

Councillor Carolyn Keen

This is a question that's come in from a member of the public and I know that the Leader has been concerned, as indeed we all have, about the cut backs in funding from the Learning and Skills Council, particularly for courses that are regarded as not necessarily leading to employment or training and I think carers are a very good example of the need to provide opportunities for them, not only to get out and about but sometimes to re-build a career after their caring has perhaps ceased and I just wondered how the Leader felt that we could support this sort of opportunity?

Councillor Sir Simon Milton

I think there are really two separate issues wrapped up in your question. The first is about Adult Education and then dealing specifically with carers. You are absolutely right, we are experiencing withdrawal of funding from the Learning and Skills Council for anything which is not an accredited qualification and so what we are seeing is large amounts of the Adult Education syllabus that was to do primarily with Leisure type classes and hobbies are beginning to be unfunded and the costs of those are becoming prohibitive. What we are going to do as a Council, because we recognise the value of these courses, not just for carers but also for elderly people for whom this may well be the opportunity to get out of the home and interact with people, is to seek to put some of our own funding in to sustain some of those courses that would otherwise fold and I will be making an announcement about that in due course. So that's that element. As far as carers are concerned, I think it's not often appreciated that the value of time given by carers is equivalent to the total expenditure of the NHS so this is a massively unrecognised group of people but they are a very high priority and you can imagine what would happen if that caring resource was not available. So we've decided in Westminster that we would not charge for services to carers because we would like to support them in any way we can and that includes ensuring that they have as many opportunities to live a full life outside of their caring duties as is possible. I think your question sort of indicates, if you take away just the funding aspect of it which I think I've dealt with, there is also the aspect of aligning courses with carer's timeframes and I think the way we seek to do that is not by trying to play around with the courses but to ensure that carers' own hours are suitable and give the kind of support that allows carers to fit in leisure including Adult Education around their caring duties so, for example, we try to tailor the respite services at times to suit residents so that carers can get time off when they need it. The whole purpose of moving towards direct payments is that it would be more flexible and that residents who require care and their carers can then tailor the packages of support around their specific needs so that would again free up carers to take up other opportunities. And the other thing we are doing is we are currently reviewing all of the Council's day care contracts and one of the things we are hoping to do is to move away from the concept of fixed hours for drop-in, for day care centres into something which is much more flexible which in itself will create then knock-on opportunities for carers who obviously are relieved of duties once those day care centres are operating. So, in a range of ways we are looking to build in more choice and flexibility into the lives of carers which will help them take up Adult Education as well as hopefully a range of other opportunities.

Councillor Barrie Taylor

You will know that there is a keen interest, I think, in the Go Green agenda, that's the proposal that has currently been made by the Council but I think that I've seen a lot of interest expressed in this from across residents locally and they also want to be able to contribute to this. I think that the potential that we've got there is that there is a willingness across political divides to make contributions and what I'd be interested to know about is your views on whether or not you think something further than Go Green could be able to be organised inside the Council, one of them being a potential Commission, one being the potential for a much wider scrutiny process that would invite both witnesses but also engage them directly in the process?

Councillor Sir Simon Milton

By coincidence I've just signed a letter, which you will be getting a copy today, to your colleague on this topic. I think that you are absolutely right, there is a huge appetite out there to learn about but also contribute to ideas around climate change and the Green agenda. It's remarkable how fast that issue has gained momentum. We will be bringing the Council's Go Green strategy to the Cabinet meeting on 26 February and then after that to full Council and it's a pretty comprehensive document dealing primarily with the way the Council runs its own operations because we've got to try to get our own house in order if we are then to have any credibility in advising others and there is lots of things that need to happen. One of the things that we will be announcing, and it was mentioned I think at the last Council meeting, is that we are going to become signatories to the Nottingham Declaration which, for those of you who don't know, is the charter which Councils across the country are beginning to sign up to which commits them to a strategy to reduce emissions and to have an impact on climate change and to have a thought-through strategy and that's very much part of our thinking. What I've said to your colleague, Paul, is that I welcome the public, all Councillors, all organisations getting involved, in fact I was speaking at an event today up in North Kensington for our Arabic speaking communities and one of the people there wants to get involved with this so this is really an issue which I think a lot of people are interested in. What I've suggested is that the best way, I think, of having interactive public involvement is through the Council's Overview and Scrutiny process so I've written today, copied to all members of your Commission, suggesting that it would be for you to decide that it is something that you would wish to do. I'm sure that the Council would be happy to support that resource and you should involve as many people and organisations you can because what I'm looking to do is, what I would like, is not just a view and a critique of our own proposals coming out of the Cabinet but also recommendations that other things that we might want to think about.

