

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE**

**HELD AT 6.35 P.M. ON MONDAY, 28 OCTOBER 2019**

**ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE  
CRESCENT, LONDON, E14 2BG**

**Members Present:**

Councillor James King (Chair)	
Councillor Sufia Alam (Vice-Chair)	– Scrutiny Lead for Children & Education
Councillor Kahar Chowdhury	– Scrutiny Lead for Health & Adults
Councillor Dipa Das	– Scrutiny Lead for Housing & Regeneration
Councillor Marc Francis	
Councillor Tarik Khan	– Scrutiny Lead for Resources & Finance
Councillor Eve McQuillan	– Bethnal Green Ward
Councillor Bex White	– Scrutiny Lead for Community Safety & Environment
Councillor Andrew Wood	

**Others Present:**

Mayor John Biggs	– (Executive Mayor)
Councillor David Edgar	– (Cabinet Member for Environment)

**Officers Present:**

Adam Boey	– (Senior Strategy & Policy Manager - Corporate)
Afazul Hoque	– (Head of Corporate Strategy & Policy)
Dan Jones	– (Divisional Director, Public Realm)
David Knight	– (Senior Democratic Services Officer)
David Tolley	– (Head of Environmental Health and Trading Standards)
	–

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

The following Councillor declared an interest that must be declared in Agenda Item 7 (Item 6.2 the report on the outcome of the public consultation on the closure of Raine's School and the expansion of Oaklands School:

- Cllr Bex White

## **2. UNRESTRICTED MINUTES**

### **2.1 Monday, 23rd September, 2019**

The Chair **Moved** and it was:

#### **RESOLVED**

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 23<sup>rd</sup> September, 2019 were confirmed as a correct record and the Chair was authorised to sign them accordingly.

### **2.2 Tuesday 1st October, 2019**

The Chair **Moved** and it was:

#### **RESOLVED**

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 1<sup>st</sup> October, 2019 were confirmed as a correct record and the Chair was authorised to sign them accordingly.

## **3. REQUESTS TO SUBMIT PETITIONS**

Nil items

## **4. FORTHCOMING DECISIONS**

Noted

## **5. UNRESTRICTED MATTERS FOR CONSIDERATION**

### **5.1 Strengthening our Consultation Process - Presentation**

The Committee received a presentation from the Mayor on Strengthening the Council's Consultation Process. The main points of the discussion are outlined below:

The Committee:

- Noted that it is important to ensure a consistent approach across the Council regarding the Consultation Process. Therefore, Council has set of consultation principles for officers which (i) gives clear guidance to directorates on conducting consultations; and (ii) demonstrates the Council's desire to engage more effectively across the Borough;
- Was advised that the Council aims to (i) to consult with as wide a group of the community at the earliest stage in the policy forming process; (ii) make it easier for the public to contribute their views; (iii) to use clear language in consultation documents;

- Noted therefore that (i) the quality of the training to officers is essential and (ii) it is important to recognise some of the results and the outcomes of a consultation exercise may not satisfy everyone;
- Noted that when planning an engagement process officers need to recognise diversity, identify any potential barriers and design the process to minimise barriers where possible e.g. Literacy levels and dominance of oral culture;
- Commented that it wished to see the final versions of any consultation before it goes out;
- Noted that submissions to any consultation need to be in both soft and hard copy formats;
- Noted communication materials should be jargon free and in plain English; available in accessible formats and provided in alternative language(s) as appropriate. Also given the strong oral tradition in many community's events where individuals can discuss the issues first-hand are invaluable.
- Noted it was important to use (i) existing community networks and forms of communication to publicise events; and (ii) opportunities to align or hold combined events for greater impact;
- Noted that from the outset officers are advised to be clear about the scope and purpose of the engagement process e.g. will the aim be to Inform the decision-making or service delivery;
- Noted that for a consultation process to be fair and lawful consultees must have enough information to ensure they understand the issues and can give informed responses;
- Noted that any consultation about policies or implementation plans should be at the formative stage;
- Commented that it would wish to see more consultations on Green spaces as they provide a wide variety of environmental, economic and social benefits;
- Noted that each consultation will feature both an internal and an external evaluation.

As a result of discussions on the report the Committee **RESOLVED** that it:

1. Wanted to be notified about all consultations in the future;
2. Wished to see (i) paper templates; and (ii) examples of good consultations in every consultation pack; and
3. Want copies of the guidelines for consultation on green spaces.

