

A meeting of the Cabinet and Corporate Services Scrutiny Committee held at Kensington Town Hall, Hornton Street, London W8 7NX at 6.30pm on 16 March 2015

## **PRESENT**

### **Members of the Committee**

Councillor Pat Mason (Chairman)  
Councillor James Husband (Vice-Chairman)  
Councillor Adrian Berrill-Cox  
Councillor Barbara Campbell  
Councillor Sir Merrick Cockell  
Councillor Emma Dent Coad  
Councillor David Lindsay  
Councillor Andrew Lomas  
Councillor Daniel Moylan  
Councillor Andrew Rinker

### **Others in attendance**

Councillor Joanna Gardner (Cabinet Member for Community Safety, IT and Corporate Services)  
Martyn Carver (Principal Governance Manager)  
Jacqui Hird (Scrutiny Manager)  
Nicholas Holgate (Town Clerk)  
Mary Ann Lord (Head of Human Resources Strategy)  
Tony Redpath (Director of Strategy and Local Services)

## **A G E N D A**

### **A1 APOLOGIES**

Apologies for absence were received from Cllr Nicholls.

### **A2 DECLARATIONS OF INTEREST**

There were no such declarations.

### **A3 MINUTES**

The minutes of the meeting held on 16 February were confirmed as a correct record and were signed by the Chairman.

### **A4 MATTERS ARISING FROM THE PREVIOUS MEETING**

- (i) Additional Private Rented Sector Properties**
- (ii) Regulation of Investigatory Powers Act**

**(iii) Models of Governance**

**(iv) Procurement Working Group**

Noted that Cllr Dent Coad would attend the first meeting in the absence of Cllr Lomas.

**(v) Additional Resource Request for Information Systems Projects**

The report was received and noted.

**A5 YOUR VOICE STAFF SURVEY AND RESULTS**

Mrs Lord introduced the report. This was the second year of the Tri-Borough wide survey. The questions were unchanged from the first year so there was the opportunity to compare data. The response rate of 63% was above the Local Government benchmark. Particular attention was being given to areas where there had been a 3% fall or greater. Bullying and harassment, pay levels, IT and day-to-day maintenance issues were the main areas of concern.

Members expressed concern that bullying and harassment had not decreased despite last year's action plan. There was also concern that fewer than half of staff agreed with the statement that action would be taken as a result of the survey. Mrs Lord said that reports of bullying varied across the Council: it was more likely in the more customer-facing areas, such as libraries and customer services. Cllr Dent Coad pointed out that the figures indicated there was more bullying by managers (43.1%) and colleagues (32.5%) than the public (38.2%). Cllr Gardner commented that whilst bullying was an issue to be addressed, some instances may be a case of a manager attempting to get a member of staff to do their job. The member of staff might perceive this as bullying but the manager would not. Cllr Gardner undertook to see if more detail on bullying and harassment could be determined from the survey and to circulate to Members.

**Action by: HR**

Questions were raised about how responses from Bi- and Tri-Borough staff were counted. Mrs Lord said it depended on which of the three authorities was the employer. Some Bi-Borough highways staff, for instance, were employed by LBHF and some by RBKC. Their responses were counted accordingly.

Cllr Campbell drew attention to paragraph 3.5 and the significant falls in positive responses on satisfaction with the physical working environment. Mrs Lord commented that managers were aware of the problem and were increasing communications around maintenance issues, so that staff were kept informed.

Also in paragraph 3.5, concern was expressed about the fall in positive responses in respect of staff who would like to be working here in a year's time. Mrs Lord commented that those staff who had been at RBKC a long time might have found it more difficult to adjust to the new working environment and this could account for the fall. Cllr Gardner added that although 15% said that they would not like to be here in 12 months, 68% of staff had said that they would.

The Chairman asked about staff input into the Leadership Conference outlined in paragraph 8. It was noted that the views of staff not attending the conference were represented by members of departmental workforce groups or the Corporate Workforce Group attending the conference.

Cllr Dent Coad considered that the glass doors on meeting rooms at Kensington Town Hall were not conducive to holding private meetings between managers and staff. Staff might not be comfortable raising sensitive issues with managers in such an environment. Officers replied that there were more private rooms in the Town Hall which could be used or they could go to a meeting room on another floor, away from their colleagues. More visibility also meant that staff were likely to feel safer than if in a more enclosed space.

The Committee noted that paragraph 9 set out the topics on which the Action Plan would focus. The full Action Plan would follow. Cllr Gardner undertook to ensure that the Action Plan was circulated to Members of the Committee once finalised.

**Action by: HR**

Members spoke about the macro-economic factors and their effect on staff morale. Mr Holgate agreed that pay restraint and reduced opportunities for promotion would have influenced responses.

The report was received and noted.