Councillor Barrie Taylor

I'm pleased to hear that, especially as from Overview and Scrutiny if you know the process offers that opportunity inviting expert witnesses and really the public themselves directly to contribute because I think what worries me is the policy inside the authority is that what we need is that access to those views and finding a way of doing that. I don't care whether it's scrutiny or whether it's an open commission to tell you the truth. What I think it should be doing is asking us to be informed about, as you say, positive proposals that might make this thing work much better so I'm pleased to hear that you are suggesting, I think once the Commission has sat down

and worked out how that might work for us I shall certainly lobby to make sure that that's a priority, so thanks.

Councillor Sir Simon Milton

I think there is, if I may say, I think there is still a kind of lag in terms of way we think about, we collectively as Councillors think about the Council and O&S. It shouldn't be for me to give my blessing to whether there should be a scrutiny. It should be for you to decide that's what needed and then just go ahead and do it and then expect me and my colleagues to deliver what you need in order for it to happen. So I think we are working very hard to agree with each other here.

Councillor Mark Page

I've raised this particular issue elsewhere and I just find it hard to square the circle. If I was a parent knowing the special measures that Pimlico School is in, knowing that there is going to be a re-development there, I wouldn't be 100% sure of how long it is going to take. I've heard varying times for the length of time it's actually going to take to build, it varies from two years to five years. If it's up at the five year end I would just be concerned, if I was a parent with a young nipper going off to Pimlico School, about their education.

Councillor Sir Simon Milton

Obviously, we debated the situation at Pimlico at the last Council meeting and I want to say some of the things I said then. Firstly, Pimlico has been a school that has been seeing a decline in achievement for some time, that was something that the Council saw and steps were being taken to try to get the school to address some of those issues and we were about to serve a Notice to Improve which is a statutory part of our function as a Education Authority. We were beaten to the punch by Ofsted who sent in a team of Inspectors and decided the school had severe difficulties and put it in special measures. Since that time, things have moved very quickly. We've put in an interim Headteacher, Jo Shuter, from Quintin Kynaston, together with some of her senior staff there, to support the school. I have to say there is already a noticeable difference in the behaviour of the children and of the general climate within the school, so within a very short space of time there has been some positive movement. We are putting together, or have put together, a big package of support for the school which is partly funded by the Council, partly funded by the Education Department nationally and partly funded by the school itself to ensure that they are getting as much additional help in teaching and support for Governors as possible. So I'm convinced, you know, that the future for the school educationally is good and, as we've seen in other schools, we are capable of turning schools around that have got themselves into difficulties. What's going to be key, clearly, is recruiting a permanent Headteacher and that is something that is in hand but I think there are some issues, first of all, to resolve around the future of the school in terms of what type of school it's going to be and, as you know, and again as I said at the Council meeting, it is becoming clearer and clearer that it would qualify to re-open as an Academy, a City Academy which would have considerable appeal to lots of parents. We've seen, for example, in the two Academies that have been opened, even though they are not on their eventual permanent sites, that the demand for places at those Academies has shot up simply from the time of being announced that they are going to be Academies so this is something that definitely appeals to parents.

