

# OVERVIEW AND SCRUTINY COMMITTEE MINUTES

## 27 APRIL 2011

<b>Chairman:</b>	* Councillor Jerry Miles	
<b>Councillors:</b>	* Sue Anderson * Nana Asante (1) * Kam Chana * Barry Macleod-Cullinane	* Paul Osborn * Bill Phillips * Sachin Shah * Stephen Wright
<b>Voting Co-opted:</b>	(Voluntary Aided) † Mrs J Rammelt Reverend P Reece	(Parent Governors) 2 vacancies
<b>In attendance: (Councillors)</b>	Mrs Rekha Shah	Minutes 130 and 132

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

### 122. Welcome

The Chairman welcomed everyone to this last Overview and Scrutiny Committee meeting of the Municipal Year, in particular Councillor Mrs Rekha Shah, Portfolio Holder for Community and Cultural Services, Brendon Hills, Corporate Director of Community and Environment, Marianne Locke, Divisional Director of Community and Cultural Services, Julie Alderson, Interim Corporate Director of Finance, and Susan Dixson, Service Manager – Internal Audit.

### 123. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Ann Gate

Councillor Nana Asante

### 124. Declarations of Interest

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

Agenda Item 7 - Council's Use of Performance Information - Review Report

Councillor Paul Osborn declared a personal interest in that he had previously received hospitality from Capita. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 8 – Update on Actions Arising from the Scrutiny Review 'Delivering a Strengthened Voluntary Sector'

Councillor Sue Anderson; declared a personal interest in that she was a member of the Grants Advisory Panel. She would remain in the room whilst the matter was considered and voted upon.

Councillor Nana Asante declared a personal interest in that she was Chair of the Grants Advisory Panel and was part of the scrutiny review 'Delivering a Strengthened Voluntary Sector'. 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 was a member of the Cabinet that had agreed revised funding for voluntary sector grants, and was an employee of London Councils which administered the London Boroughs Grants Scheme. He would remain in the room whilst the matter was considered and voted upon.

Councillor Paul Osborn declared a personal interest in that he was a member of the Cabinet that had agreed revised funding for voluntary sector grants, but was absent from the Cabinet meeting on 17 September 2009 when the grant funding criteria had been agreed. He would remain in the room whilst the matter was considered and voted upon.

Councillor Bill Phillips declared a personal interest in that he was a Trustee of the Harrow Association of Voluntary Service. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 9 - Grants Update Report

Councillor Sue Anderson declared a personal interest in that she was a member of the Grants Advisory Panel. She would remain in the room whilst the matter was considered and voted upon.

Councillor Nana Asante declared a personal interest in that she was Chairman of the Grants Advisory Panel. 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 was a member of the Cabinet that had agreed revised funding for voluntary sector grants, and was also an employee of London Councils that administered the London Boroughs Grants Scheme. He would remain in the room whilst the matter was considered and voted upon.

Councillor Paul Osborn declared a personal interest in that he was a member of the Cabinet that had agreed revised funding for voluntary sector grants, but was absent from the Cabinet meeting on 17 September 2009 when the grant funding criteria had been agreed. He would remain in the room whilst the matter was considered and voted upon.

Councillor Bill Phillips declared a personal interest in that he was a Trustee of Harrow Association of Voluntary Service. He would remain in the room whilst the matter was considered and voted upon.

#### Agenda Item 12 – Scrutiny Lead Members Report

Councillor Barry Macleod-Cullinane declared a personal interest in that he was the Portfolio Holder for Housing at the time of the Housing Quality Network inspection and the approval of the Housing Ambition Plan. He would remain in the room whilst the matter was considered and voted upon.

#### Agenda Item 13 - Report of the Chair of the Performance and Finance Scrutiny Sub-Committee

Councillor Sue Anderson declared a personal interest in that she was a health trainer and walk leader for Harrow Primary Care Trust, and also a Neighbourhood Champion. She would remain in the room whilst the matter was considered and voted upon.

#### Agenda Item 17 - Internal Audit Report - Grants to Voluntary Organisations

Councillor Sue Anderson declared a personal interest in that she was a member of the Grants Advisory Panel. She would remain in the room whilst the matter was considered and voted upon.

Councillor Nana Asante declared a personal interest in that she was Chairman of the Grants Advisory Panel. 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 was a member of the Cabinet that had agreed revised funding for the voluntary sector, and was also an employee of London Councils that administered the London Boroughs Grants Scheme. He would remain in the room whilst the matter was considered and voted upon.

