
REPORT OF OVERVIEW AND SCRUTINY COMMITTEE

MEETING HELD ON 9 DECEMBER 2008

Chairman:	* Councillor Stanley Sheinwald	
Councillors:	* Ms Nana Asante (3) * Mrs Margaret Davine * Mitzi Green * Manji Kara * Mrs Vina Mithani * Janet Mote	* Phillip O'Dell (2) * Anthony Seymour * 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
(2) and (3) Denote category of Reserve Members
† Denotes apologies received

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

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

Ordinary Member

Councillor B E Gate
Councillor Jerry Miles

Reserve Member

Councillor Ms Nana Asante
Councillor Phillip O'Dell

454. Declarations of Interest:

RESOLVED: To note that the following interest was declared:

Agenda Item 9 - Response Maintenance Service to Tenants and Leaseholders of Harrow Council

Councillor Yogesh Teli, having declared a personal interest in this item by virtue of his role as Cabinet Support Member to the Portfolio Holder for Adult and Housing, but stated that he had not taken any part in any meetings or decisions relating to this item, and as a result his interest could not be considered to be prejudicial. He would remain in the room to take part in the discussion and decision relating to this item.

455. Minutes:

In accordance with the Local Government (Access to Information) Act 1985, the minutes of the meeting held on 25 November 2008 were admitted late to the agenda in order that the minutes could be approved at the earliest opportunity. The minutes had not been available at the time the agenda was printed and circulated due to the proximity of the meetings and the need to consult.

RESOLVED: That the minutes of the meeting held on 25 November 2008, be taken as read and signed as a correct record, subject to the inclusion of the following interest under Minute 439:

Agenda Item 12 – Special Educational Needs

Councillor Anthony Seymour - Governor of Pinner Park First and Middle School.

456. Public Questions, Petitions and Deputations:

RESOLVED: To note that no public questions were put, or petitions or deputations received, at this meeting under the provisions of Overview and Scrutiny Procedure Rules 8, 9 and 10 (Part 4B of the Constitution) respectively.

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

RESOLVED: To note that there no references from Council or Cabinet.

458. **Report from Lead Scrutiny Members:**

The Scrutiny Performance Lead Member for Corporate Effectiveness and Finance reported orally on his meeting with the Chairman (Policy Lead Member) prior to this Committee meeting. Their meeting had focused on the Local Area Agreement, Workforce Development and absentee rates in the Council. He was pleased to report that absentee rates were dropping, and that the benefits of the use of the SAP system were being realised.

RESOLVED: That the oral report be noted and that a written report setting out the details of the meeting between the Lead Scrutiny Members for Corporate Effectiveness and Finance be submitted to the next ordinary meeting of the Committee.

459. **Response Maintenance Service to Tenants and Leaseholders of Harrow Council:**

In accordance with the Local Government (Access to Information) Act 1985, a report of the Divisional Director of Housing on this matter was admitted late to the agenda to allow the Committee to comment on this important issue. The report had not been available at the time the agenda was printed and circulated due to the timing of the request for this report.

The Corporate Director of Adults and Housing introduced the report, which set out the action taken, albeit temporary, to achieve a reduction in forecast spend for the delivery of the responsive maintenance service in 2008/09 to tenants and leaseholders of Council's housing stock. The Corporate Director briefed the Committee on the background to this decision, and explained the complex partnership arrangements involved in the delivery of this service. He informed Members that a wider view of how repairs were handled by the Council was under way.

A Member queried why it was not possible to vire budget overspends from other budget areas within the Housing Revenue Account (HRA) in 2008/09 or beyond. In noting that a further report on this matter was expected at the January 2009 meeting of the Performance and Finance Scrutiny Sub-Committee, the Member asked that a detailed breakdown of any overspend on day to day repairs, voids, and other budget areas be included in that report.

In response, the Corporate Director stated that the HRA was under pressure and the best possible and least harmful option had been selected. The temporary cessation of non-urgent repair works would be managed sensitively and any special circumstances relating to individual tenants would be taken into account before a decision was taken on whether or not to carry out the non-urgent works.

RESOLVED: That (1) the report be noted;

(2) a report be submitted to the January 2009 meeting of the Performance and Finance Scrutiny Sub-Committee on the responsive maintenance service to tenants and leaseholders setting out a detailed breakdown of budget areas and the percentage overspend in those areas;

(3) following consideration of the report referred to in (2) above, the Performance and Finance Scrutiny Sub-Committee report back on the outcome to the Overview and Scrutiny Committee.