Moving from what goes on in the classroom to the building itself. We tried very hard to look for sites that could be de-cant sites for Pimlico for when it is completely re-built, and remember this is a school that is going to be re-built from the ground up, some £32 million I think more or less is what we are roughly expecting that to cost, but it was impossible to find a decant site. We looked in other boroughs, we looked elsewhere in Westminster and it proved impossible. So it's going to have to be built on site whilst education is continuing. Now clearly that's going to be a challenge but, when considering the tenders for people to build that school, one of the judgements is going to be how they will manage that process and how they will minimise inconvenience and ensure that the school can function normally. We will be having that very much in the front of our minds when we decide what is the correct way to re-build Pimlico, how it should be managed, what the different issues around the process are, so that the curriculum can be properly delivered during that period and I'm confident that, even though of course it's a period of uncertainty for parents, Pimlico is going to become a very attractive and in demand school.

Councillor Mark Page

If a decant site was to be found now, would that be a possibility? Or would it be too late in the day?

Councillor Sir Simon Milton

No, it's too late in the day because we've started the process of inviting tenders and bidders have been putting together their proposals on that basis.

Councillor Barrie Taylor

Just to follow through a little bit because of the experience I think we've had over the last two years or so about the changes that are taking place into the two existing Academies and I've witnessed some of that both from North Westminster and also from how Paddington Academy has been developed. One significant thing that comes over is the need to have strategic vision and actually have a team of people in the local authority, and I mean a team, who can actually be supportive to the process. I would even say at this point the two Academies that are still trying to get into their real accommodation are significantly in need of support. A simple thing that came up this week when I went to their Liaison Committee on the Oakington Road site area was the way in which we need to be engaged now about the traffic process. I think that we are not learning the lessons adequately enough to make that work well and really I'm putting that point to you because I've seen it on the ground, I think it needs more energy from us as a Local Authority.

Councillor Sir Simon Milton

Well we have a new Standing Committee of the Cabinet called Building Schools for the Future but which also deals with Academies issues and these are the points you make which strike me as being very sensible and valid issues to be concerned about and that should really be referred to that Committee. So in the first instance I'd expect you to let either Paul Doherty or Penny Holden know and ask to see the papers that go to that Committee that will refer to those issues because that's the place to thrash these things out. I think there is a general point to make about support to Academies though, which is that they are autonomous in the sense that they are no longer local Council schools and they have no requirement to talk to us at all on many issues and in fact, we could argue that one of them isn't talking to us

very much. So, I think we have to develop a relationship with Academies which is one of mutual trust and a willingness to be open with each other and to go to each other for help when help is needed and it's very encouraging that both Academies have now bought into the School Improvement Package that we offer, which they are not obliged to do, they are entitled but they are not obliged, but they are doing that and I think the more who do that the better education will be across the piece because we are only a small authority. When all of our Academies are open, it will be nine schools at secondary level plus the two special schools. So, they need to work together in order to maximise the value of the whole to make sure there is a broad enough curriculum to try and get Best Practice across the piece. So we are as keen as anything to try to make the Academies feel that they are part of Westminster education, not separate to Westminster Education.

Councillor Barrie Taylor

I take the point you make and I do understand, I think, about where they feel they are, of course this is a question of so-called independence. I don't think that's the truth though. It's inter-dependence regardless and our focus has got to be about supporting the children regardless of the institution and that's the point I think I'm making to you. I think there is a big job to be made, to be placed in there and I'm pleased to hear you've got the Cabinet Committee that will accommodate some of that. I think really what doesn't come over is the leadership in that vision because what we do as Councillors is get on with the nitty gritty and do raise the points and I'm in touch with Paul quite regularly and so I do understand and respect that bit but I think what I'm saying is, it needs slightly more than that in leadership terms to make it something also for the parents, the kids and so they know that we are doing our job properly.

Councillor Sir Simon Milton

Can I just respond to that again because I think we are doing that. It may not come across like that but we are trying and of course one example, you mention public transport issues, we are very much involved in the whole issue of the Number 18 bus which I think people know about. It's being pursued by us with TfL. It's a regular topic of conversation at our CivicWatch meetings. We are trying to push that issue forward working with the schools and others so although there is frustration at the pace at which that particular problem is moving I think we are exercising that community leadership role I think you are asking us to undertake.

Councillor Michael Vearncombe

The Smoking ban will come into effect on 1st July and I'm very encouraged by the authority's work that it is doing in order to achieve enforcement. The practicality and the reality is that a number of smokers will not stop smoking and they will end up on the streets of London as so are 3,500+ licensed premises, not least our business premises. What are your views on litter cleansing and how are you going to control that? And also the likely effect on the residents in terms of noise and noise pollution?

