SCRUTINY & STRATEGIC OVERVIEW COMMITTEE

Minutes of the meeting held on Tuesday 14th April 2015 at 6.30pm in the Council Chamber, The Town Hall, Croydon.

The meeting was filmed for broadcast on the Council's internet site after 7 May 2015.
http://www.croydon.public-i.tv/core/portal/webcast_interactive/164586

MINUTES – PART A

Present: Councillor Sean Fitzsimons (Chair)
Councillors Sara Bashford (Vice Chairman), Emily Benn, Carole Bonner (Deputy Chair), Jason Cummings and Andrew Pelling.

Also in attendance Councillor Simon Hall, Cabinet Member for Finance and Treasury.

A25/15   **APOLOGIES FOR ABSENCE**
No apologies were received.

A26/15   **MINUTES**
The Minutes of the meeting held on 3rd March 2015 were agreed by the Committee and signed by the Chair.

Committee agreed paragraphs 1.1 and 1.2 of the Minutes of the 26th March 2015 and to make the following amendments:

- **Minute number A21/15 – Disclosures of Interest**
  Committee agreed to amend the first bullet point to read:
  "Councillor Andrew Pelling – he is a private rented sector tenant..."

- **Minute number A24/15 – Call-in: Private Rented Sector Licensing Consultation**

  Committee agreed to amend the final paragraph on page 11 to read:

  "Gerald Meredith-Smith stated that he believed the council had done a thorough job in understanding the areas where there were problems but that they had not given proper consideration to all the other areas of the borough where there were not problems and that it was not appropriate to bring it across the whole borough."

  A Member of the Committee stated that the conclusions and resolutions contained in the Minutes did not accurately capture the discussions held and that the two minority Committee Members had not supported the Committee conclusions and resolutions as recorded, although these had not been subject to a vote.

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The Chair said that he believed the Minutes were a fair reflection of the discussions held, but was willing to accept some of the proposed clarifications. After discussion it emerged that a fair reflection of the proceedings would be if some of the "Resolutions" were recorded as "Conclusions" instead.

The Committee agreed to move resolutions 2 and 4 to the conclusions section of the minutes on page 14 and to add the following words as a final bullet point to the conclusions:

- "It was noted that the minority group would not support a proposed motion that no further action was necessary in respect of Agenda Items 5 and 6 in relation to Private Rented Sector Licensing Consultation, although the proposed motion was not seconded nor put to a vote."

A27/15   DISCLOSURES OF INTERESTS

Councillor Benn disclosed that she had been appointed to the Board of the London Mozart Players Ltd.

A28/15   URGENT BUSINESS

None.

A29/15   EXEMPT ITEMS

RESOLVED – that the allocation of business on Part A of the Agenda be confirmed.

A31/15   RESPONSE TO SCRUTINY RECOMMENDATIONS (Agenda Item 6)

The Head of Democratic Services and Scrutiny introduced the item. He explained that Appendix A contained the recommendations considered and accepted by Cabinet. However, no action plan or identified officer for implementation of the recommendations had yet been received and these were due to come to the next Committee meeting.

Appendix B contained recommendations that would be considered at the next Cabinet meeting in June.

RESOLVED – To note Cabinet's responses to the recommendations and to ask for action plans to be forwarded to the Committee as soon as practicable.

A31/15   LOCAL ACTION MINI REVIEW: ROYAL MAIL DELIVERY SERVICES IN CROYDON (Agenda Item 7)

The Vice Chairman took the chair for this item. Councillor Fitzsimons introduced the local action mini review report with a presentation that is available online here.

A local action mini review is a method of allowing ward councillors to investigate and report to Scrutiny on a matter of pressing concern to their constituents. Councillor Fitzsimons stated that Royal Mail had been invited to the meeting but declined due to adhering to the politically restricted period in the lead up to the general election and thus not appearing in any political meetings during this time.

Councillor Fitzsimons stated that the review encompassed site visits, meeting senior Royal Management, meetings with Factory Lane staff, and a residents' survey which received over 550 responses.

It was clear that Royal Mail had not taken customers into account when deciding to move to the new site on Factory Lane. The new site was not accessible by public transport, requiring travel by car as the only practical way to get there. This issue was further exacerbated by a lack of parking facilities and limited bay parking on Factory Lane that added additional costs to customers. The issue of parking also affected staff – many had to park in residential streets, and most Royal Mail vans were stored in a leased section of Factory Lane Car Park where they were regularly vandalised due to the area being unsecured.

One outcome from the report was a commitment from Royal Mail to undertake a fresh Post-Implementation Review focussing on customers.

