



AGENDA

OVERVIEW AND SCRUTINY BUSINESS PANEL

Date: TUESDAY, 10 APRIL 2018 at 7.05 pm

Committee Rooms 1 & 2
Civic Suite
Lewisham Town Hall
London SE6 4RU

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MEMBERS

Councillor Alan Hall	Chair of the Overview and Scrutiny Committee	L
Councillor Gareth Siddorn	Vice Chair of the Overview and Scrutiny Committee	L
Councillor Liam Curran	Chair of Sustainable Development Select Committee	L
Councillor Carl Handley	Chair of Housing Select Committee	L
Councillor John Muldoon	Chair of Healthier Communities Select Committee	L
Councillor Maja Hilton	Chair of Public Accounts Select Committee	L
Councillor Jim Mallory	Labour Group Representative	L
Councillor Liz Johnston-Franklin	Labour Group Representative	L
Councillor Pauline Morrison	Chair of Safer Stronger Communities Select Committee	L
Councillor Luke Sorba	Chair of Children and Young People Select Committee	L

This meeting is an open meeting and all items on the open agenda may be audio recorded and/or filmed

Members are summoned to attend this meeting

Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Tuesday 27 March 2018



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

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Lewisham



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Agenda Item 1

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Minutes	
Key Decision		Item No. 1
Ward	All	
Contributors	Chief Executive	
Class	Part 1	Date: 10 April 2018

Recommendation

It is recommended that the minutes of that part of the meetings of the Overview and Scrutiny Business Panel which was open to the press and public, held on 13 and 20 March 2018 be confirmed and signed.

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 13 March 2018 at 7.05 pm

PRESENT: Councillors Alan Hall (Chair), Liam Curran, John Muldoon, Maja Hilton, Jim Mallory, Liz Johnston-Franklin and Luke Sorba

Apologies for absence were received from Councillor Gareth Siddorn, Councillor Carl Handley and Councillor Pauline Morrison

The Meeting was adjourned at 7:10pm and reconvened at 7:50pm.

82. Minutes

RESOLVED that the minutes of the open meeting held on 13 February 2018 be confirmed as an accurate record.

83. Declaration of Interests

None received.

84. Outstanding Scrutiny Items

Report noted.

85. Notification of Late and Urgent Items

Report noted.

86. Decisions made by the Joint Committee of the London Boroughs of Brent, Lewisham and Southwark on 20 February 2018

Report noted.

87. Decisions made By Mayor and Cabinet on 28 February 2018

Lewisham Gateway Affordable Housing Contribution

The Head of Planning introduced the report, and explained the meaning of Affordable Housing. Panel Members noted that the % of Affordable Housing has now been increased from 10% to 20%.

The Chair asked how many more phases were planned and was told the next phase would be the planning phase, and the heights have increased to 31 storeys. In response to a question from Panel Members it was noted that affordable homes would include a mixture of units, but predominantly 1 & 2 bedrooms accommodations, as 3 bedrooms were not popular in town centres. The Chair asked for a breakdown of the units and bedrooms planned, to be sent to Business Panel Members as they were not yet available.

The Head of Planning explained that one advantage of this scheme was that Pepper Potting could be done. Councillor Sorba asked if many of these homes would be set aside for Lewisham residents and was told that the GLA had an illegibility criteria and the affordable homes would be for Lewisham residents, but the market rent homes would be open to everyone. The Head of Planning said officers would make some additions to the section 106 Agreement to ensure Lewisham residents were given priority.

Councillor Johnston-Franklin asked if officers could try to increase the number of 3 bedrooms accommodation within the 20% Affordable Housing group, and ensure these flats were on the lower floors. Officers said they would discuss this with the Chair of Housing Select Committee. Councillor Muldoon said he is happy with the pepper potting initiative as this build communities. The Chair thanked officers for the report.

Action >>>>> ED Res. & Regen.

