

OVERVIEW AND SCRUTINY COMMITTEE MINUTES

9 FEBRUARY 2011

Chairman:	* Councillor Jerry Miles	
Councillors:	* Sue Anderson * Kam Chana * Ann Gate * Susan Hall (4)	* Barry Macleod-Cullinane * Sachin Shah * Krishna Suresh (3) * Stephen Wright
Voting Co-opted:	(Voluntary Aided)	(Parent Governors)
	† Mrs J Rammelt Reverend P Reece	(Vacancy) (Vacancy)
In attendance: (Councillors)	Bill Stephenson	Minute 88

- * Denotes Member present
- (3) and (4) Denote category of Reserve Members
- † Denotes apologies received

82. Attendance by Reserve Members

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

Ordinary Member

Councillor Paul Osborn
Councillor Bill Phillips

Reserve Member

Councillor Susan Hall
Councillor Krishna Suresh

83. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 11 – Corporate Plan

Councillor Sue Anderson declared a personal interest in that she worked part-time for Harrow Primary Care Trust. She would remain in the room whilst the matter was considered and voted upon.

Councillor Susan Hall declared a personal interest in that her Group had instigated many of the ideas contained within the plan document. She would remain in the room whilst the matter was considered and voted upon.

Councillor Barry Macleod-Cullinane declared a personal interest in that he had voted on a number of items, including SmartWater and Neighbourhood Champions, whilst he was a member of Cabinet. In addition, he declared a personal interest in that his sister was a PE teacher in a Harrow School. He would remain in the room whilst the matter was considered and voted upon.

84. Minutes

A Member challenged the accuracy of the minutes of the Special meeting held on 12 January 2011 making specific reference to the answer given to the third question in the Question and Answer session and inclusion of the Leader of the Council's response. The Chairman advised that the minutes had been cleared both by himself and the Vice-Chairman.

An officer advised that the minutes of the Special meeting had been submitted in draft to the meeting of Cabinet on 13 January 2011 but would be updated in terms of accuracy prior to Members' consideration of the budget. She undertook to circulate the updated version of the minutes to members of the Committee and to check the content of answer 3 as part of that process.

A Member suggested that consideration be given to the recording of the question and answer sessions.

RESOLVED: That the minutes of the meeting held on 23 November 2010 and of the Special meeting held on 12 January 2011 be taken as read and signed as correct records, subject to the following amendments to Minute 81 of the Special meeting:

- First question, paragraph 1 should read - Area Based Grants (£13m)
 - Add to end of paragraph 1 – and Dedicated Schools grant
- Paragraph 2, second sentence – insert full stop after Specific Grant and delete rest of sentence
- Paragraph 2, fourth sentence – change 'had been' to 'would be'
- Sixth question, ("Can you explain the PCT costs and funding"), paragraph 1, first sentence last word should read 'reablement'
- Question 23 relating to the Housing Revenue Account, paragraph 1 – amend to read 'The Leader of the Council advised that TLCF were looking at draft proposals. The HRA was not without its difficulties and challenges.'

85. Public Questions

RESOLVED: To note that no public questions were put, or petitions or deputations received at this meeting under the provisions of Committee Procedure Rules 17, 15 and 16 (Part 4B of the Constitution) respectively.

RECOMMENDED ITEMS

86. Health Scrutiny Sub-Committee - Terms of Reference

The Committee received a report from the Health Sub-Committee which outlined proposals for the revision of their terms of reference, areas for future consideration in respect of their remit and a proposed protocol for the appointment of co-optees.

A Member questioned whether there were sufficient staffing resources given the current situation in relation to the Primary Care Trust (PCT). An officer advised that there was one full time member of staff and that a paper would be submitted to the next meeting of the Scrutiny Leadership Group on the proposal to increase the number of meetings from four to six.

The Committee, having agreed the proposed changes

Resolved to RECOMMEND: (to Council)

That Council ratify the changes to the name of the Sub-Committee and its terms of reference.

RESOLVED:

- (1) the terms of reference attached as an appendix to these minutes be agreed;
- (2) the Health Sub-Committee be renamed the "Health and Social Care Scrutiny Sub-Committee" to reflect the revised terms of reference incorporating social care.

