

# OVERVIEW AND SCRUTINY COMMITTEE MINUTES

## 13 NOVEMBER 2018

<b>Chair:</b>	* Councillor Jeff Anderson	
<b>Councillors:</b>	* Richard Almond * Dan Anderson * Peymana Assad * Philip Benjamin (1)	* Honey Jamie * Jean Lammiman * Jerry Miles * Kanti Rabadia
<b>Voting Co-opted:</b>	(Voluntary Aided) † Mr N Ransley Reverend P Reece	(Parent Governors)
<b>Non-voting Co-opted:</b>	Harrow Youth Parliament Representative	
<b>In attendance: (Councillors)</b>	Simon Brown Varsha Parmar Christine Robson	Minutes 33 & 34 Minutes 33 & 34 Minutes 33 & 34

- \* Denotes Member present
- (1) Denotes category of Reserve Member
- † Denotes apologies received

### 27. Attendance by Reserve Members

**RESOLVED:** To note the attendance of the following duly constituted Reserve Members:

Ordinary Member

Reserve Member

**28. Declarations of Interest**

**RESOLVED:** To note that there were no declarations of interests made by Members.

**29. Minutes**

**RESOLVED:** That the minutes of the meeting held on 17 September 2018 be taken as read and signed as a correct record.

**30. Public Questions and Petitions**

**RESOLVED:** To note that no public questions or petitions were received at the meeting.

**31. References from Council/Cabinet**

**RESOLVED:** To note that none were received.

**RESOLVED ITEMS**

**32. Draft Scope for Preventing Youth Crime Review and Highways Maintenance Review**

The Committee received a report of the Divisional Director, Strategic Commissioning which set out the draft scopes for the Scrutiny Reviews on Preventing Youth Crime and Highways Maintenance.

**RESOLVED:** That

- (1) the draft scopes for the Scrutiny Reviews on Preventing Youth Crime and Highways Maintenance, be agreed;
- (2) Councillors Peymana Assad and Honey Jamie be members of the Youth Crime Scrutiny Review Group;
- (3) Councillors Richard Almond, Dan Anderson and Jerry Miles be Members of the Highways Maintenance Review Group;
- (4) the timing of each Review and associated reporting arrangements be discussed further and agreed with the relevant Scrutiny officer.

**33. Draft Transport Local Implementation Plan 3**

The Committee considered a report of the Corporate Director, Community which set out the key contents of Harrow's Draft Transport Local Implementation Plan, the consultation process, consultation results and the recommended changes to the plan following consultation.

A Member advised that the LIP reflected the strategic outcomes of the Mayor of London's Transport Strategy and that the draft proposals had been amended taking into account the consultation results. The policies in the LIP would enable a move towards improved, safer and more sustainable systems of transport in London. He added that it was encouraging that TfL's response to the draft LIP submitted by Harrow had been positive.

Members asked the following questions and officers responded as follows.

Did the Mayor of London's target of 80 per cent of all trips to be made on foot, by bicycle or using public transport by 2041 include Harrow and was step-free access planned for all tube stations in Harrow?

The officer advised that the 80 per cent target was a London-wide target. He added that TfL had a programme for the introduction of step-free access at all tube stations and works had begun at Harrow on the Hill station. Discussions were ongoing with TfL regarding Stanmore and Sudbury Hill stations and officers would continue to lobby TfL regarding the matter. The officer undertook to seek confirmation from TfL regarding whether Sudbury Hill Station had been prioritised for step-free access and to share this information to Committee Members.

With regard to the new policy to support the police to address anti-social behaviour around Harrow bus station – were there plans to roll this out to bus stops near schools?

The officer advised that this measure would be focussed on Harrow Bus Station.

A Member asked whether the policy CB3 - the intention to encourage modal shift towards more sustainable forms of transport by developing travel plans and working with businesses to encourage them to switch deliveries from vans to sustainable travel modes - was valuable or would it restrict the Council's options?

The officer responded that the consultation response from Harrow Cyclists was extremely useful. The cycling schemes and measures proposed by the group had been shown to work elsewhere and could work equally well in Harrow. Members and traffic officers had recently undertaken a visit to Waltham Forest to evaluate the mini-Holland cycling scheme which had been introduced there.