In response to questions from the Committee, Councillor Sean Fitzsimons provided the following information:
- It was in Royal Mail's economic interest to provide better collection facilities due to competition from private companies such as Doddle.
- Hopefully there would be no need for the Council to subsidise Royal Mail to encourage the creation of additional collection centres, however the Council could impose planning requirements within the New Addington redevelopment to require such provision.
- The Post Office fee for collection should be scrapped. It would be in the interests of the Post Office to do so since it would encourage more people to collect their parcels from their local Post Office and thus increase footfall. It would also reinvigorate the symbiotic relationship between the two organisations which used to exist when Royal Mail and the Post Office were one entity.
- Royal Mail staff highlighted the central Croydon Post Office as the most appropriate location for a town centre collection office. If this was not feasible, then a collection office should form part of the redevelopment of the old Addiscombe Lane site. The key

consideration should be a position near a major train station or within the town centre.

RESOLVED – To approve the report and send it to Cabinet and Royal Mail with the following respective recommendations.

The Committee recommended to Cabinet that it:
- Negotiate leasing the entirety of Factory Lane Car Park to Royal Mail.
- Amend the parking bay restrictions on Factory Lane to enable a 10 minute relief period prior to charges applying.
- State its support for a Town Centre Collection Office and work with Royal Mail to identify and deliver it.
- Investigate how the Council's planning and economic development powers can help deliver a Town Centre Collection Office.
- Welcome Royal Mail's commitment to trialing new ways of meeting customer demands, such as extended opening hours and Sunday working, and to commit to working with Royal Mail on new initiatives.
- Engage and collaborate with Royal Mail and the Post Office on the Central Parade improvements at New Addington and look towards furnishing the Post Office for capacity to become a collection point for missed deliveries.

The Committee recommended to the Royal Mail that it:
- Upgrade security of the Factory Lane Car Park to ensure safety of the vehicles.
- Open a collection facility for customers within Croydon town centre or alternatively to utilise the central Croydon Post Office for such a service.
- Continue working with the Communications Workers Union and staff at Factory Lane to ensure that adequate resources are available to ensure that evening and Sunday opening hours remain.
- Review its first-time delivery strategy.
- It (Royall Mail) and the Post Office scrap the redelivery charge and establish free collection points across the Borough.
- Increase publicity of its alternative redelivery options to make sure all customers are aware of the service.

The Royal Mail and Cabinet are to be given the same timescale for a response to the recommendations.

At the close of the item the Chair retook the chair for the remainder of the meeting.

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A32/15   THE TRANSPARENCY AGENDA (Agenda Item 8)

Present for this item:
Councillor Simon Hall, Cabinet Member for Finance and Treasury
Gabriel Macgregor, Head of Corporate Law and Deputy Monitoring Officer

Councillor Fitzsimons explained the background to this report. The issue has been around for some time and became a Labour party manifesto commitment. This report is testing the direction of travel.

The Cabinet Member for Finance and Treasury introduced this item. He reported that Croydon needed to do more on issues such as the corporate risk register, pension fund performance and prompt pre-decision scrutiny. However he emphasised that the transparency agenda was a journey and not a process, would not be completed overnight and was work in progress. The Cabinet Member added that Cabinet has an aim to continue to increase transparency and access to information.

The Cabinet Member for Treasury and Finance answered a series of questions and provided answers including:

Contracts
- Whilst the contracts relating to the construction of Bernard Weatherill House have not been published, a number of Cabinet reports have provided the financial implications, true cost and impact of the building.
- The Council had to respect confidentiality clauses in contracts with sub-contractors. However it was intended to bring more contracts back in-house and this would enable the Council to release more information. In the meantime the goal was to publish more information regarding contract KPIs[1] and financial impacts. This process would take time as such clauses can only be added to contracts as they come up for renewal.

Council Committees
- The Council is looking at ways to engage the public in more innovative ways and garnering feedback through methods such as My Account is important.
- In response to a challenge to "go paperless or do not go paperless, but do not mix and match", all appendices to committee reports should ideally be published with the agenda papers as well as online – if this is not happening that is a transition issue and not an intention to conceal information. Digital by Design will make this less of an issue in the future as all documents will be accessed via electronic means.
- Clustering groups of questions during Cabinet meetings is not to stop issues being addressed, but aims to help the flow of the meetings.

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1 Key Performance Indicators

- The Council is looking into taking public questions via online submissions. This will not be possible for the upcoming Council meeting but there is an ambition to implement this initiative following discussions with the minority group.

