the Inspection report. The Portfolio Holder suggested that the relevant scrutiny leads meet with both her and the Corporate Director on a regular basis, noting that the notes of the leads meetings were submitted to the Committee. The scrutiny policy lead for Children and Families expressed her concern at the Inspection report and stated that both she and the performance lead would consider the progress being made on a regular basis.
- A Member questioned the root cause of Councillors not being made aware of the report and reported on the situation in Lambeth following receipt of a poor report. She also questioned whether the risks in relation to the new model had been explored and the position in terms of funding. The Corporate Director advised that there had been no specific decision as to whether the Inspection report should or should not be submitted to Members but that it had been discussed with a

number of Members and in her view required consideration by Cabinet. In terms of government funding, the Council had made up the shortfall. There was now a new manager of the YOT who would be considering the risks of the new model.

- A Member stated that the language used when dealing with families was important and that there needed to be an acknowledgement there were issues. Officers, not Members, were responsible for management and he sought a commitment that the Council would do everything it could to help young people secure jobs/ gain skills. The Interim Divisional Director stated that there was no room for complacency and that it was imperative to engage young people in education/ training. She stated that she would report again to the Committee on this issue if that would be helpful.
- In response to a Member's question as to whether those young people in contact with the YOT received mental health assessments, the Corporate Director advised that not every young person would receive counselling. There had been problems with the Health contribution to the funding of the postholder that would carry out the assessments.
- A Member indicated that, in his view, the Improvement Plan should be considered by the Performance and Finance Scrutiny Sub-Committee. He added that he would have expected to see mention of the Better Deal for Residents in terms of project management as well as PRINCE data.

The Chair thanked the Portfolio Holder, Corporate Director and other officers for their attendance and responses.

Resolved to RECOMMEND: (to Council)

That the Committee's comments be considered and noted.

RESOLVED ITEMS

321. Report from the Performance and Finance Scrutiny Sub-Committee Chair

The Committee agreed to consider the report from the Performance and Finance Scrutiny Sub-Committee Chair as a matter of urgency for the reasons set out on the supplemental agenda. The report provided a summary of issues that would be taken forward following their meeting on 12 September 2012.

In considering the report a Member stated that the CIPFA representative who had attended the Sub-Committee had been questioned on the resourcing of the Finance department and had expressed the view that it was over resourced.

A Member stated that it was clear from the report that there was inadequate training of staff in the use of SAP and expressed concern at the apparent constant change in staff. This lack of training/ knowledge could result in corrupt data being provided. This view was endorsed by another Member who added that public money needed to be properly accounted for the Corporate Director of Resources advised that there was a team which provided generic support but that part of the issue was training on the more sophisticated elements of the system. A number of actions were being put in place in order to make better use of the system

RESOLVED: That the report be noted.

322. Scrutiny Lead Member Report

The Committee received a report of the Divisional Director of Strategic Commissioning which accompanied the reports from the Scrutiny Lead Members.

RESOLVED: That the report be noted and the actions proposed therein be agreed.

323. School Expansion Programme

The Committee received a report of the Corporate Director of Children and Families which set out a summary of the school expansion programme, with particular reference to the funding of the programme and to the consultations undertaken. The Chair welcomed the Portfolio Holder for Children, Schools and Families, the Corporate Director of Children and Families and officers from her team to the meeting and outlined the background to the programme.

The Corporate Director stated that the expansion programme was challenging and that the Council had a statutory duty to provide school places. To date, places had been provided for all children in Harrow but she recognised that aspects of the programme may be difficult for residents.

Members of the Committee expressed concern at the apparent lack of response to some residents' questions. Members then asked questions and made comments as follows:

- A Member questioned the capacity of the programme and what would happen if a planning application submitted by a school was refused or if the Planning Committee placed a financial contingency requirement on the permission. An officer advised that the report before Members was the first phase of the primary expansion programme and that Cabinet had recently received reports on the future phases. Each future phase would require further expansion and the ability to accommodate bulge classes. The Corporate Director stated that, as with any large programme, contingency was built in. Capacity had also been built into the programme and bulge classes had been included in phase 2.

- A Member stated that it appeared that the consultation undertaken had been unsatisfactory and referred to the Statement of Involvement considered at a recent meeting of the Local Development Framework Panel. It appeared that a number of residents' questions remained unanswered although he acknowledged that residents were not going to be pleased if the Council built next door to their property. An officer responded that planning colleagues had provided advice on resident engagement. He added that Vaughan School was the only school that had requested an additional meeting and he apologised if there remained some unanswered questions. Officers gave an undertaking that those answers would be provided to those residents with a copy circulated to Members of the Committee.
- In terms of the extra funding provided, a Member stated that there was still a gap of £3.8 million and sought clarification on the contingency available. An officer advised that the original intention in terms of the Capital Programme had been to use section 106 receipts to provide contingency in the short to medium term. Since the approval of the Capital Programme in February 2012 additional funding had been received and officers were discussing further funding with the Department for Education.
- A Member challenged officers in terms of the rebuilding of Marlborough and Vaughan Schools, the 2 schools that most needed work, using Council resources, stating that unless a guarantee was received from Department for Education (DfE) that the grant would be received all building works should be halted. She expressed concern that by fulfilling the need, that is the completion of building works, using Council resources, the need for the grant would be removed. Residents had been advised that the building works to Vaughan School would commence in March and if the DfE had still not made a decision in terms of grant, the Council would be committed to paying contractors. In her view, building work should not commence until the outcome of the grant application was known and she sought clarification on the level of compensation that would be payable to the builders in the event that the works did not proceed.