Councillor Sir Simon Milton

We are expecting there to be a litter issue. My view is that we should always try, where possible, to apply the polluter pays principle and I would be inclined to go to the tobacco industry and ask them to stump up some money to help pay for extra cleansing.

Councillor Michael Vearncombe

Your view on those numbers of people who are actually on the streets outside of licensed premises as indeed outside of City Hall will go in designated areas that are smoking and creating noise and displacement?

Councillor Sir Simon Milton

I don't believe in a police state so I don't think it's the Council's job to try and move people along or ban them from doing that but we are going to have pick up the stubs literally. I think the only issue where I think we may have a role is where you have night time venues where people are gathering outside to smoke inevitably to enjoy their drink whilst they are smoking and where you have residential premises above and there is a real issue emerging, will emerge over noise and I think there we are going to have to look to see whether the Licensing Objectives which include public nuisance, can be used to try to control that situation which might mean, in those circumstances, having to move people along.

Councillor Michael Vearncombe

Do you think that's actually enforceable though in real terms?

Councillor Sir Simon Milton

Well I think if it's a licensing condition and if it affects the Licensees, the safety of the Licensee's licence then I think they would be quite motivated to try and ensure that that issue doesn't become a real problem.

Councillor Michael Vearncombe

I will follow up on that. Take a public house on, say Dawson Street, which has an adjacent Mews, and whilst people may wish to consume alcohol on the licensed premises, even in the demise of the outside area, they are more than likely to move into the mews. We don't have any real ability to move those on from that particular area and therefore there are a number of issues there. And by far the question is, do you think it's really going to change anything apart from moving smokers outside the bars?

Councillor Sir Simon Milton

Well I think we are now talking about a licensing policy and enforcement and the licensing objectives. We get complaints all the time from residents about noisy pubs, whether noise is actually of the noise of drinkers spilling out of the pubs and forecourts of pubs and the use of those forecourts after a certain hour of night. I can think of my own ward of 2 licensed premises in Moscow Road which will be the subject of some activity with Residents Associations who already feel that those pubs are not well managed and they cause a nuisance and we've managed to resist additional hours in those premises for precisely that reason and certainly under the Licensing Act you can now trigger a review of a licensed premise if you think that it's grouped in one of the four licensing objectives, one of which is public nuisance. That public nuisance could be as a result of people smoking, drinking, swearing, stabbing, whatever.

Councillor Mitchell

Can I ask my question then which is one submitted by a member of the public regarding the One City Car project. I'll read it: "What happened to the One City Card project and why? I have been told that the One City Car project has not been taken forward. My comment back was it was a biggish deal and part of the 2006 agenda. It was originally a big deal - Smart Citizen Ltd carry on their website still. I looked that up today and indeed it is still there. I understand it was due to go to Cabinet last March to approve the business plan/case and go to tender for the system build. To 'just' disappear without trace, and barely a mention after such a build-up seems a little cavalier and it would be helpful to understand what was proposed in more detail, what the issues were, and what led to its quiet abandonment.