460. **The Right To Manage - Challenge Panel Update:**

The Scrutiny Performance Lead Member for Sustainable Development and Enterprise introduced a report, which set out the background to the decision made by the Committee to hold a 2-day Challenge Panel to investigate progress on the Right to Manage process.

The Scrutiny Lead Member updated the Committee on progress made with arranging the 2-day Challenge Panel. Day 1 of the Challenge Panel would be held on 16 December 2008 and would focus on the concerns of residents and tenants, and how the Tenant Management Organisations (TMOs) operated.

The Scrutiny Lead Member reported that Linda Robinson from the Scrutiny Pool of Advisors had been invited to participate in the Challenge Panel. Given the level and nature of the concerns expressed by residents and leaseholders, the Housing Corporation had been informed that Harrow Council was not in a position to sign the required grant applications to progress to the next stage. The advice from the Housing

Corporation was that an independent body should consider the capacity to take the Tenant Management Organisation option further in the borough.

It was reported that the response from tenants and leaseholders to the invitation to engage in the Challenge Panel had been positive. Details of those that had responded would be sent to Councillor Phillip O'Dell, as requested.

RESOLVED: That (1) the background to the decision to hold the Challenge Panel be noted; and

(2) progress made on the establishment of the Right to Manage Challenge Panel be noted.

461. **Scrutiny Review of 'Delivering a Strengthened Voluntary and Community Sector for Harrow' - Final Report:**

The Committee considered a report of the Project Sponsors, the Corporate Director of Finance, Harrow Council, and the Chief Executive of Harrow Association of Voluntary Services, which set out the findings and recommendations of the Scrutiny Review on Delivering a Strengthened Voluntary and Community Sector for Harrow. It was noted that the Scrutiny Review Group had conducted its enquiries over two phases of work between March and November 2008.

The Chairman of the Review Group introduced the report and thanked all participants for their work on the Review. He was pleased that the outcome of the Review had been accepted by the Voluntary Sector, and he commended the Review Report for referral to Cabinet. He added that the report would initially be considered by the Cabinet on 18 December 2008 and that detailed feedback would be received by the Overview and Scrutiny Committee at its meeting in February 2009. The Council's Corporate Strategy Board had welcomed the Review Report.

It was noted that detailed feedback from Cabinet would be delayed until February 2009 because of the unavailability of the Portfolio Holder for Community and Cultural Services and to allow for a considered response to the recommendations of the Review Group.

Some Members were disappointed that a response from Cabinet would be delayed, particularly as the Review Group had progressed the Review according to the timescales requested by the Cabinet and the deadline given was 18 December 2008. As a result the Review Group had not had the opportunity to address all issues in as much depth as wished, for example the issue of strategic commissioning, which was considered to be an important aspect of the Review. The lack of a full exploration of this matter and the implications on future models were considered to be a weakness of the report.

An officer explained that an officer group had been tasked with implementing the recommendations when approved. Some of the recommendations had financial implications and, as a result, would require a considered response from Cabinet.

The Chairman of Performance and Finance Scrutiny Sub-Committee stated that progress on the recommendations from the Review Group would be monitored by the Sub-Committee on a quarterly basis.

RESOLVED: That (1) the report and the recommendations of the Review Group be endorsed;

(2) the report be referred to Cabinet and the Partnership Board for consideration and agreement and that they be requested to report back to the Overview and Scrutiny Committee at the earliest opportunity;

(3) the monitoring of the progress against the recommendations of the Review Group be placed on the Scrutiny Work Programme for addressing by the Performance and Finance Scrutiny Sub-Committee and that the Sub-Committee submit quarterly progress reports to the Overview and Scrutiny Committee.

462. **Consultation Strategy:**

In accordance with the Local Government (Access to Information) Act 1985, a report of the Assistant Chief Executive in this regard, which had not been available when the agenda was printed and circulated, was admitted late to the agenda so that the action plan could be progressed.

The report, which described the strategy for extending the range of consultation that the Council employed, co-ordinating its customer and resident research and using the results to improve service outcomes and customer satisfaction. She outlined the key areas of the Consultation Strategy, the issues that it had been designed to address and how these would be progressed.

Members' attention was drawn to the legal comments and the requirement to consult lawfully. Inadequate consultations could result in judicial review proceedings and decisions being quashed.

