

AT A MEETING  
- of the -  
**CHILDRENS AND YOUNG  
PEOPLES SCRUTINY AND  
PERFORMANCE PANEL** held at  
the Council House, Walsall on  
**7 September 2006** at 6.00pm

**PRESENT**

Councillor Bird (Chair)  
Councillor E.E.Pitt (Vice Chair)  
Councillor Arif  
Councillor Cassidy  
Councillor Creaney  
Councillor Martin  
Councillor Chambers  
Councillor Micklewright

Mr. M. Quinn (Archdiocese of Birmingham)  
Mr. R. Grainger (Secondary schools)  
D.J.Jones (Primary School)

**OFFICERS IN ATTENDANCE**

Bill Henwood (Major Projects Manager)  
Louise Hughes (Assistant Director Children's Services - Education)  
Susan Lupton (Strategic Leader: School Organisation, Admissions,  
Capital & Asset Management – Education Walsall)  
Brandon Scott-Omenka (Head of Quality and Performance  
Management)  
Pauline Pilkington (Assistant Director Children's Services – Social  
Care)  
Tony Stainer (Deputy Managing Director – Education Walsall)

**SCRUTINY SUPPORT**

Nikki Ehlen (Scrutiny Officer)

**7/06. APOLOGIES**

There were no apologies for this meeting.

**8/06. SUBSTITUTIONS**

There were no substitutions for this meeting.

**9/06. DECLARATIONS OF INTEREST AND PARTY WHIP**

The members of the political groups represented on the panel indicated there were no whipping arrangements for any of the political parties in respect of items on the agenda. There were no declarations of interest.

#### 10/06 LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The panel agreed to receive item 8 b, education attainment figures over a 3-year period 2004 – 2006 in private session. (Exempt information under paragraph 8 Part 1 of Schedule 12B of the Local Government Act 1972).

#### 11/06. MINUTES OF THE PREVIOUS MEETINGS

##### Resolved

That the minutes of previous meetings, held on 6 July 2006, copies having been previously circulated to each member of the panel, be approved and signed by the chair as a correct record of the meeting with the following amendment.

- the minutes were amended to remove Councillor Cassidy from the membership of the school buildings working group.
- Councillor E.E.Pitt was added to the membership of the school buildings working group.

#### 12/06 REPORT ON THE FORMULA FOR THE EDUCATION CONTRIBUTIONS UNDER SECTION 106 AND REPORT ON WHERE THIS MONEY HAS BEEN SPENT IN THE LAST 24 MONTHS

Susan Lupton spoke to the report.

Susan explained how the section 106-education contributions were calculated and outlined in general terms what the contributions were used for. She emphasised that there was likely to be a time lag between requesting the contributions and them being received; and stated that some contributions were paid in instalments.

Councillor Bird stated that the report showed considerable sums of money, he asked officers where this money sat. He asked who received the payments and where they were used.

Susan Lupton explained that the planning department notified Education Walsall that the sum had been received and Education Walsall contacted finance, and requested that the contributions be transferred to an education capital budget.

Members wished to receive assurances that the contributions received were to be invested in children's education.

Councillor Chambers expressed the opinion that this topic should remain on the work programme of this panel.

Councillor Cassidy thanked Susan Lupton for the information and clarified some issues.

Councillor Martin recommended that an audit of the contributions be completed.

Susan Lupton clarified that if surplus school places currently available were below 10% developers were asked for a financial contribution for additional places or improved facilities in schools. She added that some developments were not required to make contributions and the situation changes each year.

Councillor Bird asked who was keeping a record of contributions that were to be or had been received by the council.

Pauline Pilkington suggested that clarification be sought from children's finance and that an officer be invited to attend a future panel to provide further information.

Councillor Bird agreed and requested that an officer be invited to explain the audit trail of section 106 education contributions. He added that the panel needed to know what processes were in place to monitor these contributions.

Susan Lupton explained that the only contribution that had been allocated was as described on appendix 2 of the report; she added that cabinet had made this decision.

Councillor Bird asked why cabinet made decisions on which schools the contributions would be spent at, when Education Walsall made the calculation and contribution formula for the contributions.

Susan Lupton stated that when the contributions were requested it was not specified at which school the money would be invested because investment priorities might change in the period between calculation of the contribution and receipt of payment, which could be some years later. However, it was confirmed that all contributions would be invested at schools in the appropriate sector within the 2/3 mile distance from the development site i.e. at schools included in the assessment of whether a contribution was required.

Members expressed concern around the legal requirements of spending the contributions on something other than education. Susan Lupton informed the panel that developers were not given details of where the education contributions would be spent and confirmed that contributions were invested in education.

Mike Quinn stated that he understood the formula and principles behind section 106 contributions, but that he felt the panel should obtain advice on the legal position on where and how the contributions could be spent.

Councillor Bird expressed concern that requesting the contributions may prevent regeneration in an area. He added that the panel might have to hold a special meeting to consider this matter.

After discussion around the set up of the panels, Pauline Pilkington confirmed that David Brown intended to attend future panel meetings, but was unable to attend this meeting due to other commitments.