87. Single Equalities Scheme

The Committee received a report of the Corporate Director of Adults and Housing and the Assistant Chief Executive which set out the final draft Single Equalities Scheme. The scheme covered the Council's approach to taking forward the protected characteristics (Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation) under the Equality Act 2010 and working towards the excellent level of the new Equality Framework for Local Government (EFLG) with a view to achieving the excellent accreditation by March 2012.

An officer advised that the scheme set out the actions the Council intended to take and also the actions it was hoped would achieve excellence. The officer added that Cabinet had recommended the scheme to Council for approval as it was a change to the policy framework.

A Member stated that the scheme did not appear to address double and triple discrimination. The officer advised that the Equality Act specifically provided for the recognition of dual discrimination but due to the timing of the production of the scheme, this would be addressed when it was revisited.

In response to a Member's question in relation to the reduction of inequalities through corporate commitment and partnership working, the officer advised that there had been a significant increase in equalities and diversity training. In addition, there was an e-learning package and an improved version of the induction training for both new staff and managers. Officers were ensuring that Equality Impact Assessments were completed for changes to policies. He added that there was a quality assurance process in place to ensure that these were done correctly, with a selection being sent to the Equality Centre for checking.

A Member questioned whether there was an indicator in place in terms of the data held by the Council on its residents. The officer advised that there was a link to categories of information and by 31 July 2011, the Council was due to publish how its functions supported the general equality duty against each of the protective characteristics.

Resolved to RECOMMEND: (to Council)

That the comments of the Committee be considered.

RESOLVED ITEMS

88. Corporate Plan

The Committee received a report of the Assistant Chief Executive which set out the results of the "Let's Talk" public consultation on the Council's draft vision and priorities and the Corporate Plan. The Plan set the direction for the Council for the coming three years.

The Divisional Director of Partnership Development and Performance took the committee through a presentation which outlined the process of how the Council developed and consulted upon its draft Vision and Priorities through Let's Talk and then developed the Corporate Plan. He advised that the priority 'Supporting our Town Centre, local shopping centres and businesses' changed as a result of Let's Talk given that conversations with residents had shown a greater affinity with all shopping centres, not just a focus on the town centre.

The Leader of the Council advised that the Council faced difficult decisions in the coming years and needed to consider how it could be modernised. The idea of a united Harrow was encapsulated in the proposed final vision – Working together: Our Harrow, our community. He advised that work was being done with partners and that the Council wanted to work with local residents.

Following the presentation by the Divisional Director and Leader of the Council, the Committee asked questions, made a number of points and received responses, including the following:

- In terms of crime and safety, a Member challenged the Leader of the Council as to why a town centre police team had not been agreed, particularly given the proposed priorities. The Leader advised that discussions were underway with the Borough Commander and that crime and safety were reflected in the proposed priorities.
- In relation to the structure of the “Let’s Talk” question approach, a Member suggested that the costs and consequences were not clear. The Member referred to the online consultation carried out by the London Borough of Redbridge which had mapped out the consequences of the choices made by respondents. The Leader accepted the point raised and took on board the comments made. He advised that the Redbridge campaign had been looked at. He added that, through Harrow Council’s Let’s Talk campaign, residents had welcomed the sight of both Councillors and Senior Officers out in the community and having the opportunity to talk with them directly.
- A Member challenged the value for money of the “Let’s Talk” campaign as the percentage response rate was not high. In response, the Leader advised that there would always be a cost if the Council wanted to involve and engage with residents. He considered, however, that Let’s Talk represented good value for money. Another Member questioned the cost of the consultation in terms of officer time and indicated that it appeared to be a bureaucratic way of working. If the Council were transparent, residents would come and talk. The Leader reiterated that engaging and involving residents would not be at zero cost. The Divisional Director added that the Council was open to learn about better ways of involving residents and that Redbridge was undertaking research to see how successful their web-based campaign had been.
- A Member questioned, given the high rating of crime and health, when health would appear in the priorities. The Leader emphasised that whilst the Council was not entirely responsible for health, the Council was committed to helping to improve health services for Harrow residents, adding the example of reablement which was in the Corporate Plan as a priority action.
- In response to a Member’s question on community engagement, the Leader advised that the Pride of Harrow weeks were an example of what the Council was doing to involve residents.
- A Member questioned where the administration’s innovative ideas were, as much of that included in the paper were ideas brought in by the previous administration. In response, the Leader advised that he felt there were many examples, one specifically being that the ‘Pride in Harrow’ events were building on weeks of action, but would be

community driven which was different from the approach taken by the previous administration.