Councillor Sir Simon Milton

The One City Card was a Smart Card concept. It emerged because we thought that there would be the opportunity to take TfL's Oyster Card and to use it to pay for parking. Either parking meters, Pay and Display or in our off street car parks because obviously it works on the basis that you top it up with cash and then you have reductions depending on what you buy and then when we looked at that we said well hang on, it could also be used for ResCard, for leisure centres, for library payments, for lots of small payments which different services could get involved in the Youth Card for example. We could see quite a few possibilities and so the idea arose well why not have a Westminster Smart Card which could be offered free to all residents which would allow them to use it to do all of their Council related things but also to, as their Oyster Card for buses and for London Underground. We did some initial project work with this company you referred to. Smart Citizen was brought on board as the designer of the card, the systems designer. A certain amount of work was undertaken and the project moved forward and it was tested and it found it was technically possible to do many of these things. A problem then emerged and that problem was cost and what we found was that the original idea had significantly under estimated the cost of making the parking machines accept the Oyster platform and there was going to be a significant cost involved in changing it and if you took out the parking element of it, frankly the other uses were not, there was not enough in it to make it a worthwhile operation. So when we did the numbers, we found it would cost a £1 million to set up and then £160,000 a year to run and the savings by getting rid of all our other cards, ResCards, Staff Card etc would only amount to £50,000 a year. So, it was going to be a significant, ongoing cost to run, let alone a £1 million to even get off the ground and that was on the basis of giving all residents a free card because we didn't think they would pay for it. In order to then make that work, it was thought well ok, we could sell it. It would be such a valuable thing to have that other people would buy. But the way the numbers worked out we would have had to have sold it to £400,000 to break-even, to non Westminster residents, to visit people who were visiting London, tourists and we just felt that that was never going to be delivered. So in other words, the business case did not stack up once it was investigated fully. So there comes a point where you have these projects and you decide is it worth persevering? Because it's not going to stack up financially and at what point do you pull the plug and so we pulled the plug. The costs were actually minimal in terms of sunk costs but we had developed it on the basis that they would be ongoing savings which we then discovered were not going to happen and so in the Business Plan we had to remove those ongoing savings that we had assumed would accrue from this card and that in brief is the history of the Smart Card.

Councillor Mitchell

Just a follow up from what you were saying. If the Council was a commercial organisation, a commercial judgement would be made and the case of a heavy marketing campaign etc. and of course we are not a commercial organisation and we would be risking public money in this venture.

Councillor Sir Simon Milton

That's right and I think we took a view as to whether we had the capacity, we are not a commercial organisation, we don't have those skills. So we would have been in the ridiculous business of trying to acquire those skills in order to deliver a highly risky scheme which actually would have only then delivered limited benefits. So I think at the end of the day it was the right decision.

Councillor Mark Page

There was an acceptance that we could use the Oyster platform on this and is this something that potentially some other organisation wishes to use the Oyster platform we could roll on the back of it later on or is it dead and buried completely?

Councillor Sir Simon Milton

Well I think, the main value for us as an organisation was to be able to use that platform to take payments for parking, particularly on-street parking. As you know, we are moving to cashless parking wherever possible. The problem is that there is a company called Transis which is the TfL technical company partner that does this and we've gone into it with them and the costs of putting the Oyster facility on our Pay and Display machines is just prohibited. So unless new technology moves that we change that, the current metrics are that's it's never going to stack up.

Councillor Carolyn Keen

What role should the City Council take in encouraging premises used by the public including shops, restaurants, arts and leisure institutions, to better meet the needs of disabled people? As a world class city which will host the Paralympics, is it not important that we have in place a programme for improving accessibility for all people to our city?

Councillor Sir Simon Milton

Yes it is and we are currently working with London councils to put together a bid to the Olympic Delivery Authority, the ODA, for a programme of works that's specifically geared towards the experience of disabled visitors to London for the Olympics and Paralympics so we are waiting to hear the outcome of that but there is clearly a need for that. The ODA recognises there is a need and it's about us putting together a compelling offer.

Councillor Carolyn Keen

What resources have we got within the City Council to actually deliver that? To provide a focal point for advice and information?

Councillor Sir Simon Milton

Well, I think the point I just made Carolyn was that it's not sensible for this to be done on a borough-by-borough basis. It's sensible for this to be a London-wide resource put together by London councils and that's the basis we are working on.

Councillor Carolyn Keen

My follow-up is specifically about us as a local authority because I believe that at the moment departments are not able to access accurate advice and information on meeting the needs of disabled people. I don't feel that there is a focal point within the City Council and therefore departments will make ad-hoc advice available, make ad-hoc decisions. We do have officers, for example, an officer within the Property Division whose responsibility is really to advise on the Council's own premises which is used by other people once they get to know of its existence and because he makes it his business where possible to raise the issue of disability. But this is all on an ad-hoc basis and what is happening is that decisions are being made, advice is being given which is not accurate, which doesn't sign people to the right places for further information and guidance and I think we are missing a number of opportunities. I realise there are resource implications but I would value your comments please?