How would the police and schools be supported to address traffic noise and pollution issues and were the proposed 20mph zones enforceable?

The detail of how the LIP policies would be implemented and funded would be worked out once TfL and the Council had approved the draft policy. Officers would work with existing partners such as schools and the police to develop the best way to deliver the policy.

How and when would the LIP3 policies be risk assessed and would other agencies such as the police and the local planning authority be consulted?

Did he expect an increase in litigation against the Council with regard to the implementation of new schemes, for example, R2, giving consideration to the potential reallocation of road space to benefit sustainable transport and introducing road traffic restrictions and play streets?

The officer advised that none of the proposals posed additional risks to those already mitigated at the current time. It was standard practice and there was a legal obligation to risk assess every scheme in accordance with health & safety regulations and to take account of equalities impacts assessments, which gave due consideration to all the protected characteristics.

A Member expressed disappointment that the total number of responses was 35 from 6 responding organisations. She commented that the Council needed to improve the way it disseminated information to and engaged with the wider community in relation to major consultations such as the LIP. Had social media platforms been used? How had younger people been targeted?

The officer stated that every effort had been made to publicise and promote engagement with the LIP consultation. Nevertheless, the dry nature of the subject matter meant that engagement was generally low. In terms of local stakeholders, the consultation had been circulated to schools, Community Champions, partner agencies and Members. Nevertheless, the comments received were detailed and useful and some expert advice and suggestions had been received from a wide range of organisations including TfL, neighbouring authorities such as Ealing, Harrow Cyclists, the Pinner Association, Historic England and Natural England. He confirmed that the consultation had been publicised on the Council's website and the Council's Communications team had tweeted on the subject.

Did S11, relating to mobility issues, take into account hidden disabilities such as mental health issues and the need for some people to feel safe to travel by public transport or by walking? How were young people supported to travel?

The officer confirmed that S11 related to barriers in the physical environment, however, he was aware that there were other barriers. The Council offered training, information and assistance to help individuals feel safe when travelling. This had been included in the draft policy and there was an existing programme of Independent travel training. The officer undertook to provide the Member with a separate briefing regarding the matter outside the meeting.

A Member commented that incidences of illegal cycling on the pavement, inconsiderate parking in the vicinity of schools, the reduction of parking at the Civic Centre site, greening the borough, implementation of 20 mph zones (which, in his view were not in fact self-enforcing) would not be enforceable due to a due lack of resources. Who would be responsible for the maintenance and upkeep of some of these measures, such as greening the borough?

The officer responded that whereas TfL would provide the initial capital for the implementation of schemes, ongoing maintenance costs for these would be

the responsibility of the Council and funding would be prioritised accordingly. He explained that the use of resources for maintenance would be prioritised in accordance with current asset management strategies to maximise the benefit on the network. He added that population projections and modelling studies had shown that the population of London would continue to grow at a steady pace, though the road network could not be expanded to keep pace with this growth and increase in demand. Traffic, parking and congestion issues would continue to be exacerbated. It was therefore paramount that the Highways authority work closely with TfL to engage in long-term forward planning to mitigate against this trend and put in place a transport plan to mitigate its impact.

The former Leader of the Council and the Labour Group had stated that he did not believe that the Mayor of London's ambition to reduce the number of car journeys and car ownership to be practicable in outer London Boroughs. What was the view of the current administration regarding the matter?

The Portfolio Holder for Environment stated that it was not feasible to expect to drastically reduce car ownership and car use in outer London boroughs. The transport dynamics and challenges in Central London were very different to those in outer London Boroughs such as Harrow. The Council was obliged to consider a number of different strategies and would continue to work closely with local stakeholders and TfL to review and improve the infrastructure and encourage modal shift through educating residents.

The officer added that the LIP contained ambitious forward-thinking targets for 2041. The intention was not to demonise motorists but to encourage voluntary modal shift among residents to promote more sustainable travel patterns.

**RESOLVED:** That the Draft LIP3 and the recommended changes be endorsed.

### **34. Waste Management and Recycling**

The Committee considered a report of the Corporate Director Community which provided an overview of the current waste and recycling performance within Harrow as well as outlining the key local, national and international challenges surrounding the waste industry and their potential impact on the Borough.

Members asked the following questions and officers responded as follows.