- In response to a question about the ranking of the priorities, the Leader stated that all priorities had an equal rank. The Member drew attention to the risk referred to in the report that there were insufficient resources to progress priorities. The Divisional Director stated that it was recognised that given the funding challenges ahead for the Council and other partners, this was a real risk and would need to be considered on an ongoing basis.
- A Member expressed concern in relation to the equalities implications set out in the officer report in that he had been unable to locate the Equalities Impact Assessment (EIA) on the Council's website and it was also unclear as to the demographic breakdown of the respondents. The Divisional Director reassured the Committee that there were no adverse implications and that he would ensure that the EIA was published. He added that the results of the Residents' Panel (which was set up to be demographically balanced against Harrow's population) breakdown were used in considering any adverse impacts on the community. The Leader explained that it was not possible just to go to the Residents' Panel due to the difficulty in engaging hard to reach groups. The Member stated that he remained concerned in relation to the EIA.
- A Member stated that in terms of community engagement, the Council's website was frustrating in that it took a number of clicks to navigate around it. In addition, residents had to be on the electoral register in order to invoke a call-in which precluded under 18s. The Leader advised that he was engaged in discussions on the website.
- In response to a question on the budget reduction in Children's Services, the Divisional Director advised that the budget process undertaken by the Council was robust and that whilst next year would be challenging, proposals would not be put forward as Priority Actions if it was not felt they could be sustained.
- A Member questioned whether the weeks of action would be rebranded and the cost implications of doing so. The Divisional Director indicated that he would come back to the Member once he had checked the position.
- A Member questioned the ownership of "Let's Talk". The Divisional Director advised that that there was a Cross Council approach to its delivery and that currently there were discussions about the next steps. He noted the Member's point that it did not appear in the list of priority actions. The Member stated that there appeared to be a wish list with no mention of the Council's financial situation. In response, the Divisional Director advised that the Corporate Plan had not been developed in isolation of the financial challenges ahead.

- A Member suggested that the Corporate Plan be re-titled Corporate Vision as it was narrow and did not cover schools, children and how the organisation would be taken forward and how it would be funded. The Divisional Director advised that this year's Corporate Plan had been shortened so that it would appeal to a larger audience. Experience had shown that long reports did not necessarily get read by residents. He would feedback the comments on renaming the Corporate Plan.

The Chairman thanked the Leader of the Council and Divisional Director for their attendance. Having noted a Member's concern in relation to the Equalities Impact Assessment, it was

RESOLVED: That the Committee's comments on the public response to the Council's draft vision and priorities, and on the corporate plan prepared to reflect that vision and those priorities, be forwarded to Cabinet.

89. Core Strategy - Proposed Submission Version

The Committee received a report of the Corporate Director of Place Shaping which introduced the submission publication version of the Harrow Core Strategy. It was intended to publish this document for public consultation in March 2011, prior to its submission to the Secretary of State in May 2011.

An officer reported that an updated version of the document had been circulated electronically to the Committee. He would highlight the changes from the document included in the Committee agenda via a presentation if required.

The officer advised that the Core Strategy was the most important document in the Local Development Framework and set out the broad strategy and vision for the borough. The officer outlined the background to the consultation on the preferred option. The revised Core Strategy was now ready for the next statutory stages in its preparation and progress to adoption. The overall strategy had not been changed from that proposed in the Preferred Option, in terms of the quantum of different types of development to be delivered and where in the Borough. In order to respond to the comments raised in relation to the need for more detail about how growth outside the intensification area would be managed, the document had, however, been changed to move away from policies that dealt with land based issues in preference to area based policies.

The officer advised the Committee that the report was a work in progress and that the version circulated with the agenda was an early draft. An updated version had been circulated electronically to Members on 25 January 2011 and the Local Development Framework Panel had considered that version at their meeting on 1 February 2011. He outlined the comments made by the Panel, the recommendations of which would also be considered by Cabinet at their meeting on 10 February 2011. He added that further comments were still being received and that the final version would be forwarded to Plain English for a critique.