Councillor Sir Simon Milton

Well our duty as a Council is very clear. It's laid out in the legislation, that's to make sure that we make adequate provision for disabled service users and there are a number of corporate projects which are seeking to do that. Not just physical changes to our own buildings but things like guidelines which have been sent to officers covering the needs of disabled people introducing publications, in organising events, in consultations, when we have public meetings there are guidelines as to the suitability of venues and what you should and shouldn't do. A practice guide on how to organise public meetings. There are a range of things corporately that we are doing that I fully accept that that is to fulfil our duty in respect of the services we provide to the public. We are not resourced currently to be a general resource to anyone who wants advice on disabilities issues and the fact of the matter is that statutory duty to make provision for people with disabilities is not on the Council, it's on every organisation. It's on theatres, it's on shops and businesses and restaurants and they have to make sure that they comply with the law and comply with their responsibilities. It's not I think for the Council to do their job for them.

Councillor Carolyn Keen

Would you feel that it is part of London Councils to perhaps do a publicity campaign and perhaps some of the resources that are being bid for could look at raising awareness and signposting people to the organisations that can provide help? And obviously there is a commercial element in it as well?

Councillor Sir Simon Milton

Well I'm very happy to make that suggestion to the London Councils Leader on Equalities issues but there are also national disabilities organisations and others who have a role and are resourced to provide precisely that kind of advice and to give that kind of signposting.

Councillor Barrie Taylor

At our last session with you Simon I raised the point about the question of your promise to all the kids in Westminster about computers and you kindly wrote to me giving some detail of where we were with that. My interest, and I'm going to pursue it consistently I hope, is that one of the things that is changing now in Education is the reliance by kids, and even parents now, on the use of IT in both the administration of education but also in the curriculum and the new development field. We know that we've got good examples elsewhere in the country, Manchester I'll give as a prime example where they've actually been able to put into place community networking and using the investment by using community routers and to access Broadband. Now, I'd like to know what else we can do to see that very particularly in the areas that we've got with some of the deprived communities that we have, you can imagine which wards I'm thinking of, what else can be done to introduce Wireless technology that will allow this to be put into place in practical terms?

Councillor Sir Simon Milton

Well, we've managed to secure a grant of some £400,000 under a project called Computers for Pupils which is DfES led and we have until March 2008, as I understand it, to spend that money and that is to be targeted at not just bringing IT but broadband into deprived communities. So what we have to do now is devise the strategy for spending that money and making sure that it gets to the right people and if you have good practice examples from elsewhere I'd be very happy to ensure that they are forwarded to the officers who are leading on this.

Councillor Barrie Taylor

That's very helpful. I mean the Manchester one is, I think, a tremendously wide example but there are things that are very localised as well that are taking place in Westminster but it is being driven by a fairly narrow interest and I think I'd like it to be wider so I will forward that.

Councillor Mark Page

You don't need me to tell you that the impact of having a 30 or 40,000 lowering in Westminster's population works out at about £20 million. It is very high up on the risk register. It's your number one lobbying priority. Are you happy that what we are doing in the Council is all that we should be doing? Should we be doing more to protect our position?

Councillor Sir Simon Milton

Well it's not an easy question to ask, should we be doing more? Of course, it's so important that we will do anything that we can. It's very obvious because, I've been a Councillor for 20 years, looking around there are a lot of people in this room who have got significant service on the Council and we all know that in the past, when you battle for money, it was always to do with the grant formula and which parts of the country were going to get money depending on how the formula was drafted. The one thing you never argued about was population data because it was so reliable. But that's just as important in determining where the money goes. Now, we are in a situation where everyone is arguing over population data because nobody feels they can trust it. The level of population mobility and churn. The levels of in-migration are at levels none of us have ever witnessed before in this country. We've just I think this week the Polish Ambassador say that in her opinion the population of Poles in