## 5.2 Transport Strategy and Parking Services - Presentation

The Committee received and noted a presentation on the Transport Strategy and Parking Services. The main points of the discussion may be summarised as follows:

The Committee:

- Welcomed (i) the involvement of more seldom heard group's; (ii) the level of engagement had been encouraging; and (iii) the fact that the findings had been shared with Cabinet Members;
- Noted on the issue of air quality that Transport for London (TfL) and LBTH have worked together in the development of (i) liveable streets programme and (ii) accessible stations;
- Noted that as there are several major arterial roads running through the Borough, the expansion of the ultra-low emission zone will have a positive impact on air quality;
- Commented that criminal opportunities and risks are influenced by environmental conditions and with improved street lighting and cleanliness being a tangible alteration to the public realm that can bring a change in the perceptions, attitudes and behaviour of residents and potential offenders **e.g.** Lighting improvements may encourage increased street usage which intensifies natural surveillance;
- Noted that the Public Realm and Community Safety Teams are working to address the issues of Anti-Social Behaviour;
- Commented that the Strategy seems to focus on cycling/walking and not supporting growth in LBTH for next 20 years **e.g.** the proposal by the Canary Wharf Group to build a new underground rail line connecting Euston Station to Canary Wharf and the use of the Thames including improved access across it. In response it was noted that would be part of the consultation between LBTH and TfL;
- Commented that the Strategy does not fully address the creation places where motorized vehicle use is reduced to create an urban environment where most destinations can be reached by (i) walking; (ii) cycling; and (iii) public transport;
- Expressed the view that LBTH needs to apply leverage on TfL to (i) measure; and (ii) justify the impact of TfL's changes to bus services as not everyone can walk or use cycles instead of cars. In response it was noted that these concerns would be raised with TfL;
- Noted that LBTH will be looking to (i) address "rat runs"; (ii) introduce charges for parking permits based on engine sizes; and (iii) expanding "pay to park";
- Noted that LBTH has consulted with those in the community who use cars as a key part of their business;
- Noted that LBTH are working on the street scene to limit driver's ability to drive in a manner that is dangerous;
- Noted that the Strategy will shape parking and include the introduction of new technology to facilitate improvements in this area; and
- Commented that it wished to consider how LBTH should respond to transport demand which is outside of its control e.g. river crossing; bus travel; river transport and arterial routes.

As a result of discussions on the report the Committee **RESOLVED** that it wanted to:

- Receive a report by the end of this year on how the Council should respond to transport demand which is outside of its control.

### 5.3 Gambling policy post consultation

The Committee noted that, as a Licensing Authority, the Council must review the existing Gambling Policy every three years. Given the current Policy has been in effect since 5 December 2016, it is soon to expire and is now due for a review. The policy sets out in detail how the licensing authority will discharge its licensing functions under the Gambling Act 2005.

Subject to agreement, the Policy will be presented to Full Council for adoption under the provisions set out by the Council's Constitution.

Accordingly, the Policy is before the Committee for comment and the main points of the discussion may be summarised as follows:

- Member's experience in the Licensing Committee is that LBTH is not able to implement the Policy to its fullest extent because of the threat of legal action – there seems to be a limit to LBTH's ability to implement its own Policy?;
- Regarding the location of gambling premises and their proximity to locations where children, young and vulnerable people are located, the Committee noted that the use of the term 'near' is subjective, and could be better/further defined, or quantified to provide greater certainty of what is expected;
- While there has not been any new licenses applications for a number of years, there was comment about measures to stop licenses in poorer areas;
- The Committee wanted to know about the number of risk assessments that were sought from operators – the Policy identifies this as important information for informing the authority about operators' awareness about their local communities; and
- The Committee noted Gamcare's submission recommended that developing a risk map is an important first step in identifying risks in the borough – and that such detailed information on risk is yet not presented in the Policy.

As a result of discussions on the above the Chair Moved and it was:-

#### **RESOLVED:**

To note the report and the points raised above.

### 6. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

The Committee received and noted those questions to be presented at Cabinet by the Chair in relation to unrestricted business on the agenda attached as appendices to these minutes.