## **A6 ADDITIONAL RESOURCE REQUEST FOR INFORMATION SYSTEMS PROJECTS**

Cllr Gardner spoke to the report which had been requested following discussions at the previous meeting. She said that IT had struggled in the past to forecast demand as it was an enabling service, but improvements were being made and the service was becoming more proactive. Members commented that IT should be no different from other contracts. They considered the paper unhelpful in answering questions about where the demand was from and why it was urgent. There should have been more planning. Cllr Gardner spoke of the big changes in IT in general and of individual projects, such as Managed Services, which had had an impact on budgeting. The Tri-Borough Director, Mr Garcez, had set up a project

board across the three authorities to look at IT projects and to enable better forecasting.

Cllr Berrill-Cox commented that other departments should not be exporting unforeseen costs into the IT department's budget. Cllr Gardner replied that the paper concerned corporate IT and not other departments' IT.

Cllr Gardner said she would ask Mr Garcez to attend a future meeting to discuss further as the next meeting fell within the consultation period on the Tri-Borough service.

**Action by: Governance Services**

The report was received and noted.

## **A7 ADDITIONAL PRIVATE RENTED SECTOR PROPERTIES**

The report was received and noted.

## **A8 GOVERNANCE MODELS**

Cllr Lomas commented that he was not convinced that the current governance structure in RBKC of Leader and Cabinet and scrutiny committees was the best for the Borough. Cllr Moylan was of the view that the Council had never properly addressed the role of scrutiny and that other models offered more of a role for backbench councillors. Cllr Dent Coad was concerned that councillor talent was not being fully used by the current system. She spoke of able and keen councillors who served one term and then stood down.

Cllr Sir Merrick Cockell added that the original aim of 'new' governance when it was introduced in 2001 was to speed up decision making. He was not sure if that had succeeded. He commented that the old committee system had its faults – it was whipped and decisions tended to be known in advance – so should not be seen as a panacea. Cllr Lomas added that Kent County Council had introduced a hybrid model which might be worth considering in future. Cllr Moylan commented that Council officers did not appear to take the scrutiny function very seriously. The Chairman said that if this was the case they must be taking their lead from Cabinet Members and the Cabinet. Down-grading the scrutiny process in the eyes of officers would be a failure of leadership when scrutiny committees are designed to scrutinise the Executive.

The report was received and noted.

## **A9 TRI-BOROUGH UPDATE (STANDING ITEM)**

Mr Holgate reported that consultation on a Tri-Borough Legal Department was ongoing. He added that consultation should begin shortly on a Tri-Borough ICT service.

## **A10 CABINET AGENDA FOR 19 MARCH**

The Committee considered the reports on the Cabinet agenda for the meeting on 19 March.

In respect of **Borough-wide Non-Immediate Article 4 Direction for Basement Extensions to Dwelling Houses (Report A4)**, the Chairman commented that the Public Realm Scrutiny Committee – within whose terms of reference this paper fell - did not meet until after the Cabinet. Comments were therefore sought. Cllr Husband said that he considered a blanket ban was pushing the limit although he was in favour of the new policy. Cases should be made on an individual basis. He warned the Council against the casual introduction of a blanket policy.

Cllr Moylan said that a blanket ban was not justifiable. He spoke against interference with private property rights. Given the requirements of the Mayor's London Plan for additional housing, he supported modest basement developments and added that the Planning Applications Committee could and already did turn down larger scale developments. He considered that the redevelopment of Council estates was far more disruptive than basement development and that the Planning Department had got its priorities wrong.

The Chairman said that the Cabinet was not proposing a blanket ban even though it would allow the Council, as stated in the A4 Cabinet report, "to withdraw specified permitted development rights across a defined area". Quoting from the A4 report, the Chairman said regulation stated that "The use of Article A4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should be clearly identified" and, "There should be a particularly strong justification for the withdrawal of permitted development rights relating to: a wide area (eg those covering the entire area of a local planning authority)".

Cllr Dent Coad raised the issue of amalgamations and the number of homes lost over the past six months. There was some disagreement over the figures. Cllr Husband said it was difficult to get the figures right as the Planning Department might have no knowledge of smaller amalgamations.

Cllr Sir Merrick Cockell asked that careful thought be given to the issue before making a Borough-wide change. He questioned whether the proposal was proportionate. At a time of Government liberalisation of the planning system the Council seemed to be going in the opposite direction.

The Chairman summarised by saying that as the Committee was not able to speak with one voice on this issue, there should be no reference to the Cabinet. The Committee concurred.

The remaining reports on the Cabinet agenda were noted.

#### **A11 FORWARD PLAN - AS AT 6 MARCH**

The forward plan was received and noted.

#### **A12 OTHER URGENT ITEMS**

The Chairman advised the Committee that this was Cllr Sir Merrick's last meeting before he stepped down from the Council. On behalf of the Committee he thanked Cllr Sir Merrick for his contributions to the Committee.

No other matters were discussed.

#### **EXCLUSION OF PRESS AND PUBLIC FROM THE MEETING:**

There were no matters requiring the exclusion of the press and public from the meeting.

The meeting ended at 8.10pm.

Chairman