Members, in considering the Core Strategy, asked questions and made a number of comments which were responded to as follows:

- A Member questioned whether the implications of the Mayor's new Community Infrastructure Levy (CIL) had been considered. The officer advised that a local viability assessment had been undertaken by GVA Grimley which showed that new office development was currently not viable and other commercial development could only carry a modest charge. If the Mayor imposed a £35 per sq m tariff, economic development in Harrow would be wiped out and officers were responding robustly on the consultation. Other boroughs, including Richmond, also opposed the Mayoral CIL.
- In response to a Member's question, the officer advised that the strategy had been updated as it dealt with all types of land use and that it was more aligned with the Sustainable Community Strategy.
- A Member questioned the performance of Harrow in terms of emissions and was advised that Harrow's carbon footprint was 11.4 tonnes of CO² per capita. This was higher than the London average but lower than the national average. Harrow was 28th out of the 32 London Boroughs.
- In response to a Member's question in relation to NI 197- active management of local sites, the officer advised that the reduction of the target to 3 would have been based on the advice of colleagues responsible for preparing the conservation site management plans.
- A Member questioned whether action was being taken to address the proportion of open space in the central area. The officer confirmed that this was being considered, including improved access to existing open space, improving its quality and therefore usability, and seeking greater use of private open space.
- A Member stated that the affluence of Harrow could change if employment growth was in the service sector. The officer commented that such growth would only match the decline being experienced in the manufacturing sector and therefore it was unlikely to result in a significant change in the economic demographics of the Borough.
- In response to a Member's concerns that the strategy contained little in relation to traffic volumes and the traffic network, the officer advised that a detailed transport audit had been done and that Harrow had high car user rates. The issue was with connections within and across Harrow. The strategy promoted improved and faster orbital bus links as well as key junction improvements to address local congestion. Less car parking was being promoted for development within town centres well served by public transport and the London Plan constrained the Council in terms of parking provision.
- A Member questioned the position in terms of affordable housing. The officer advised that affordable housing would still be sought via the

overarching policy and that the evidence base indicated that a borough-wide target of 40% would be appropriate, given the implication that grant was unlikely to be available. The 40% would comprise affordable housing from private schemes, 100% social housing schemes and estate renewal schemes.

- A Member sought clarification on the meaning of 'Metropolitan Centre'. The officer advised that the designation was based on the level of office and retail floor space. At the time the designation was made in 2004, Harrow town centre was in a robust position but it had not kept pace with other town centres since. If Harrow were to be downgraded, it may appear that the borough was not a good place to invest in.
- A Member requested that the views from St Mary's Church on Harrow on the Hill be preserved. She indicated that there was considerable overgrowth of trees and bushes. The officer noted that the view shafts worked both ways, protecting views to and from the Hill, however the issue of trees was beyond the scope of the Core Strategy as it was a management issue.
- A Member questioned the level of CIL Harrow could expect. The officer advised that a viability assessment had been carried out and that he was confident in relation to the market for residential development that a reasonable level of change could be carried by new development. The CIL would be used to fund strategic infrastructure, including transport, education and health.
- In response to a number of other questions raised by Members of the Committee, the officer advised that tall buildings were those over 30 metres (10 storeys), there was a space behind Harrow Leisure Centre Swimming Pool that could be brought back into use for indoor courts provision, the Council was trying to bring allotments up to an agreed standard of quality and that the hyphens typed in Harrow on the Hill in the strategy would be removed.

The Chair thanked the officer for his presentation and it was

RESOLVED: That Committee's comments on the submission version of the Core Strategy be forwarded to Cabinet for consideration at its meeting on 10 February 2011.

90. Capital Programme

The Committee received a reference from the Cabinet meeting held on 15 December 2011 advising of an overspend in the Children's Services Capital Programme.

Members noted the content of the report and

RESOLVED: That

- (1) development work be carried out on how the Council monitored its projects;
- (2) the Scrutiny Leadership Group determine how this project should be scoped.

91. Feedback on the Budget

Members received a reference from the Cabinet meeting held on 13 January 2011. The reference set out the Cabinet's response to the Committee's comments on the draft budget.