Councillor Paul Osborn declared a personal interest in that he was a member of the Cabinet that had agreed revised funding for the voluntary sector, but was absent from the Cabinet meeting on 17 September 2009 when the grant

funding criteria had been agreed. He would remain in the room whilst the matter was considered and voted upon.

Councillor Bill Phillips declared a personal interest in that he was a Trustee of Harrow Association of Voluntary Service. He would remain in the room whilst the matter was considered and voted upon.

## **125. Minutes**

In accordance with the Local Government (Access to Information) Act 1985, the minutes of the meeting held on 5 April 2011 were admitted late to the agenda in order that they could be approved at the earliest opportunity. Due to the proximity of the last meeting to this, the minutes had not been finalised at the time the agenda was printed and circulated.

**RESOLVED:** That the minutes of the meeting held on 5 April 2011 be taken as read and signed as a correct record.

## **126. 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 Committee Procedure Rules 17, 15 and 16 (Part 4B of the Constitution) respectively.

## **RECOMMENDED ITEMS**

### **127. Draft Scrutiny Annual Report 2010/11**

The Committee received the draft Scrutiny Annual Report for 2010/11, which summarised the work undertaken during the year by each of the scrutiny committees and the scrutiny Lead Members.

The Committee endorsed the Annual Report and it was

**Resolved to RECOMMEND:** (to Council)

That the Scrutiny Annual Report for 2010/11 be noted.

**RESOLVED:** That the Scrutiny Annual Report for 2010/11 be agreed.

## **RESOLVED ITEMS**

### **128. Council's Use of Performance Information - Review Report**

The Committee received a reference from the Cabinet meeting on 7 April 2011, which set out the Cabinet's response to the recommendations of the Scrutiny Review of the Council's Use of Performance Information.

There was concern that some of the responses to the individual recommendations were vague with respect to the timescale in which they would be implemented, and this would make it difficult to measure progress.

The response, for example, to the recommendation that a suite of indicators be developed for the performance of the IT service following its transferral to Capita was simply that this was agreed and in hand. A Member questioned whether there was a Service Level Agreement for the IT service and queried how data would be collected and what would be done with it. He was concerned that if data was not generated automatically it could be expensive to capture.

**RESOLVED:** That the reference and the Committee's comments thereon be noted.

**129. Update on Actions Arising from the Scrutiny Review 'Delivering a Strengthened Voluntary Sector'**

At its meeting on 6 April 2011, the Performance and Finance Scrutiny Sub-Committee had received an update on actions taken to address the recommendations of the scrutiny review report produced in December 2008 on 'Delivering a Strengthened Voluntary Sector'. The Committee now considered a recommendation from the Performance and Finance Scrutiny Sub-Committee in that regard.

The Sub-Committee had expressed concern that that the update report did not fully consider the impact of the closure of the Harrow Association of Voluntary Service (HAVS) on the delivery of the recommendations, and it had therefore requested that officers prepare a report on this for a future meeting of the Overview and Scrutiny Committee.

The Committee echoed the sentiments of the Performance and Finance Scrutiny Sub-Committee in that much of the information in the report was out of date and this made it impossible for scrutiny members to monitor progress. HAVS was referred to throughout the report as if it were still in operation, and there was no explanation as to what had happened to the Funding Officer appointed jointly with HAVS since its closure. Members stated that some of the documents which were reported to be on the website were not. A Member also highlighted that the actions set out in response to the recommendation that voluntary sector representatives on the Harrow Strategic Partnership report back more systematically to their sector colleagues did not address the recommendation. In general, Members felt that the report was unsatisfactory and were concerned as to whether it had had the appropriate approvals prior to publication.

Officers noted Members' concerns and undertook to submit a further report to the June meeting of the Committee.

**RESOLVED:** That officers prepare a report for the Committee that outlined the implications of the HAVS closure on the delivery of the recommendations made by the scrutiny review.

### 130. Grants Update Report

The Committee received a report of the Corporate Director of Community and Environment, which set out information relating to the process for administering the 2011/12 main grants programme.

Members had a number of detailed questions and comments on issues arising from the report. It was noted that the Funding Officer at the Harrow Association of Voluntary Service (HAVS) had helped a number of organisations with their applications for the 2011/12 grants round, and that £20,781 had been ring-fenced to replace the support previously provided by HAVS. Members questioned what form this would take. Officers advised that they were looking at an interim solution, and were considering an offer from 4 voluntary sector representatives to provide services in the short term, but that they would be working with the voluntary sector to find a long-term solution, which it was hoped to implement from November 2011. It was unlikely, however, to be a like-for-like replacement for HAVS. It was also proposed to carry forward the remainder of the HAVS grants for 2010/11.