What was the reason for the reduction in food waste collected from the kerbside since 2017?

An officer advised that the figures were based on quarter 1 comparisons. Since then, figures had increased slightly. Harrow had one of the highest tonnages of waste collected in West London. Also, separate food waste collections helped residents to realise the amount of food waste they threw away so there was always an element of waste minimisation. In addition the

food waste collection pilot which had been rolled out to flats in the borough had good levels of participation, helping to increase food waste tonnages.

What would be the likely impact of Brexit on the Waste service and the Waste Plan? What impact would Brexit have on migrant workers employed in the recycling industry? What was being done to educate residents regarding recycling? What had been the impact of China's restrictions on waste imports? The Member stated that she would like to be included in discussions about reducing plastic waste as part of the Recycling and Reuse Plan

The officer stated that the current European recycling target to be achieved by 2020 was 50 per cent and technically under the EU fines could be levied for non-compliance. However, it remained to be seen whether these targets would be enforced post-Brexit and whether they would be changed. The Department for Environment, Food and Rural Affairs were also about to release their Recycling Strategy which should give further information on what the UK would do. With regard to migrant workers, to date, no impact had been felt locally, however, there was a potential impact nationally.

The Portfolio Holder for Environment advised that the Council's recycling officers would be responsible for educating residents about recycling. They disseminated leaflets to households and provided information to schools.

How much of Harrow's dry mixed recycling waste was contaminated?

Levels of contamination were generally low. Harrow's recycling contractors carried out sampling of loads and overall Harrow had consistently low levels of contamination (7-8 per cent), which was lower than most other Local Authorities.

For the food waste pilot in flats, participation was based on actual collected food waste, as the contaminated food bins were collected separately so as not to skew the results.

What was the reason for the variance in the rates of composting, household waste and recycling since 2017?

The officer advised that there had been a national reduction in recycling rates and these were affected by budget cuts. The chargeable garden waste scheme in Harrow had one of the highest participation rates in London.

How would the findings of the surveys and assessments impact in the current financial year?

The officer advised that a compositional analysis of the residual waste stream would be undertaken around February/March 2019 to avoid seasonal elements such as Christmas affecting the results. She confirmed that there would be no financial impact in the current financial year and that these would be felt in the following financial year if successful.

Were the targets set achievable or were some of them being driven by policies from Central Government, for example, those relating to packaging?

The officer stated that a number of organisations such as the Green Alliance and the Chartered Institute of Waste Management lobbied manufacturers to reduce the amount of packaging they used, to ensure their products were recyclable and to move away from the trend of built-in obsolescence of certain types of products. She also advised that a number of supermarkets were also planning to phase out black plastics in their own branded packaging which were not recyclable, all of which would have a positive impact on the environment.

Had an analysis of domestic and commercial recycling been carried out?

The officer advised that the service was currently looking at household waste. The Mayor of London's Environmental Strategy set municipal targets and detailed how those targets should be achieved. She advised that Harrow had a growing and successful commercial waste service that would contribute to the municipal target.

What were the financial implications of the increase in domestic waste since 2017 and how would these be mitigated?

The officer advised that the Council was proactive in this and procured jointly with West London Waste to achieve the best possible outlets. The Portfolio Holder for Environment added that the Council was investigating other options and the forthcoming waste review would seek to improve services and make them more cost effective.

Would re-tendering the dry mixed recycling contract mean an increase in costs?

The officer advised that the contract was in the process of being re-tendered and that there was a 6-month waiver period during the re-tendering to ensure a sustainable disposal point. The new tender was focussed on reducing any potential impact on the service. The aforementioned Chinese restrictions had led to significant fluctuations on the market prices for dry recyclables which in turn increased the Council's disposal costs.

Why had there been an increase in garden waste collected?

The officer stated that the recent increase in the volume of garden waste was partly due to the unusual weather conditions during the spring and summer of 2018 and the fact that subscriptions for the garden waste service had increased.

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

### **35. Children and Families Services Complaints Annual Report 2017/18**

The Committee receive a report of the Interim Corporate Director, People which set out the statutory Children and Families Services Complaints Annual Report for 2017/18.

Following a brief overview of the report, the presenting officers responded to Members questions as follows.