### RESOLVED

That

- the panel request the Head of Finance (Carole Evans) and appropriate officers advise panel of the process of accounting for the collection and spending of section 106 contributions
- A report fully explaining the receipt of contributions including the 'vote heading' reference that had been allocated to the contributions be provided to panel, and
- that this would be considered at the next meeting of panel 19 October

### 13/06 DETAILED OVERVIEW OF JOINT AREA REVIEW (JAR)

Bill Henwood introduced himself to the panel and presented a detailed overview of the JAR.

(Annexed)

Bill explained that the presentation would focus on what the JAR was and what the JAR inspected. He explained to the panel that the inspection was concerned with the impact of local services on children's lives.

Councillor Chambers thanked Bill Henwood for the thorough presentation and asked what the criteria were for selecting a ward in which the neighbourhood study would be undertaken

Bill clarified that the methodology was evolving and the criteria may change. He stated that it was likely to be an area where a range of initiatives were taking place and ideally an area that reflected the ethnic diversity of the borough.

Pauline Pilkington stated that work had taken place to prepare for Walsall's own neighbourhood study, to find out how Walsall was serving its children. She added that a mapping exercise of the wards was taking place.

Tony Stainer added that this process was a good learning curve to test if Walsall was getting it right.

Bob Grainger expressed the opinion that this inspection is intensive and may take resources away from already under funded services.

Councillor Bird stated that speaking to children from different areas in the borough could produce different responses.

Officers clarified that if this was the case; processes to find out why responses were different would be put in place, along with strategies to address the issues.

Councillor Bird questioned the timescale for completion and asked if there was an appeal process.

Tony Stainer responded by explaining that it was possible to appeal but it could delay other inspection reports as had happened in other JAR inspections, for example, the CPA..

Councillor E.E.Pitt requested that the panel received a report detailing how much the JAR would cost.

Bill Henwood suggested that a costing be presented to the panel based on the costs experienced by other authorities.

#### RESOLVED

That the panel receive costing of the JAR, based on the experiences of other local authorities.

#### 14/06 TARGETED CAPITAL ALLOCATIONS

Councillor Bird stated that he was pleased to see that progress was being made with Mary Elliot School and Joseph Leckie School.

Members expressed concern that item 7a stated that -

'it was proposed that the sum of £6 million was identified for capital expenditure at Joseph Leckie School'

Members were concerned that the report indicated a proposal rather than a definite allocation of money.

Pauline Pilkington suggested that it was possible that it had been proposed to cabinet and when they received the report, they approved it.

Councillor Micklewright asked officers what happened to equipment in schools that had been closed. Susan Lupton stated that other schools were offered the equipment, and if schools were now legally closed, the buildings became the responsibility of the council.

Councillor Bird asked if a contingency plan was in place for the renewal of the contract held by Serco. Pauline Pilkington stated that this was part of the transition in place as the contract was renewed. Louise Hughes added that this

would be part of the cabinet report, which would come to scrutiny during the current municipal year.

#### 15/06 UPDATE ON SCHOOL BUILDINGS PRIORITY ONE UPDATES

Councillor Bird asked if the council had made significant progress in priority one backlogs. Susan Lupton stated that yes, schemes had gone very well this summer and it was recognised that the partnership with the council allowed schemes to progress, although a lot more needed to be done.

Councillor Arif suggested that the panel received a breakdown of the work completed at Hatherton primary school to give members confidence in the system.

Members discussed the tender process and clarified that procurement was in the remit of the children's and young people scrutiny and performance panel.

Councillor Arif asked if the figures would go through the school buildings committee.

Susan Lupton explained that Serco met with the council's establishments team, and prioritised work that was needed, these proposals were then taken to cabinet.

Susan Lupton stated that she was happy to present the panel with the financial figures.

Councillor Chambers suggested that the panel picked out selected examples to check that the council was obtaining value for money.

Councillor Bird suggested that an independent quantitative surveyor was commissioned to ensure that the council was getting value for money.

Councillor Arif suggested that the panel considered once more detailed information was provided.

#### RESOLVED

That a breakdown of detailed information of the work completed on the Leighswood Primary School rewiring/lighting and Pelsall Village Primary School boiler/distribution be taken to the panel.

#### 16/06 TIMESCALES FOR RAISING VOLUNTARY AIDED SCHOOLS TO MINIMUM STANDARDS FOR ACCESSIBILITY

Mike Quinn thanked officers for the report and stated that he was happy with the contents of the report.

#### 17/06 PERFORMANCE MONITORING - SOCIAL CARE CHILDREN REPORTING

Pauline Pilkington introduced Brandon Scott-Omenka to the panel. Brandon presented a proposed scorecard to the panel, he suggested that this was reported quarterly to the panel.

(annexed)

Councillor Martin requested that the RAG system was indicated by colour but also in tone and in writing so as to be accessible to all panel members

Councillor Arif asked if it would be possible for the information to be broken down to differentiate the ethnicity of children. Officers confirmed that this information was readily available for the panel to receive.

### RESOLVED

- That the panel will receive the suggested scorecard of performance indicators on a quarterly basis.
- It was agreed to ensure that the RAG system was clear for all panel members by indicating not only by colour but also by tone and in writing.

### LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT), 1985

It was agreed that the public be excluded from the private session during consideration of the agenda items indicated, for the reasons shown on the agenda.

### TERMINATION OF MEETING

The meeting terminated at 8.31 pm