During discussion on the report, a Member pointed out that there was a need to improve the common perception amongst those consulted that the decision-maker would not take any notice of the outcome of the consultation undertaken. The officer accepted that this was an issue, as was how results of consultations were used, fed back and disseminated to the community. Members welcomed the proposal to post the results of consultations on the Council's website and the move to ensure a joined-up approach to consultation. A Member welcomed the Consultation Strategy and hoped that it would have a positive impact on the Call-In Scrutiny Sub-Committee, as some of the decisions taken by the Executive had been called-in due to lack of adequate consultation.

RESOLVED: That the Consultation Strategy be welcomed.

463. **Reconfiguration of the Scrutiny Structures - A Review:**

In accordance with the Local Government (Access to Information) Act 1985, a report in this regard which was being consulted on at the time of the despatch to the agenda was admitted late to the agenda, to allow consideration of the findings of a Review and how the scrutiny process could be improved.

Members discussed the report and were in agreement on the majority of the recommendations set out therein. However, there were differing views on how health issues ought to be addressed.

Some Members favoured stricter scheduling of health issues within the existing structure and were of the view that this option would allow all existing Members of the Overview and Scrutiny Committee to participate in health issues. They felt that a specific Health Scrutiny Sub-Committee, an option favoured by some Members, would disenfranchise some of the existing Committee Members from participating in discussions of health issues. The creation of a subject-specific Sub-Committee would also have an impact on resources and could lead to a return to the old structure which the Council had moved away from following reconfiguration. Moreover, many of the issues addressed by the Committee were cross-cutting and not subject-specific. Regular meetings of the Overview and Scrutiny Committee would allow critical issues to be dealt with swiftly and effectively. In addition, training and support proposed for Scrutiny Lead Members would increase capacity to address issues quickly.

Members who supported the establishment of a subject-specific Health Scrutiny Sub-Committee outlined the merits of this option. They were of the view that such a Sub-Committee would improve the Council's focus on health issues and allow it to address these with increased confidence. It would show that the Council was taking the issue seriously, and would not lead to more meetings as the existing number of Overview and Scrutiny meetings would be reduced. A Member was of the view that the existing structure had not demonstrated scrutiny's ability to deal with issues quickly and cited scrutiny's handling of the issue of maternal deaths at Northwick Park Hospital as an example.

The same Members pointed out that the report had not addressed the proposal to set up a specific-impact Committee, which would enable scrutiny to consider issues which were likely to dominate the scrutiny work programme in any specific year.

It was moved and seconded that a detailed report on the establishment of a Health Scrutiny Sub-Committee which may be either permanent or temporary be approved. Upon a vote, this was not carried. It was then moved and seconded that health issues be addressed by ensuring a stricter scheduling of these issues and expertise within Overview and Scrutiny Committee meetings, and it was

RESOLVED: That (1) the report from the Scrutiny Reconfiguration Workshop be noted;

(2) a meeting of the Scrutiny Lead Members be held to explore in more depth the issues that they faced with a view to developing further training and support to enable them to fulfil their role, as envisaged in the original reconfiguration proposals;

(3) further publicity with regard to the Scrutiny Lead Members be developed for dissemination across the organisation;

(4) officers ensure a stricter scheduling of health issues and expertise within existing Overview and Scrutiny Committee meetings.

464. **Any Other Business:**

(i) Care Matters Update – Harrow’s response to the Children and Young Persons Bill 2007

A Member stated that she was disappointed that the letter sent to the Chairman of the Member Development Panel, following the last meeting, on the need to make progress on mandatory training sessions for Councillors on the corporate parenting role, had not been circulated to the Scrutiny Lead Members for Adult Health and Social Care.

(ii) Overview and Scrutiny Committee

As the October 2009 meeting of the Committee was scheduled to be held during the Conservative Party Annual Conference Week, it was

RESOLVED: That the Overview and Scrutiny Committee meeting on 7 October 2009 be re-arranged.

(iii) Joint Overview and Scrutiny Committee (JOSC)

RESOLVED: That an information paper on the discussions at the JOSC relating to the Darzi Review be circulated with the Council’s Information Circular.

(iv) Lead Members for Scrutiny

The Chairman stated that a questionnaire would be circulated to Lead Members for Scrutiny to ascertain their development requirements.

(Note: The meeting, having commenced at 7.35 pm, closed at 8.50 pm).

(Signed) COUNCILLOR STANLEY SHEINWALD
Chairman