A Member expressed concern at the lack of response from Cabinet to the suggestion that the inflation figures being used in the budget were overly optimistic.

RESOLVED: To note the response of Cabinet to the Committee's comments and the Chairman and Vice Chairman's presentation on the budget.

92. Changes in the Memberships of the Health Sub-Committee and the Performance and Finance Scrutiny Sub-Committee

RESOLVED: That

- (1) Councillor Varsha Parmar replace Councillor Sachin Shah on the Performance and Finance Scrutiny Sub-Committee; and
- (2) Councillor Sachin Shah replace Councillor Varsha Parmar on the Health Sub-Committee.

93. Better Deal for Residents Standing Review Scope

The Chair of the Review Group introduced the scope for the Standing Review of the Better Deal for Residents. He advised that the first phase of the review's work would involve examination of the council's project management processes to ensure that the programme is being properly project managed. He added that, to date, three projects had been considered; libraries, reabling focussed care and changing tenant behaviour.

The Chair advised that there would be a quarterly report to the Committee and it was

RESOLVED: That the scope for the standing review of the Better Deal for Residents programme be agreed.

94. Scrutiny Work Programme Update

The Committee received an update report on the progress of the 2010/11 work programme.

An officer updated the Committee on a number of changes to the programme since the report had been written including that:

- the HAVS challenge panel had been deferred to March/April 2011;
- the Performance and Finance Scrutiny Sub-Committee had received a report on the Housing Ambition Plan which meant that the proposed challenge panel was no longer required;
- the Performance Management report would be submitted to the Committee on 15 March 2011;
- the Capital Programme monitoring would be included on the work programme.

A Member stated that an undertaking had been given at the Performance and Finance Scrutiny Sub-Committee, by the Finance Director, that the monthly report in terms of SAP would be submitted to Members and he questioned the current status of this request. The officer indicated that this would be picked up at the Chairman and Vice Chairman's briefing.

In response to a Member's suggestion that there be a challenge panel to consider the IT contract, the officer undertook to include this item on the agenda for the next Leadership Group.

A Member emphasised the importance of starting the standing scrutiny review of the budget.

RESOLVED: That

- (1) the content of the update be noted;
- (2) the action being taken be agreed;
- (3) the standing review of the budget be scheduled.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.47 pm).

(Signed) COUNCILLOR JERRY MILES
Chairman

PROPOSED NEW HEALTH AND SOCIAL CARE SCRUTINY SUB-COMMITTEE TERMS OF REFERENCE

The Health and Social Care Scrutiny Sub-Committee is responsible for scrutinising matters in relation to health, public health and social care. The Health and Social Care Scrutiny Sub-Committee also has responsibility for considering matters related to other general policy proposals and issues beyond the remit of health and social care but with implications on health outcomes.

The Health and Social Care Scrutiny Sub-Committee has the following powers and duties:

1. To be the key driver of the scrutiny function's health and social care scrutiny programme and maintain relationships with health and social care colleagues and partners in relation to shared stated priorities, in consultation with the Overview & Scrutiny Committee.
2. To be responsible for the discharge of the functions conferred by Section 21(f) of the Local Government Act 2000 of reviewing and scrutinising, in accordance with regulations under Section 7 of the Health and Social Care Act 2001, matters relating to the planning, provision and operation of health and social care services in Harrow.
3. To have specific responsibility for policy development and scrutiny of the following functions:
 - Health and social care infrastructure and service
 - GP Consortia and the Health and Wellbeing Board
 - Public Health
 - Other policy proposals which may have an impact on health, public health, social care and wellbeing
 - Collaborative working with health agencies
 - Commissioning and contracting health services
4. To conduct research, community and other consultation in the analysis of policy issues and possible options;
5. To consider and make recommendations for response to NHS consultations on proposed substantial developments/variations in health services that would affect the people of LB Harrow.
6. To consider and make recommendations for response to consultations from local health trusts, Department of Health, Care Quality Commission and any organisation which provides health services outside the local authority's area to inhabitants within it.

7. Continue to seek the development of relationship with GP consortia, Health and Wellbeing Boards, Care Quality Commission, LINK/ HealthWatch and the LMC.

Any health matter requiring an urgent decision/comment before the next meeting of the Health Committee will be considered by the Overview and Scrutiny Committee if that is sooner.