The Corporate Director acknowledged the points made but stated that this had to be balanced with the statutory requirement to provide school places. She undertook to take advice from London Councils on this issue but added that planning permissions would still be required for expansions. The deadline date in terms of receiving a decision on the DfE grant was 28 February in order to allow sufficient time for the works to be completed by September. In terms of compensation, an officer advised that there was a framework agreement with Keepmoat and they were instructed in phases but that at the present time £250,000 would be payable. The builders were geared up to commence work as required.

- In response to a Member's question in relation to the 2 planning applications from schools due for consideration by the Planning

Committee the following evening, an officer confirmed that these were definitive plans for the projects.

- A Member questioned whether the Council was considering building additional schools and, if so, what projections were being used. The Corporate Director clarified that the Council no longer received funding for new schools but advised that there may be interest in the development of a free school on the Kodak site. In relation to this aspect, work was being done with the West London Alliance to see if sponsorship could be attracted. An officer added that work was being done to increase the number of school places available and a series of projections had been used. Proposers of free schools had difficulty in finding suitable sites in Harrow.

RESOLVED: That the report be noted and that answers to residents unanswered questions would be provided to those residents with a copy circulated to Members of the Committee.

324. Academies School Conversions

The Committee received a report of the Corporate Director of Children and Families which presented a summary of the main matters arising since the conversion of 7 schools to academy status and the Council's response.

In response to a Member's concern that the report did not address the risks to the Council in terms of Service Level Agreements (SLAs), the Corporate Director advised that academies did not have to purchase any of the Council's services but were currently choosing to opt in to many of the SLAs. There was a collegiate group of primary and secondary schools working with the Council on this issue.

A Member questioned when the responsibility for carbon emissions was likely to transfer to the academies and was advised that the legislation was not yet finalised.

The Chair thanked the officers for the report and their responses.

RESOLVED: That the report be noted.

325. Council Service Level Agreements

The Committee received a presentation from the Corporate Director of Resources on Council Service Level Agreements (SLAs). Following the presentation, Members made comments and asked questions as follows:

- Managers required training in order to perform to the best of their ability in terms of promoting a service.
- Members were unaware there that schools had relationship managers and requested their details.

- In response to a question in relation to building maintenance charges, the officer advised that the charging mechanism had been changed so that the Council receives more money up front.
- A Member requested a follow up report detailing which services which services were commercially viable.
- A Member questioned the impact of the commercialisation of services and how staff could be incentivised. The officer advised that those staff who were experienced at promoting services were assisting those who were not. The Corporate Director added that the commercial agenda had financial and customer service drivers and that the Council did not necessarily charge the full cost to customers. The Council was not, for example, competitive in terms of providing a payroll service.
- The core charges were excessive and required consideration with a view to making savings. The Corporate Director responded that service charges were an issue in every Council but that as part of the budget process and medium term financial strategy charges and individual budgets were being considered.
- A Member questioned why some services remained in house if they could be provided more cheaply externally as demonstrated by some schools. The Corporate Director advised that all service areas were being actively considered and, more specifically, when a contract was due to expire.

The Chair thanked the Corporate Director and officer for their attendance and responses.

RESOLVED: That the presentation be noted.

326. Shaping a Healthier Future for North West London - Harrow's response to consultation by NHS NW London

The Committee received a report of the Divisional Director of Strategic Commissioning which set out Harrow Council's response to the Shaping a Healthier Future consultation by NHS NW London. The work was led by scrutiny members and scrutiny's response had been adopted by the Executive-side and had been submitted to NHS NW London as a Harrow Council response.

A Member expressed concern at the low detection rate of diabetes in Harrow and stated that this needed to be addressed. He also challenged the diversion of £2.1 million directed for health improvement by the Council to other activities. The Member stated that whilst the Council was taking on health responsibilities it was not receiving the funding necessary to deal with them.

RESOLVED: That the response to NHS NW London be noted.

327. Termination of Meeting

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

RESOLVED: At

- (1) 9.59 pm to continue until 10.30 pm;
- (2) 10.29 pm to adjourn until 10.34 pm and to continue until 11.00 pm;
- (3) 10.58 pm to continue to 11.30 pm.

(Note: The meeting, having commenced at 7.30 pm, closed at 11.28 pm).

(Signed) COUNCILLOR JERRY MILES
Chairman