Council Website
- The new website is continuing to be developed to make navigation easier and issues revolving around information retention were being resolved
- Councillors' Register of Interests is published and is accessible online, although it is noted that the current location on the website is not ideal.
- Developing individual pages for Councillors was being considered. These would display a record of attendance at meetings and written questions asked at Full Council meetings. Such data is already recorded; the issue is to capture it into a readily accessible form, and display it one location.

Other matters
- Whilst there was no requirement for a formal Forward Plan there were plans to consider consolidating Access to Information notices into one accessible document. It was accepted that it would be helpful to provide Councillors with more information concerning key decisions that affected their wards.
- The removal of speaking rights for GLA members and MPs at Planning Committee was a concept mooted for the 2016/17 budget. There are no plans to implement such a policy any time soon.
- Measures have been taken to recoup the £5,000 from Croydon Community Consortium but no details are yet available. We are looking at different ways of engaging the 75,000 My Account users.
- About 6% of FOIs fall under the exempt category and if individuals are unhappy with the response there is an appeal process. The Council aims to put information in the public domain wherever possible
- The Committee asked whether information about Councillors and their activities, including easily accessing their register of interests, could be linked to Councilllors' questions, attendance record, and petitions presented. The Cabinet Member replied that as part of developing the ward budget process there is a proposal to provide Councillors with their own pages.

The Head of Corporate Law stated that new Access to Information Regulations had replaced the Forward Plan with a series of additional statutory notices. The requirements for key decision notices are:
(i)   expenditure of £1million or more, and
(ii)   a decision affecting two or more wards.

The wording for point (ii) is a decision that has a "significant impact" – "detrimental impact" might be a more effective alternative phrasing to use.

The Head of Corporate Law stated that it should be possible for the Council to create a cumulative list of statutory notices and key decisions rather than individual notices as is current practice. She added that the Legal department does not deal with the wording of responses to Freedom of Information (FOI) requests. If the authority cannot provide answers to specific FOI questions, then assistance as to how such information can be obtained should be proffered.

The Head of Corporate Law acknowledged that the wording explaining to the public why items are listed as Part B could be revisited, taking on board concerns from the Committee that the wording is currently a legal definition.

The Forward Plan and key decisions were discussed. Key decisions appear to fixate on monetary values and documents like the Asset Strategy and Education Estates Strategy were not caught by the definition of "key decisions". Ward Members were not told what is happening in their ward with Education Officers being the worst at providing advance information.

In considering its conclusions and resolutions, the Committee discussed which constitutional model for local government (committee system or cabinet model) was the most effective in delivering transparency. The discussion revealed a wide spectrum of opinion within the Committee but no formal resolutions were made.

CONCLUSIONS –

Committee concluded that the current webpages are not user friendly or transparent in terms of recording what Councillors do and recording details of meetings they have attended.

RESOLVED – To recommend to Cabinet that:
- Further and continuing transfer of council reports into the public domain (Part A) is encouraged.
- The wording for Part B (confidential or exempt matters) is revisited in order to provide a 'plain English' definition
- Ward Members are properly notified about Key Decisions that affect their ward.
- The following information is recorded and made publically available: Members attendance at council meetings, details of written questions asked at Full Council meetings and petitions recorded under their name at Full Council.
- Every Member is provided with their own page on the Croydon website.

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A33/15   DATA AND FREEDOM OF INFORMATION (Agenda Item 9)

Present for this item:
Councillor Simon Hall, Cabinet Member for Finance and Treasury
Graham Cadle, Assistant Chief Executive, Customer and Transformation
Hayley Lewis, Head of Customer Communications and Engagement
Nick Roberts, Head of Information Communication Technology Client Unit
Tom Steel, Web Manager

Officers present introduced the item with a presentation that is available online here. During the presentation it was reported that:

- Progress had been made since the Scrutiny Recommendations in 2011 regarding Freedom of Information (FOI). This included completion of the new Council website and My Account, both with open source technology.
- There was commitment to make information available as cheaply and easily as possible. This requires less use of PDFs and more reliance on "open standards" of formatting.
- Currently there is no legal requirement for an FOI requester to be identified; this creates challenges to follow up or clarify requests.
- There are two work-streams to develop information access: one to improve access to information currently available to the public and two, formatting information currently unavailable.
- "Hack days" were being organised, where we provide open data to the public to use and help development.
- A number of possible data sets for prioritisation were suggested and the Committee was encouraged to submit their own ideas.
- The risks to the project included financial pressures and the need for more resources. There is also concern regarding which data sets to publish – this may require experimentation and trial by error to see which data is popular.
- The Committee was encouraged to deliver their views on the priorities going forward with the project.
- Committee Members were encouraged to meet with the FOI team to experience the pressures within the department.