There were 3,990 children who were considered to be children in need (CiN) throughout 2017/18 and their ethnic breakdown was predominantly BME (Black and Minority Ethnic) with just over a quarter being of white ethnicity. Why was there no data in the report regarding the ethnic breakdown of complainants? Why did 27% of complainants 'disagree with social care opinion'?

An officer advised that this data was captured by a different team. The data in the report related to the number and nature of complaints received and outcomes. The officers undertook to provide information regarding the ethnic breakdown of complainants in future reports. He added that the equalities data included in the report demonstrated that the complainants were of various ethnicities.

The Member pointed out that the term 'Afghani' referred to the currency of Afghanistan and that the correct term for someone from Afghanistan was Afghan. This was noted by the officers.

An officer added that Managers, social care staff and the complaints teams continued to work towards a more balanced, open and less defensive approach to complaints, where concerns were recognised and complainants received appropriate, timely responses. Officers were encouraged to reflect on practices and on the outcomes of each complaint and endeavoured to successfully resolve some complaints before they reached stage 1.

Were complaints made about individual social workers tracked to see if there were any patterns emerging? How was the complaints process signposted to clients? Were written complaints taken more seriously than verbal ones?

An officer advised that complaints against social workers were monitored and confirmed that no single social worker had received multiple complaints. If any issues relating to practice or performance were highlighted then these would be dealt with through additional training. Every looked after child was given a complaints leaflet and their carers and advocates could represent them. Individuals could complain by phone or in writing and no complaints were turned away, even those that may appear trivial in the first instance.

Why had there been an increase Stage 1 complaints?

During 2017/18 there was a slight increase in the number of Stage 1 complaints received. As with previous years, the majority of received transactions (both representations and formal complaints) were via Targeted Services (81%). There had been no stage 3 complaints and one case had been referred to the Ombudsman under the EHCP (Education, Health & Care Package) process.

How were anonymous complaints dealt with? At what stage would the team involve other partner agencies such as the police in a case? How were stage 2 complaints dealt with?



An officer advised that some anonymous complaints had been received over the years and these would be investigated and the appropriate safeguarding procedures would be followed. There was a detailed policy regarding this and the appropriate child protection procedures would be followed and an information sharing meeting with the police would take place quite early on in the process. In accordance with legal requirements, stage 2 complaints were dealt with by an external independent investigator.

A Member stated that she was pleased to see the compliments received by the section. She asked how SEN (Special Educational Needs) children were assisted to make complaints.

An officer added that the MASH (Multi Agency Safeguarding Hub), which had recently undergone a peer review and an Ofsted review, now had a teacher representative on its board who assisted with communicating information to schools. Members of the advocacy service had specialist skills in supporting these children and the Council had an SLA with all Harrow schools to provide training to enable them to better manage their complaints process. The complaints team regularly met with advocacy groups.

A Member asked whether for those complaints that were upheld or partially upheld, had the children in question been exposed to any serious risks? What did the corporate complaints relate to? Did other corporate bodies make complaints?

An officer advised that none of the children had been exposed to significant harm. He added that the corporate complaints process captured any complaints that fell outside the statutory process or where there may be a cross-over of service areas, for example, when someone, who was not the parent or guardian of a child made a complaint on behalf of the child. In the past, complaints had been received from health partners and there was a separate protocol to deal with these. He added that a breakdown of the representations would be included in future reports.

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

### **36. Adults Services Complaints Annual Report (social care only) 2017/18**

The Committee received a report of the interim Director of Adult Social Services, which set out the statutory Adults Services Complaints Annual report (social care only) 2017/18.

A Member asked how it had been possible to informally resolve two of the stage 2 complaints received? Why was there no data relating to the 'representations' included in the reports?

An officer advised that informal meetings were offered to both adults and children complainants between stages 1 & 2 and this meant that complaints were often resolved informally at those meetings. He added that there was no statutory requirement to capture this information in the report, however, he undertook to include this information in future reports.

A Member noted that there were no joint NHS and social care complaints received. She asked what would be the likely nature of such a complaint.

The officer cited a previous case of a patient with dementia whose family had made a complaint.

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

(Note: The meeting, having commenced at 7.30 pm, closed at 9.45 pm).

(Signed) COUNCILLOR JEFF ANDERSON  
Chair