RESOLVED that:

- i. the decision of the Mayor be noted.
- ii. the Mayor be requested to instruct officers to ensure that the Section 106 Agreement Prioritises Lewisham residents in accommodation that is 'Pepper Potted' in the development.
- iii. the Mayor be requested to instruct officers to report back to Mayor and Cabinet the different types of accommodation provision, and how the money was been used.

Catford Regeneration Programme

The Programme Manager introduced the report. Panel Members stated that it had taken approximately 50 years of disappointments to get to this stage. They asked why this time was different. The Programme Manager explained that officers were working positively with TFL to produce a better plan. The Chair said there were a lot of concerns about density, and officers needed to ensure the masterplan and proposals go to consultation before any decision was made.

Panel members were informed that there had been consultation with the public very early in the process, before the masterplan was drafted, and a lot of events had been planned to engage with local residents and stakeholders. The Chair asked whether there were any pressure to raise extra money and was told the Council had been granted infrastructure funding of £10m and could get up to £21m. This would ensure the masterplan was completed.

Councillor Curran, Chair of Sustainable Development Select Committee said the Select Committee helped to get the project started. He said in the beginning there was not sufficient co-ordination, and concerns were also raised about density. Councillor Curran said lesson needed to be learnt about building tower blocks, and officers should ensure the masterplan remain the focus.

Councillor Curran highlighted that he was concerned there were no plans for the theatre even though Members had emphasised it should be the centre piece of the masterplan. The Chair thanked officers for the report.

RESOLVED that:

- i. the decision of the Mayor be noted.
- ii. the Mayor be requested to instruct officers to take regular updates to the Sustainable Development Select Committee.
- iii. the Mayor be requested to instruct officers to report the appointment of the Architect to Mayor and Cabinet.
- iv. the Mayor be notified that Business Panel recommended that the Broadway Theatre remain the heart of the Catford Regeneration project, and urge that the remodelling and conservation of the Theatre be accelerated in order to progress the masterplan.

New Homes Programme Update

The Housing Strategy and Partnerships Manager introduced the report.

Panel Members commented that things were not moving fast enough, and the Hillcrest site seemed isolated for a thriving community. They asked if provision could be made for transportation links and other necessary facilities. The Housing Strategy and Partnerships Manager said officers would try to negotiate for the necessary community facilities. The Chair said Council could also lobby for a bus route for the area as this was important.

Panel Members commented that although they welcomed the development it was very important to have transportation link into the area as this would be needed in an area as isolated as Hillcrest. They also raised concerns over the level of consultation that had taken place to date, highlighting that if residents were involved in the planning of the project and given assurance that improvements would be made to the area that would facilitate a thriving community, they would be responsive to the development. Panel Members also suggested that a community centre could be included in the development plan.

Action >>>>> ED Customer Services

The Housing Strategy and Partnerships Manager informed Panel Members of the wildlife and woodlands in the area, and that officers would take into account comments from Panel Members, as there were a lot of options available, and discussions were ongoing.

The Chair thanked officers for the report.

RESOLVED that the decision of the Mayor be noted.

88. Overview and Scrutiny Select Committees Work Programmes 2018-19 - verbal update

The Scrutiny Manager informed Panel Members that it was coming to the end of term for this Administration and all Select Committees have concluded their in-depth reviews and forwarded their recommendations to Mayor and Cabinet. Panel Members were informed that a new Secondary School Parent Governor representative has been elected to the CYP Select Committee and Education Business Panel.

Panel Members were told that Our Healthier South East London (**OHSEL**) Committee and the Joint Health Overview and Scrutiny Committee (JHOSC) met last night and there was a presentation from the Kings College Hospital on the financial situation at the Trust. The Trust was put into special measures in December last year with a forecasted deficit of £92m. The Trust explained that they were going through a detailed financial planning process, with the involvement of NHS Improvement and internal auditors. They were aiming to produce a draft plan by April.

Panel Members also noted that there was a presentation on proposals to consolidate urgent stroke services in Kent and Medway. The committee agreed to respond to the consultation expressing its support for any option that included locating a stroke unit at Darent Valley Hospital in Dartford.