the UK was twice as high as Government estimates. Now money follows people and so if you get those population figures wrong then Councils then either disadvantaged or receive windfalls. It has now become just as big a deal to make your case and fight for what your population is as it is fighting over what the formula for distributing Government money should be. So we have probably as much resource internally in terms of officers working on this as I suspect any other Council in the country because we've had to. We have to fight a battle over the 2001 Census which significantly under counted our population and we won that. Ten Year Census counts have become more or less useless because there is such a degree of mobility in between each ten year period. So each year there is an argument over where the population has moved and new ways of counting are being devised by the Office of National Statistics which will either advantage or disadvantage us. The likelihood is that they are going to say that our population needs to be adjusted downwards. We don't think it does but we think we can prove, through administrative records, that our population is more or less right but they are under huge pressure from other Councils that think their population is under counted. So I think we are expecting to see some movement and the Government said that, if there is movement, they are going to actually take money away from Councils, you are going to have to refund grant which you've already received on the basis of restatement of population. So we are preparing for a difficult scenario but obviously hopeful, through the evidence that we can provide, that it won't be as bad as we are necessarily having to plan for.

Councillor Mark Page

Thank you for that. The retrospective nature of it, we do need stability in order to aid our planning. On the Risk Register it says likelihood high and to the tune of 30, 40,000 people is what I hear. You touched on it lightly, but if this is going to happen, what plan of action in terms of we've got 30,000 fewer people therefore we don't need to provide x number of services, is that a stick that perhaps we can bring in to our campaign?

Councillor Sir Simon Milton

Well it's certainly a point well made but the truth is that if we think our population is accurate and we do, then the fact that we've not been able to persuade Government of that and that we are not going to get the money to fund that doesn't mean the need won't be there. So we will be faced with trying to meet those needs as best we can rather than saying you don't officially exist overcrowded family and therefore we are going to ignore you.

Councillor Vearncombe

Do you actually believe that the closure of streets in Westminster (*tape ended here*)...

Is beneficial to residents? What are the disadvantages? Should we be selective in the events we support?

Councillor Sir Simon Milton

I think you need to consider applications for street closure on a case by case basis and we have a well-regarded Special Events Team who are very good at looking at this. I do know that the recent VIP Day on Oxford Street and Regent Street was a

huge success. I know that there is a *(Tape started here)*report of your Committee into this. In fact I took the liberty of checking it before I came tonight and I think one of the things that you talked about was the need for certainty and I would be very supportive of there being an established day, the same day each year, where these closures took place so that everybody knew they could plan for it, if they didn't want to be around, just as some people don't like being around when Notting Hill Carnival is on, some of the residents get out of town. That would be the same if you didn't want to be around when Oxford Street or Regent Street were closed. So, I think that's a way forward.

Councillor Vearncombe

Finally my question about being selective in the type of event that we are prepared to support. Do you have a view on that?

Councillor Sir Simon Milton

The only way you should be selective is in terms of the impact of the event, not who the event is for. I don't believe in any form of censorship. I would probably make an exception for the BNP I have to say. We've had for a long time, Gay Pride marches that have gone through Westminster, ever since I've been a Councillor. It's just one of the other events that happen during the course of the year and I certainly would support it continuing.

Councillor Mitchell

The last tabled question is on Secondary School Performance. You told us already that the two Academies have signed up to the Council's School Improvement Package which is very good news but if you look at the league tables recently published you will see that there is a significant under performance by our secondary schools taken as a whole particularly when you look at the value added measures. How do you see that the Council can work with schools given the fact as you've highlighted likely semi-independence of Academies from Council control?

Councillor Sir Simon Milton

Well I think that we shouldn't look at this as being an all-bad situation because there are some secondary schools in Westminster that do very well and even those that have not performed well in the league tables have seen significant improvements. Certainly in St George's, if you look at the progress of change, that's been very encouraging even though they still are not producing the level of results that we would want. Having said that, I think, I certainly found it personally unacceptable to see Westminster at the foot of the league tables on secondary school achievement. It's not something I'm used to seeing, any Council service being depicted in that light, and I think we've got to do something about it. Your right, the schools are semi independent or autonomous but we do have an important role on behalf of parents in making sure that the education their children are receiving is as good as it can be and we have to fulfil that role I think far more vigorously than perhaps we have done up until now. I have not sat idle since those league tables were published. I've convened a meeting of senior people at the Council to look at what we can do that we are not already doing and I hope very soon to be bringing to the Cabinet a new School Learning and Achievement Strategy that is specifically targeted at getting those secondary schools to improve a lot faster than they are currently.