In response to questions from the Committee, the Assistant Chief Executive, Customer and Transformation, stated councillors wishing to access specific data sets should contact him direct.

The Assistant Chief Executive also informed the Committee that whilst a move away from using PDF documents on the website was possible it may not be the best solution and therefore should be subject to further detailed consideration.

In response to questions from the Committee, the Head of Information Communication Technology Client Unit informed Members that:
- The Government Data Service code is available although it is not necessarily easily integrated within Croydon's own system.
- A problem has been identified with regard to the statutory need to archive committee documents for six years. However the problem is not primarily a technological one but a cultural one. The officer culture is to make reference to documents within reports by providing a web link. The report is then archived for six years by law but the link, which sits outside the officer's control, can be severed resulting in a loss of data.

In response to questions from the Committee, the Head of Customer Communications and Engagement, stated:
- The web company Croydon is currently partnered with, TSO Williams Lee, is very competent and also delivers central government websites.
- Feedback regarding the new website was needed and Members of the Committee were encouraged to send comments to the Head of Customer Communications and Engagement and the Web Manager. Committee Members would also be invited to test the new engagement platform.

In response to questions from the Committee, the Web Manager stated that there was an intention to use Open Standards, meaning different versions of documents would be accessible no matter what software the user has. For example, whilst Microsoft Excel is commonly used within the Council, this software is difficult to use when creating an App. Open Standards will alleviate such problems.

The Cabinet Member for Finance and Treasury stated that using My Account to communicate with residents was being actively investigated. This could be used to warn residents of disruption to refuse collection, or alerting them to committee meetings held in their area, for example.

Councillor Benn left the meeting at 9.05pm.

RESOLVED –
- To note that, whilst still early in the process, the contents of the report were positive.
- To ask Cabinet to note that a significant amount of work on the Croydon website is required.
- To welcome the trial of releasing data sets.

- To ask Cabinet to consider the development of an action plan to deliver the proposed next steps stated within the final two slides of the presentation made at the meeting. Namely:

  a) Develop single repository and simple customer journey for data to be provided and found/searched appropriately

  b) Provision of data in cases where same FOI requests are received regularly (NNDR)

  c) Detail timeline for provision of FOI, member reports and member questions and answers, tenders and financial spend data in non pdf format

  d) Develop options appraisals with costs for priority work-streams for new data provision (including potential for pilot of env info from within MyAccount/ mobile app

  e) Develop proposal with costs and timeline for running a hack day – engaging local developers to shape event and determine how to make most successful

  f) Develop a set of data principles to determine data requirements and how these will be managed – ensuring all future technology implementations are considered to meet this and specifically ensuring part of Data Analytics approach/project

  g) Talk to other councils, e.g. Leeds (with Leeds Data Mill) to learn what worked (and didn't) for them

  h) Officers to work with members to confirm level and type of information provided about their roles and duties

- To recommend the following additional data sets for prioritisation:
  a) Road traffic data
  b) Election data
  c) Pot holes
  d) Litter
  e) School Term dates
  f) Accident information
  g) Local police team
  h) Local health team

As the time was approaching 9:30pm, the Vice Chairman proposed, and it was agreed, that Standing Orders be suspended in order to extend the meeting so that the outstanding items of business on the agenda could be considered.

A34/15   SCRUTINY ANNUAL REPORT (Agenda Item 10)

The Head of Democratic Services and Scrutiny presented the Scrutiny Annual report to the committee for approval.

RESOLVED –

- To approve the report with the following amendment: political colours to be removed from the Members' pictures.
- That the Chair be empowered to approve the final version of the report for consideration by Council on 20th April 2015.

A35/15   SCRUTINY AND STRATEGIC OVERVIEW COMMITTEE WORK PROGRAMME – REVIEW AND PLANNING (Agenda Item 11)

There was no time to consider the work programme. However the Head of Democratic Services and Scrutiny informed the Committee that there were outstanding constitutional issues that were to be considered. After some discussion the following proposals to Scrutiny Committee terms of reference were accepted by the Committee:

RESOLVED – To support proposals that:
- All scrutiny Committees, except the Children and Young People Sub-Committee, are to be composed of four majority Members and three minority Members plus co-optees.
- An amendment to paragraph 11.05 Part 4E in the Constitution to be made such that a Call-in by the Scrutiny and Overview Committee could be made by the Chair and Vice Chairman (minority), or Deputy Chair (majority) and Vice Chairman (minority), evidencing cross-party agreement.

It was moved and seconded that a Vote of Thanks be recorded to Councillor Sean Fitzsimons for his leadership and style of chairing on the Scrutiny Committee.

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PART B

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None

The meeting closed at 9:53pm.