The Chair commented that Kings College Hospital financial difficulties would impact greatly on the NHS as a whole, and particularly on Lewisham hospital, and this was a huge concern for the Council. He thanked officers for the report.

RESOLVED that the report be noted.

89. Exclusion of the Press and Public

Noted.

This is a summary of discussion in the closed meeting.

90. Decisions made by Mayor and Cabinet on 28 February 2018

Reports under this item were not identified for discussion.

91. Decisions made by Mayor and Cabinet (Contracts) on 28 February 2018

Contract Award Building Restoration Beckenham Place Park

The Project Manager introduced the report.

The Chair asked whether there had been any engagement with the public and was told this had not yet been done. The Chair said it was important, and was best practice to engage with the public and key stakeholders for this kind of project. Councillor Curran said he was concerned that planning application had been made before engaging with the public. The Head of Planning stated that the application was to help secure the place and it was a temporary measure for the Park and the Mansion.

Councillor Curran said it was of grave concern as a key part of the park had been lost and the facilities had been left to close down slowly. Councillor Sorba concurred these concerns. The Chair requested details of the present arrangements to be sent to Panel Member.

Action >>>>> ED Res.& Regen.

The Project Manager responded that currently there was better community use of the Mansion compared to the last 10 years. She said the lease expires in September and officers would investigate what would be best for the Mansion, long term. This would include public consultation and stakeholders input. The Chair said Panel Members would need information about the retrospective and future planning applications for this premises. He also asked for a report to the Sustainable Development Select Committee on the future plans for Beckenham Place Park. The Chair thanked officers for the report.

Action >>>>> ED Res. & Regen.

RESOLVED that:

- i. the decision of the Mayor be noted.
- ii. Business Panel Members to receive an update on Beckenham Park Place.
- iii. a report be done for Sustainable Development Select Committee on the future of Beckenham Park Place.

Meeting ended: 9:00pm

Chair.....

MINUTES OF THE OVERVIEW AND SCRUTINY BUSINESS PANEL

Tuesday, 20 March 2018 at 7.00 pm

PRESENT: Councillors Alan Hall (Chair), Gareth Siddorn (Vice-Chair), Liam Curran, Carl Handley, John Muldoon and Luke Sorba.

Apologies for absence were received from Councillor Liz Johnston-Franklin and Councillor Pauline Morrison.

92. Declarations of Interests

None were made.

93. Decisions made by Mayor and Cabinet on 15 March 2018

Gypsy and Traveller Site Local Plan Update.

The report was introduced by the Strategic Planning Manager who explained the background to the recommendations accepted by the Mayor at his meeting on March 15.

The Chair noted the Pool Court site was on the boundary of the Bellingham and Rushey Green wards which essentially meant a Catford location. He asked had full consultation taken place with nearby affected residents and businesses such as the scaffolding firm, St Dunstons College and Canadian Avenue residents.

The Strategic Planning Manager laid out details of the lengthy consultation process that had begun in March 2016. He was pressed by the Chair to say what specific consultation had taken place with the businesses and localities he had mentioned. Graham Harrington, a Council Planning Consultant, responded by mentioning notices had been published in the Pool Court area advertising open consultations available to all.

The Chair asked how many consultees had agreed with the Pool Court designation. Mr Harrington responded by saying figures were shown in an appendix to the Mayor & Cabinet report.

The Chair asked if consideration had been given to undertaking a consultation on one site only. The Strategic Planning Manager said this would occur as part of the Local Plan process in September or October 2018. The Chair believed that would be on the details only and felt the previous consultation which pitted the Pool Court site against an alternative social club location in New Cross was unbalanced.

Councillor Muldoon pointed out Pool Court was within a Site of Nature Conservation Interest (SNCI) because of the existence of Stag Beetles, an endangered species. The Senior Programme Manager reported on the

presence of Japanese Knotweed which had eroded the quality of the SNCI in this part of a much wider designated area. He also stated the land in question was the subject of heavy flytipping and any ecological survey was more likely to find industrial waste than rare bugs. He added that rotting timber locations were the preferred habitat for Stag Beetles.