## **7. VERBAL UPDATES FROM SCRUTINY LEADS**

### **Councillor Dipa Das Scrutiny Lead for Housing and Regeneration**

Noted that Members:

1. Had, had the opportunity to undertake site visits to local markets in order to look at how these could be improved; and
2. Would have the opportunity at the next meeting question the Mayor on the Housing Allocations Policy.

### **Councillor Tarik Khan Scrutiny Lead for Resources and Finance**

Noted that the Lead Member had, had a series of meetings with Neville Murton (Corporate Director of Resources) and Kevin Bartle (Divisional Director of Finance), Procurement and Audit and spotlight sessions were being planned to consider the (i) Rent Scheme; and (ii) Budget.

Accordingly, it was agreed that the Scrutiny Lead Members should review the "Budget Pressures" with their opposite number within the Cabinet.

### **Councillor Bex White Scrutiny Lead for Community Safety and Environment**

Noted that there had been a session last week focusing on "Resident Engagement with Safer neighbourhood Panels". It was noted that over 20 residents had attended and the use of digital engagement had enabled the active participation by all those in attendance. There would be a report to the 16th December 2019 meeting looking at how to improve engagement.

In addition, the following Councillors were asked to provide a written update for circulation with the minutes:

- (i) Kahar Chowdhury Scrutiny Lead for Health and Adults;
- (ii) Sufia Alam Scrutiny Lead for Children and Education

## **8. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT**

Noted that (i) there had been a series of interviews with a view to appoint two members of the public to serve as co-opted members of the Overview and Scrutiny Committee and (ii) subject to the necessary references two new co-opted members should be joining the Committee this year.

## **9. EXCLUSION OF THE PRESS AND PUBLIC**

As the agenda circulated contained no exempt/confidential business and there was therefore no requirement to exclude the press and public to allow for its consideration.

**10. EXEMPT/ CONFIDENTIAL MINUTES**

Nil items

**11. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'**

Nil items

**12. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL) CABINET PAPERS**

Nil items

**13. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS THAT THE CHAIR CONSIDERS URGENT**

Nil items

**The meeting ended at 8.35 p.m.**

**Chair, Councillor James King  
Overview & Scrutiny Committee**

This page is intentionally left blank



<b>Item 6.2 Report on the outcome of the public consultation on the closure of Raine’s School and the expansion of Oakland’s School</b>	
<b>Questions</b>	<b>Response</b>
<p>1. Considering the decision to end intake to Raines has been overturned by the Schools Adjudicator, what further guidance has been received from DfE as how to proceed.</p>	<p>Raine’s School has remained open to applications for admission, as stated in the Tower Hamlets ‘Ready for Secondary School’ booklet. The LA’s submission to the Office of the Schools Adjudicator (OSA) was made as part of the contingency planning, in the event that the proposal to close Raine’s reaches the end of the 4-stage process and is a decision agreed by the council. The LA respects the views of the OSA and will make a change to its cabinet decision timetable. This change will ensure that, should it be necessary, a final decision on the future of Raine’s can be taken at the earliest opportunity. By taking this action the LA will ensure families who have applied for admission in September 2020 will not be disadvantaged in their opportunity to secure a place at an alternative school, if it is eventually decided that Raine’s School will close in August 2020’.</p>
<p>2. Could the future of Raine's and the subsequent effect on Oakland’s School be handed over to the DfE?</p>	<p>The decision on the future of Raine’s School is a matter for the Council not the DfE. Should a decision be taken to issue a</p>

	<p>statutory notice on the School’s closure, the Council will need to take its decision within two months, following the end of the statutory notice i.e. by early February 2020.</p> <p>If the Council fails to a take its decision within a two-month period then the matter will be referred to the Office of School’s Adjudicator.</p>
<p>3. What steps have the Council and Oakland’s school taken to ensure that there will not be significant problems when Raine’s pupils join Oakland’s, given parent witness statements that detail concerns have been so significant in the past that the two schools had different closing times?</p>	<p>The cabinet report and equalities assessment recognises that any potential joint venture between the schools will move forward with tolerance, respect and cooperation paramount, in line with universal “British Values”. Various activities are therefore being undertaken as follows:</p> <ul style="list-style-type: none"> <li>• Meetings between leadership at the Council, Oaklands and Raine’s to discuss best way to communicate with their respective student bodies and set expectations of appropriate behaviour. Leadership to consider sanctions where students do not meet these expectations and other measures to support an equalities culture at the schools.</li> <li>• An organisation called “New</li> </ul>

