

# MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Thursday, 9 March 2017 at 7.00 pm

PRESENT: Councillors Alan Hall (Chair), Liam Curran, Carl Handley, David Michael, John Muldoon and Jim Mallory

ALSO PRESENT: Councillor Maja Hilton

Apologies for absence were received from Councillor Gareth Siddorn, Councillor Brenda Dacres and Councillor Hilary Moore

## 74. Minutes

### New Bermondsey CPO

The Chair stated that he had received assurance from the Executive Director for Children and Young People acting as the officer reporting on the Inquiry that the letter from the Chief Executive of Millwall in response to Councillor Smith's response at the last Council meeting would be included in the bundle of papers for the Inquiry.

### **Action >>>>> ED CYP**

The Chair asked if there had been any update on Business Panel's request to see the correspondences in reply to two solicitors, and Business Panel was told by the Head of Law's representative that the Head of Law would welcome Members looking at these documents in her office as these were confidential documents and any mishandling could lead to litigation.

Councillor Mallory commented that Council Members should have easy access to the documents. The Chair said he had a copy of Shoosmith's letter as this was not confidential, but he was unable to get a copy of the Council's response. The Chair said the Head of Law was notified that Business Panel Members wanted to see the response but it had not been made available. Councillor Mallory said there must be an easier way for Members to see this document albeit in confidence. The Chair commented that the lack of access to information had contributed greatly to demands for an Inquiry.

The Chair asked whether a redacted copy of the Housing Action Zone bid had been sent to Councillor Michael as requested at the last meeting, and was told by the Head of Law's representative that a copy was on the Council's website. The Chair said as Council Members they should be able to request that the document be sent to them and expect a response. He said being sent the link would save Members time trying to locate the document.

RESOLVED that the minutes of the open meeting held on 14 February 2017 be confirmed and signed as a correct record.

## 75. Declarations of Interests

Councillor Mallory declared a personal non pecuniary interest in item 1 as a season ticket holder of Millwall FC.

**76. Outstanding Scrutiny Items**

Report noted.

**77. Notification of Late and Urgent Items**

Report noted.

**78. Decision Made by Mayor and Cabinet on 22 February 2017**

New Bermondsey – Establishment of an Independent Inquiry

RESOLVED that the decision of the Mayor be noted.

**79. Decision made by Mayor and Cabinet on 1 March 2017**

Heathside and Lethbridge Phase 6 CPO

The Housing Delivery Manager introduced the report.

Councillor Curran asked for information on the number of social rented housing that would be available, and was told that 416 would be rented at affordable rates and 111 would be with leaseholders. The Housing Delivery Manager said once the project was completed there would be 490 affordable housing and 369 affordable rented properties. Councillor Muldoon asked how viable it would be for residents to use equity from their existing property to buy a new property. Panel Members were told that Leaseholders would have the option of buying into a new property. It was noted that the aim was for Leaseholders not to be worse off. Residents who could not afford to own a house would be re-housed into a rented property.

Councillor Muldoon asked what would happen if residents have mortgages on their properties, and was told the property would be bought at market rate and the mortgage paid off. If the property had been re-mortgaged then they could be rehoused as a tenant.

The Chair said the current Sustainable Community Strategy 2008 - 2020 was now obsolete as a lot of changes that had occurred since it was first written. It was agreed that a request should be made to Mayor and Cabinet asking for the Strategy to be updated. The Executive Director for Customer Services said this would be updated as soon as practicable. The Executive Director for Customer Services brought to Panel Members attention that Compulsory Purchase Order in this scheme would only be used as a last resort.

**Action >>>>> ED Customer Services**

RESOLVED that

- i. the decision of the Mayor be noted.
- ii. the Business Panel believed the current Sustainable Community Strategy 2008-2020 was now obsolete following the numerous changes that had occurred since it was first written. The Business Panel requests that the Mayor ask officers to update this strategy as soon as practicable.

## **80. Overview and Scrutiny Select Committees Work Programmes 2015-2016 - verbal update**

### Responding to the Communities and Local Government Committee 'Overview and Scrutiny in Local Government'.

The Scrutiny Manager introduced the report and asked for additional information Business Panel Members might wish to add to the paper which was to be forwarded to the CLG inquiry the next day. The Chair said comments would be taken at the meeting and he would sign off the final document.

Councillor Muldoon said that it would be useful to include information on South London and Maudsley NHS Foundation Trust, and the Joint Health Overview and Scrutiny Committee in the report. He was told to send the exact wording he wanted added to the report to the Scrutiny Manager as soon as possible the next day as the report had to go out that same day. It was noted that the same information that was included in the mid-term review report could also be utilised.

Councillor Curran said he would like to commend officers for their continued hard work. He said that he had noted that Scrutiny Members do not have the same level of Legal support that was available to Executive Members. Councillor Curran said some of the issues that were being dealt with were very contentious and officers could find it very difficult to be independent and impartial in their dealings with Executive Members, and Scrutiny Members. Councillor Curran added that he did not think the relationship was the same.

Councillor Mallory said he thought lessons were still being learnt about the relationship between the Executive and Scrutiny, and ensuring Members on the scrutiny side get sufficient information to arrive at a sensible decision in response to decisions made by the Executive.

Councillor Michael said senior officers should take responsibility to ensure scrutiny officers and other officers were not put in a position where their independence would be called to question. The Chair said hence the recent changes in the law was made to address the imbalance. Business Panel Members stated that a cultural change was required. Panel Members said Council Members were elected to a democratic role which should be cherished, and Executive Members should not be seen as senior to their Scrutiny counterparts.

Following the discussion it was also agreed that the mid-term review and public service reports should be included in the paper, which should go out in a letter format, and the Chair would sign off the final paper.

The Scrutiny Manager informed Panel Members that all but one Select Committee for the Municipal year had been held. She said in the Municipal year 3 in-depth

reviews had been done and taken to Mayor and Cabinet. The Scrutiny Manager reported that topics were being discussed for the next Municipal year.

Comments of the SDSC to Mayor and Cabinet Meeting 22/3/2017 - Housing Zones

The Chair of the Sustainable Development Select Committee, Councillor Curran introduced the report which was endorsed by Business Panel.

Comments of the SDSC to Mayor and Cabinet meeting 22/3/2017 - Post Office Changes

The Chair of Sustainable Development Committee introduced the report which was endorsed by the Business Panel.

**81. Exclusion of the Press and Public**

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule 12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to information) (Amendments) (England) Regulations 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

The following is a summary of the items considered in the closed part of the meeting:

**82. Decisions made by Mayor and Cabinet (Contracts) on 1 March 2017**

Young Persons Health & Wellbeing Service Contract Award

Following a confidential discussion, the Chair said it would be good if Lewisham and Greenwich NHS Trust receive feedback following their Tender application.

**Action >>>>> ED CYP**

RESOLVED that the decision of the Mayor be noted.

Childrens Centre Contract Award

Following a confidential discussion, the Business Panel requested a bigger map, and explanation about the proposal and the timetable circulated to all members, this was agreed.

**Action >>>>> ED CYP**

RESOLVED that the decision of the Mayor be noted.

**83. Decision made by an Executive Director Under Delegated Authority - Statutory Funerals Contract**

This item was not requested for further discussion.

**84. Decision made by an Executive Director Under Delegated Authority - Advocacy Service for Looked After Children, Children in Care Proceedings and Young People Leaving Care**

This item was not requested for further discussion.

Meeting ended 8:10pm

Chair.....