Councillor Sorba observed that the proposals appeared dependent on the purchase of Network Rail and that elsewhere in the borough that body had proved difficult to deal with. Officers expressed optimism that Network Rail would release their holding allowing the site to be expanded from three to six pitches.

Councillor Curran noted GLA funds would not be forthcoming for the flood alleviation element and he received categorical assurances from the Senior Programme Manager that Lewisham had the funds in place to undertake the scheme. He said planning permission would be sought later in the year and works would take 12 to 18 months to complete, culminating in mid 2020.

Councillor Curran asked what consultation had taken place with the Traveller Community. Mr Harrington replied that three meetings had taken place with the ad hoc Lewisham Traveller Forum which strongly supported the Pool Court site. The Chair said he had met with the Irish Centre's Traveller Outreach Worker who indicated no visits had been made to the site. Mr Harrington stated Traveller representatives had been provided with plans and photographs of Pool Court.

Councillor Curran asked if a six pitch site would be big enough to cater for demand. The Strategic Planning Manager assured him six pitches would cater for current demand.

Councillor Curran received further assurances that vehicular access to the site would be adequate for both caravans and emergency vehicles.

Councillor Hall stated his remaining concern that the site would be in a Flood Plain.

Councillor Curran questioned the total comparative costs of this site and a housing site and was provided with an answer in a closed session for his question only.

Councillor Muldoon sought legal advice as to the consultation threshold. The Deputy Monitoring Officer confirmed the level of consultation undertaken exceeded any statutory requirement.

The Chair summed up the scrutiny of the Mayoral decision by advising the Business Panel of the Constitutional options open to them. The Business Panel agreed to note the Mayor's decision and asked that a minute of their discussion be furnished to a meeting of the Mayor & Cabinet.

RESOLVED that the decision of the Mayor be noted and a minute of the Business Panel's discussion be provided to the Mayor & Cabinet

94. 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:-

4. Decision made by Mayor and Cabinet on 15 March 2018

95. Decisions made by Mayor and Cabinet on 15 March 2018

Deptford Southern Housing Sites

The report was presented by the Housing Strategy and Partnerships Manager.

The Chair he said he felt the report title was somewhat obscure and he had been made aware of some contentious elements relating to the proposal.

The Chair questioned the achievability of the ambitious affordable housing targets. The Housing Strategy and Partnerships Manager stated the original 35% target had been guaranteed by contract; the increase to 50% following additional grant aid was secured by signed contract and the latest 74% target was under the terms of a signed legal agreement.

The Chair queried the viability of the funding and was informed Peabody had a long term strategic funding relationship with the GLA and all necessary funding was in place.

The Chair mentioned protests being made by supporters of the Tidemill Community Gardens and asked if there was any way in which that facility could be retained in its current location. The Housing Strategy and Partnerships Manager said the scheme would become significantly smaller if the Garden was kept. Efforts were continuing to try and reprovide the facility in an alternative location.

Councillor Sorba asked if there were general implications if the Council used a majority of its global Right to Buy receipts on one location. The Housing Strategy and Partnerships Manager advised the Panel that it was important to commit the Right to Buy receipts as failure to spend meant they had to be given to the Government with interest.

RESOLVED that the report be noted.

The meeting closed at 8.03pm

Agenda Item 2

OVERVIEW AND SCRUTINY BUSINESS PANEL		
Report Title	DECLARATIONS OF INTEREST	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 10 April 2018

Members are asked to declare any personal interest they have in any item on the agenda.

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a

partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.

- (g) Beneficial interest in securities of a body where:-
- (a) that body to the member's knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

(5) Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any

event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**

- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Agenda Item 3

OVERVIEW AND SCRUTINY BUSINESS PANEL			
Report Title	Outstanding Scrutiny Items		
Key Decision	No		Item No. 3
Ward	n/a		
Contributors	Head of Business and Committee		
Class	Part 1	Date: 10 April 2018	

1. Purpose of Report

To report on items previously reported to the Mayor for response by directorates and to indicate the likely future reporting date.