	<p>Direction” will develop a programme of activities for pupils to help build relationships between the two schools. New Direction is a not for profit organisation which works with partners across the capital to promote community cohesion through opportunities for children to unlock their creative abilities.</p> <p>A joint steering group has been set up to oversee progress and arrange for further transition support if required.</p>
<p><b>Item 6.5 Safeguarding Adults Board Annual Report 2018-19</b></p>	
<p><b>Questions</b></p>	<p><b>Response</b></p>
<p>1. Safeguarding Adult’s Board: It’s positive to see that there has been training in modern slavery and human trafficking. Is the board aware of the number of adults affected by this in the borough? Now that staff are trained, how often has this training been used in practice to identify people who are victims of modern slavery and human trafficking?</p>	<p>If there is a concern that a child or adult is a victim of modern slavery, a referral is made to the National Referral Mechanism. In 2018-19, social care made 19 referrals (18 related to children, one for an adult).</p> <p>The role of the Safeguarding Adults Board in assuring that local arrangements safeguard vulnerable adults extends to victims of modern slavery. In 2018-19, there were five</p>

	<p>safeguarding adult enquiries relating to this issue.</p> <p>The true number of people impacted by modern slavery and human trafficking is likely to be much higher than National Referral Mechanism figures indicate. Many modern slaves and their abusers will seek to avoid contact with public services for fear of the consequences, or will be ‘hidden in plain sight’. If a victim is identified, they may not engage due to fear of their abusers or being returned to the country they were trafficked from (if applicable).</p> <p>Staff training enables staff to better identify and support potential victims. Staff use this in their day-to-day work. Training is provided on an ongoing basis: For example, next month a ‘Combatting Modern Day Slavery’ event is being planned for Poplar Harca staff.</p>
<p>2. What steps will be taken to safeguard adults who are frail and living alone (though not necessarily with care needs) particularly in light of changes to the meals on wheels service when some of these adults will no longer be getting a daily</p>	<p>A range of work is in place to tackle abuse and neglect for adults who are not social care users, but who may be vulnerable for another reason. As</p>

<p>visit.</p>	<p>articulated in the Annual Report, the Safeguarding Adults Board oversee public awareness-raising activity and a detailed programme of staff training so that people working in housing, health and elsewhere can effectively safeguard adults at risk of abuse or neglect. For example, the Annual Report notes that the Board has carried out awareness-raising activity in relation to financial abuse and scams, which was identified as a potential risk for people who are frail and living alone.</p> <p>Safeguarding is also a central part of the support targeted at people who are frail and living alone – e.g. befriending services, LinkAge Plus – whereby staff and volunteers are trained to identify issues and take action when needed.</p> <p>A number of local mechanisms and multi-agency panels exist if there are concerns about the safety of someone who is frail or living alone (with or without care needs). For example, the High Risk Panel looks at challenging and complex cases. We have also</p>
---------------	--

	<p>recently launched the Safeguarding New Approach Panel which aims to engage with health, care, housing and other providers to work preventatively and realise early intervention opportunities as and when needed.</p> <p>When we make any change to services – such as the changes to the welfare meals service – safeguarding risks are carefully considered. We are currently carrying out home visit reviews to move people to new support plans in relation to welfare meals. People will only stop receiving meals from the service once they have been supported to find a suitable alternative option that does not pose any safeguarding risks. In addition, the review meetings will take a holistic approach rather than just focusing on meals, so if there is a risk of loneliness or social isolation (for example), this can be addressed. Things like Telecare or Assistive Technology that can help keep people safer will be offered if needed. The review will also consider a person’s own community resources and the support</p>
--	--

	network around them.
<b>Item 6.7 Liveable Streets programme report</b>	
<b>Questions</b>	<b>Response</b>
<p>1. This programme is now running behind its original schedule. What are the key factors behind it and what learning has been put in place to ensure there are no further slippages?</p>	<p>The programme is broken down in to 17 different areas with each having its own programme. Phase 1 and phase 2a have started which includes 5 different areas.</p> <p>In phase 1:</p> <p><b>Bethnal Green</b>- currently running to its original programme and out for public consultation.</p> <p><b>Wapping</b> -public consultation is to be started soon (mid-November) and is currently 6 weeks behind schedule. This was due to a third resident workshop being added to encourage further residents to take part in developing the scheme.</p> <p><b>Bow</b> – Following the early removal of trial, the programme was delayed in order to examine the concerns raised. Workshop are due to take place shortly and a detailed programme is to be developed to fit with residents and business views as well as meeting TfL funding criteria</p>

	<p>In Phase 2a:</p> <p><b>Barkantine</b> – currently running to its original programme with the next stage of public consultation due in January</p> <p><b>Brick Lane</b> – delayed by 8 weeks, due to additional time for early engagement with businesses in the area.</p> <p>Phase 1 has enable us to learn some vital lessons in driving forward this programme, one of the most important is ensuring that ward councillors are involved in the process from the beginning. To do this we have developed a ward cllr engagement process to ensure they are aware of the timetable of the programme and how to be involved. This can be found in the appendix of the cabinet report.</p> <p>To keep the future areas on programme we shall be meeting with ward cllrs prior to the first stage of the process, namely early engagement. This will ensure we understand the demographics of the area and the likely issues and concerns. This way we can tailor our engagement and build up a background of vital information</p>
--	--



	and stakeholders in the area.
<b>Item 6.8 Local Community Fund</b>	
<b>Questions</b>	<b>Response</b>
<p>1. O&amp;S were told that mitigation funding would be around £180k per year, but we're looking at £220k-£380k a year. Where is this additional funding coming from?</p>	<p>£180,000 was the annual saving on the MSG budget which would have accrued from maintaining the LCF programme at the same level of funding as MSG expenditure in 2018/19 rather than the budget figure. Initially it was agreed this saving could be deferred to 2021/22 to allow it to be used for MSG/LCF transition and equality mitigation costs. It has now been agreed the savings may be deferred to 2023/24 to allow additional funding to meet these costs.</p>
<p>2. In the Small Grants Programme will organisations be funded the full amount requested as per the policy on LCF and if not why are we deviating from this policy?</p>	<p>Organisations funded through the Small Grants Programme may not necessarily be awarded the same amount as they applied for.</p> <p>Funding the full amount requested in the LCF was agreed in response to discussions with VCS organisations in the co-production sessions when the programme was developed. Full cost recovery – where the cost of the service is met in full by the funder without any</p>

	<p>requirement for the provider to match fund or contribute towards the cost in other ways – is one of the potential benefits to providers of commissioning through open tender. When the council responded to concerns expressed by the sector about what was then known as Community Commissioning, and proposed the Local Community Fund process, VCS organisations were keen to retain the full cost recovery element.</p> <p>The Small Grants Programme is a different type of funding programme and it would not be appropriate to follow the example of the LCF in providing full cost recovery and funding based solely on the amount requested. A grant is normally made towards the cost of an activity rather than paying the full cost and there is an expectation that the applicant organisation will be able to use grant aid to lever in other resources.</p> <p>The council’s Small Grants Programme as set out in the policy document agreed at Cabinet in March 2018 has a specific requirement that applicants demonstrate how funding will help lever in other resources.</p>
--	--

<p>3. When the Mayor agreed LCF at Cabinet in July he requested a report on older people, play and sports. What was the findings of this paper and can this be shared with OSC?</p>	<p>This paper can be shared with members of O&amp;S</p>
<p>4. The Funders Fair is planned for April 2020 which is 7 months after funding has ended for organisations that were unsuccessful with LCF. Is this mitigation appropriate?</p>	<p>A Funders Fair is a major event which requires time to set up in order to book all the major funders such as the lottery and the larger trusts and foundations. The Funders' Forum which will bring together local funders and other funders with a particular interest in Tower Hamlets is scheduled to meet before Christmas. The longer term benefits of this forum are greater synergy between funders, potential joint funding initiatives and shared intelligence and in the short term it will help ensure the council and the THCVS are fully informed about forthcoming local funding initiatives that may be of value to organisations whose submissions to the LCF were not successful.</p>
<p><b>Item 6.11 Nomination to Outside Bodies</b></p>	
<p><b>Questions</b></p>	<p><b>Response</b></p>
<p>1. A Tower Hamlets school is currently in the process of being taken over by the University Schools Trust. Will the council's nominee to this board uphold the council's anti-academy policies in this role?</p>	<p>Nominations to academy boards are made by the council and appointed by the mayor. Members of any Board are required to act in the best interests of</p>

	the organisation, in line with legislation and the requirements of charity and company law.
--	---