Councillor Barrie Taylor

I think as you know Simon we have recently been confronted with a couple of very difficult cases in respect of the duty of care to individuals and what I'm interested in is that we, inside Scrutiny, have currently suitable call-in procedures and I'm wondering whether you feel they are adequate enough to cope with such difficulties or failures. What else would you introduce? And will you include this in any review of O&S that may be undertaken in the near future?

Councillor Mitchell

Can I add as supplementary by way of clarification I think you're pointing out Barrie that the Call-in procedure has a financial limit on it, so one of the particular reports that Barrie refers to would have been incapable of Call-in because of that.

Councillor Sir Simon Milton

Well as an Overview and Scrutiny Commission you can scrutinise any darn thing you like. You don't need my permission, you don't need a Call-in procedure to do that. I think there is a difference between Calling-in which is usually in reference to a specific decision that is taken or a specific policy that is being introduced and scrutinising whether our arrangements for safeguarding individuals are adequate or not. I'm sure you are referring in part to the recent case of the child who was physically abused. Now, the report of the investigation into what happened in that circumstance did actually go to the Overview and Scrutiny Committee, it was a year ago now that this event happened although all the publicity about the case all blew up last week. But this has been a case that not only has, I'm assured by the Director of Children Services, been considered by Overview and Scrutiny, but was also considered by the Inspectors who came in to investigate in our annual inspection of Children's Services this year, the year just gone 2006, so that is part of the judgement made. I think by all means if, I can't see the circumstance arising whereby you as a Committee would exercise a Call-in over a decision on an individual safeguarding because you're not, Councillors are just not generally close enough to that and you only hear about the problems that occur and in that case there is a very clear accountability process which involves independent reports being done which of course you can then call and look at, you can have the officers to explain what's going on. That's different from you satisfying yourselves as Councillors, you as Overview and Scrutiny, me as a Council Leader that our arrangements for safeguarding are adequate in general and I think that's, where I think I come into play, where you come into play in respect of the incident that got all the publicity last week is not that we as Councillors are in a position to second guess the professionals about whether a particular child should be or shouldn't be removed from their parents care, but where we do have a role is ensuring that the processes and systems in place to handle such cases are adequate, they are robust, they are properly tested, that they are properly scrutinised. That is our role as Members. There is no way we can put ourselves in the shoes of officials and make those life and death decisions and judgements on how to handle individual cases and we should never try and put ourselves in that position.

Councillor Barrie Taylor

I agree with much of that. The Overview is very straightforward in one sense but I think that one of the instances, in the child's case for instance, for us as Scrutiny is, the issue would have been about how it went into the arena of being an independent

review and what sort of review it was. That is an area where we wouldn't be in a position now to actually engage because we would wait until the outcome of that as you say with a report that's come back to us, a very valid report I'm sure, but what I'm saying is it's about scrutinising the process as much as it is scrutinising the outcomes and because what you need to have from Scrutiny is that question mark and challenge being put there at the time when that takes place, not at the time when we see the process as we say and which we can do we can scrutinise and we can sort of suggest improvements and criticise even but I think what I'm saying to you is that that's after the event rather than before, that's what I'm trying to put into your mind is that it needs action before as much as after.

Councillor Sir Simon Milton

Well I'm not sure if we are agreeing or disagreeing Barrie? I think it's quite right for you to want to scrutinise the process by which cases of these kinds are handled and at what stage Members ought to be brought into the loop and at what stage independent reports are commissioned and that's I think a wholly proper thing for you to probe into and to satisfy yourself that is in accordance with how you wish it to be done and I know that the Director of Children's Services is expecting to have just such a meeting with one of the relevant Committee in due course. I think what was, may have been a concern, I don't know whether it is a concern, that there is not a lot of value in you as a Scrutiny Committee re-hashing a case which has already had an independent review into it.