2. Recommendation

That the reporting date of the items shown in the table below be noted.

Report Title	Responding Author	Date Considered by Mayor & Cabinet	Scheduled Reporting Date	Slippage since last report
Response to Safer Stronger Communities Select Committee – LGBT Provision in Lewisham	ED Resources & Regeneration	14 February 2018	6 June 2018	No
Response to Overview and Scrutiny Committee – Building Regulations	ED Resources & Regeneration	14 February 2018	6 June 2018	No
Response to Overview and Scrutiny Committee – Sustainability and Transformation Plans	ED Community	14 February 2018	6 June 2018	No

Response to Children and Young People Select Committee – Recruitment and Retention Review	ED Children & Young People	14 February 2018	6 June 2018	No
Response to Children and Young People Select Committee – SEND	ED Children & Young People	14 February 2018	6 June 2018	No
Response to Healthier Communities Select Committee – Social Prescribing	ED Community	28 February 2018	6 June 2018	No

BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 14 & 28 February 2018 available from Kevin Flaherty 0208 3149327.

<http://councilmeetings.lewisham.gov.uk/ieListMeetings.aspx?CId=139&Year=0>

Agenda Item 4

Overview & Scrutiny Business Panel		
Report Title	Notification of Late and Urgent Items	
Key Decision	No	Item No. 4
Ward		
Contributors	Head of Business and Committee	
Class	Part 1	Date: 10 April 2018

1. Purpose of Report

Report Title	Author	Reasons Stated for Urgency	Responsible Committee and Date
Minutes of the last meeting	Emma Aye-Kumi	To wrap up in this municipal year so signed minutes can be bound	CYP Select 14 March
Appendix to end of administration work programme report	Emma Aye-Kumi	Summarises the committee's work over the period of this administration and closes the work programme for the municipal year	CYP Select 14 March

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Decisions made by Mayor and Cabinet at the on 21 March 2018	
Key Decision		Item No. 5
Ward	All	
Contributors	Chief Executive/Head of Business and Committee	
Class	Part 1	Date: 10 April 2018

1. Recommendation

To consider key decisions made by the Mayor and Cabinet on 21 March 2018 which will come in to force on 11 April 2018.

2. Background

2.1 The Mayor and Cabinet considered the following key decisions on 21 March 2018.

2.2 The notice of the decision made in respect of the report is attached as an Appendix. Under the provisions of Standing Orders Part IV E 14, members may call in an executive decision within 7 days. If this report is not called in they will come into force on 11 April 2018

- i. Review of the Armed Forces Covenant for Lewisham
- ii. Interim Response to the Lewisham Poverty Commission



NOTICE OF DECISIONS MADE AT THE MAYOR & CABINET

The Mayor made the following decisions on 21 March 2018. These decisions will become effective on 11 April 2018 unless called in by the Overview & Scrutiny Business Panel on 10 April 2018.

1. Review of the Armed Forces Covenant for Lewisham

Having considered an officer report and a presentation by the Cabinet Member for Resources, Councillor Kevin Bonavia, the Mayor agreed that:

- (1) the review of the implementation of the Armed Forces Covenant for Lewisham be noted;
- (2) the ongoing work being done to live up to the commitments made in the Armed Forces Covenant for Lewisham be noted;
- (3) the appointment of Cllr Kevin Bonavia as Armed Forces Cabinet Champion be noted;

2. Interim response to the Lewisham Poverty Commission

Having considered an officer report and a presentation by the Cabinet Member for Policy and Performance, Councillor Joe Dromey, the Mayor agreed that the initial response be noted and a further update be brought to Mayor and Cabinet in October.

Janet Senior
Acting Chief Executive,
Lewisham Town Hall,
Catford SE6 4RU
27 March 2018

Overview and Scrutiny Business Panel			
Title	Update: Communities and Local Government Committee – the effectiveness of Local Authority Overview and Scrutiny Committees	Item No	6
Contributors	Director of Resources and Regeneration		
Class	Part 1	Date	10 April 2018

1. Purpose of Update

- 1.1 The Government has published its response to the Communities and Local Government Select Committee’s report into the effectiveness of Local Authority Overview and Scrutiny Committees. This paper provides a summary.