Members questioned whether the organisations that had availed themselves of the information sessions on the revised grant application process had been more successful than those who had not. Officers advised that no such analysis had been carried out but that it could be done. Members suggested that there should be evaluation of the information sessions. A Member also felt that there had been an issue about the way in which changes to the process had been communicated, and in particular that applicants had not been aware of the introduction of a word limit.

Concern was expressed about the timeline for resolving the issue of grant appeals in 2010/11, and specifically that this had been resolved via a decision of the Leader on 8 February 2011, only two days before a scheduled meeting of Cabinet. It was suggested that the decision should have been taken by Cabinet as this would have been more transparent and constitutionally sound, and the reason for not submitting a report to Cabinet was queried. Officers undertook to look into this and to incorporate a response into the report to be submitted to the June Committee meeting as agreed under the previous agenda item. In addition, Members questioned why an independent adviser had been appointed to review the appeals, after the Grants Advisory Panel had agreed that they be reviewed by reserve members of the Panel. The Portfolio Holder for Community and Cultural Services stated that she felt that this would be a quicker and more transparent process.

Members were also concerned about the timeliness of committee reports, and about documents being made available late, both to Members and the public. It was suggested that there should be a separate Cabinet meeting to agree the grants to voluntary organisations. The Corporate Director of Community and Environment stated that Members had been advised in July 2010 that the consultation on the grants process would have implications for the delivery of the main grants programme for 2011/12, and that papers had been made available as soon as they were ready, but officers had had to weigh up various factors and try to pull together a tight timeline. It was hoped in 2012 to bring the report on the grants applications to the February Cabinet meeting

with a view to completing the whole process, including appeals, before the end of the financial year. A Member noted that there was no mention of the Grants Advisory Panel in the timeline and felt that it was important that the Panel be fully involved in the process, as it was able to look at issues in greater depth.

The outcome of the consultation on the possible commissioning and delivery of a revised small grants programme was queried, and it was advised that over 80% of respondents had supported this. The Council was therefore developing proposals for revised funding arrangements for 2012/13 and would be holding stakeholder meetings on this shortly. A Member highlighted that London Councils had recently lost a Judicial Review case relating to this and questioned what steps were being taken to avoid this in Harrow. The Portfolio Holder for Community and Cultural Services stated that she had had several meetings with officers on the matter. Officers advised that they were taking legal advice and also working with the procurement team on developing the specifications.

**RESOLVED:** To note the improvements made to the grants administration process as a result of lessons learnt in previous years and recommendations made by Internal Audit.

### **131. Exclusion of Press and Public**

**RESOLVED:** That the press and public be excluded from the meeting for the following item of business for the reason set out below:

<u>Item</u>	<u>Title</u>	<u>Reason</u>
17.	Internal Audit Report – Grants to Voluntary Organisations	The report contained information under paragraph 3 in that it contained information relating to the financial or business affairs of any particular person, including the authority holding that information.

### **132. Internal Audit Report - Grants to Voluntary Organisations**

The Committee considered a confidential report of the Assistant Chief Executive, which set out a review by the Council's Internal Audit Service of the adequacy, application and effectiveness of the arrangements in place for grant administration.

Members had a detailed discussion of the findings of the review, which had been requested by the Overview and Scrutiny Committee and agreed by Internal Audit for inclusion in the 2010/11 Internal Audit Plan as an emerging risk. A number of questions were asked of officers and the Community and Cultural Services Portfolio Holder, to which answers were provided. Members thanked the Internal Audit Service for an excellent report.

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

### **133. Re-admittance of Press and Public**

**RESOLVED:** That the press and public be re-admitted to the meeting for the remainder of the business.

### **134. Scrutiny Work Programme Update**

Members received a report of the Divisional Director of Partnership Development and Performance, which provided an update on the progress of the delivery of the scrutiny work programme, and set out the projects proposed for inclusion in the work programme by the Scrutiny Leadership Group for approval.

At the meeting, it was advised that there was also a recommendation from the Scrutiny Leads for Corporate Effectiveness and Finance for a review of the debt recovery process and, if agreed, this might require some re-phasing of the work programme. A Member suggested that the Committee should do a piece of work on the Safer Neighbourhood Teams, given the changes that were being implemented, but it was advised that this was something that the Scrutiny Lead Members were already looking at. The next phase of the work programme was agreed, with the addition of the work on the debt recovery process.

**RESOLVED:** That

- (1) progress of the delivery of the work programme be noted;
- (2) it be agreed that the next phase of the scrutiny work programme comprise:
  - i. standing review of the budget,
  - ii. second phase of the Better Deal for Residents Standing Review,
  - iii. second phase of the Performance Management Review,
  - iv. snow clearance,
  - v. engaging with young people,
  - vi. debt recovery process;
- (3) allowance be made for the inclusion of the following projects where this was deemed appropriate following further investigation:
  - i. disabled access,
  - ii. health and housing
- (4) the scopes for the projects included under (2) above be presented to the next ordinary meeting of the Committee (14 June 2011) where necessary.



### **135. Scrutiny Lead Members Report**

Members considered a report of the Divisional Director of Partnership Development and Performance, which set out a report of the Sustainable Development and Enterprise Lead Members of a meeting on housing-related matters.

A Member queried why the average annual service charge for Harrow Council leaseholders was one tenth of the London average. The Performance Lead Member advised that there were many different charges and that a lot of work needed to be done on this, but officers were looking into it.

**RESOLVED:** That the report from the Scrutiny Lead Members be noted and the action proposed therein agreed.

### **136. Report of the Chair of the Performance and Finance Scrutiny Sub-Committee**

The Committee received a report of the Divisional Director of Partnership Development and Performance which summarised the issues to be taken forward by the Performance and Finance Scrutiny Sub-Committee following its meeting on 6 April 2011. Additionally, in accordance with the Local Government (Access to Information) Act 1985, the minutes of the Sub-Committee meeting on 6 April 2011 were admitted late to the agenda in order that they could be considered in conjunction with the report, the minutes of the previous meeting on 18 January 2011 having been circulated in error on the main agenda.

**RESOLVED:** That the report of the Chair of the Performance and Finance Scrutiny Sub-Committee be noted.

### **137. Attendance by Executive Members at Scrutiny Meetings**

In accordance with the Local Government (Access to Information) Act 1985, a proposed resolution relating to attendance by Executive Members at scrutiny meetings was admitted to the agenda as a late item, in light of the non-attendance of an Executive Member at recent scrutiny review meetings. The Committee agreed to consider this item as a matter of urgency as the Implications of HAVS (Harrow Association of Voluntary Service) Scrutiny Review, which was looking at the Council's arrangements for grants to the voluntary sector, needed to be concluded as soon as possible.

Members expressed regret that this action was being taken but felt that it was necessary to ensure that the Committee Procedure Rules were followed and Members attended scrutiny meetings when requested.

**RESOLVED:** That

- (1) under Rules 49 and 43 of the Committee Procedure Rules, the current Portfolio Holder for Community and Cultural Services be required to attend and answer questions at the Implications of HAVS Review Group, chaired by Councillor Nana Asante, and the Monitoring Officer

be instructed, in accordance with Rule 43.4, to write to the Portfolio Holder informing her of this decision and to arrange a date for this meeting, ensuring that the Portfolio Holder is given at least 10 clear working days notice of the meeting;

- (2) the review group report back to the Overview and Scrutiny Committee meeting on 14 June 2011 with the final report;
- (3) a reference be made to Cabinet reminding Members of their duties under Rule 43 which states:

“43.2 In fulfilling the scrutiny role, the Overview and Scrutiny Committee and Scrutiny Sub-Committee may require the Leader of the Council and any other member of the Executive to attend before the Committee to explain:

43.2.1 any particular decisions or series of decisions;

43.2.2 the extent to which the actions taken implement Council policy; and/or

43.2.3 their performance.”

- (4) in the spirit of the delivery of effective challenge and reflecting custom and practice hitherto, Cabinet also be reminded of its individual and collective responsibilities under section 49 of the Committee Procedure Rules which states:

“49.1 In conducting reviews, the Overview and Scrutiny Committee and Scrutiny Sub-Committee may also ask people to attend to give evidence at their meetings as outlined in Rules 43-45 above.”

*The Committee wished it to be recorded that the voting was as follows:-*

*Councillors Sue Anderson, Nana Asante, Kam Chana, Ann Gate, Barry Macleod-Cullinane, Jerry Miles, Paul Osborn, Sachin Shah and Stephen Wright voted for the above decision;*

*Councillor Bill Phillips voted against it.*

(Note: The meeting, having commenced at 7.34 pm, closed at 9.20 pm).

(Signed) COUNCILLOR JERRY MILES  
Chairman