2. Recommendation

- 2.1. To note the update.

3. Update

- 3.1 The UK Parliament’s Communities and Local Government Select Committee published a report into the effectiveness of Local Authority Overview and Scrutiny Committees on 15 December 2017. The main message of the report was that local government scrutiny plays an important role in ensuring accountability although there are sometimes barriers stopping scrutiny from being as effective as it can be.
- 3.2 The report suggested that parity of esteem between the executive and scrutiny was very important, alongside access to information and adequate resourcing. It also suggested that the scrutiny of commercial partners needs proper attention to ensure public accountability. It made a number of recommendations that it felt would address the issues raised by the investigation.
- 3.3 The Government’s response to the report was published on 5 March 2018. The response emphasised the Government’s view that the key requirement for effective scrutiny was a positive council culture. “Where councils recognise the benefits effective scrutiny can bring, and put in place suitable arrangements, it is working well”.
- 3.4 A number of recommendations put forward by the Committee were accepted by the Government. Key messages included:
- A commitment to ensuring that councils are aware of Scrutiny’s importance, understand its benefits and have access to best practice.
 - A recommendation that Scrutiny committees should report to the Full Council - updated guidance would be issued making this recommendation.

- An acknowledgement that the Executive’s involvement in the scrutiny should be limited - updated guidance would make it clear that members of the executive should not participate in scrutiny other than as witnesses.
- A suggestion that councils should judge each scrutiny request to access sensitive documents on its merits and not refuse such requests as a matter of course.
- An acknowledgement that scrutiny support officers should be able to operate independently and provide impartial advice.
- A recommendation that scrutiny committees should actively encourage public participation.
- An acknowledgement that the chair of a scrutiny committee can have a great impact on its effectiveness and that he or she needs to have the requisite skills, knowledge and acumen to take on the functions and achieve the outcomes that the scrutiny committee needs to achieve. In some instances, the election, rather than the appointment, of a chair might help ensure that the right individual is ultimately selected, although the Government feels that this is a decision for every council to make for itself.
- A suggestion that when councils are tendering contracts with external bodies they should carefully consider including requirements to ensure they are as open and transparent as appropriate, although it is up to each council to decide how best to hold to account those who run its services.

3.5 A number of recommendations put forward by the Committee were not accepted, mainly around resourcing. “The Government firmly believes that each individual authority is best-placed to decide for itself how to support scrutiny most effectively”. Key messages included:

- Each council should decide for itself how to resource scrutiny committees, including how much access to senior officers is appropriate to enable them to function effectively.
- Councils should not be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator. (The justification being that many councils do not have dedicated scrutiny support staff so this would make quantifying the support that scrutiny committees receive very difficult. In the Government’s view, the quality of the support is the more important issue.)
- The role of the Statutory Scrutiny Officer should not be enhanced as decisions about the allocation of resources for the scrutiny function are best made at a local level and each council is best-placed to know which arrangements will suit its own individual circumstances.

3.6 The Government response also included a commitment that it would ensure that scrutiny training provided by the Local Government Association was effective and relevant; and responsive to feedback.

3.7 A further update will be provided to Members once updated guidance from the Government has been published.

4. Further implications

4.1 The implications of any updated guidance issued as a result of the Government response will be assessed once the guidance is issued.

For further information please contact Charlotte Dale, Interim Overview and Scrutiny Manager on 020-8314-8286

Background Paper

[Government Response to the Communities and Local Government Committee First Report of Session 2017-19 on the Effectiveness of Local Authority Overview and Scrutiny Committees](#)

Agenda Item 8

OVERVIEW & SCRUTINY BUSINESS PANEL		
Report Title	Exclusion of the Press and Public	
Key Decision		Item No. 8
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 10 April 2018

Recommendation

It is recommended 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:-

9. Decision made by Mayor and Cabinet (Contract) on 21 March 2018.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted