

HOUSING & REGENERATION SCRUTINY SUB COMMITTEE

Tuesday, 10 September 2019 at 6.30 p.m.

MP702 - Town Hall Mulberry Place

This meeting is open to the public to attend.

Members:

Chair: Councillor Dipa Das

Vice-Chair: Councillor Eve McQuillan

Councillor Shah Ameen, Councillor Ayas Miah, Councillor Helal Uddin and Councillor Andrew Wood

Substitutes:

Councillor Shad Chowdhury, Councillor Mohammed Pappu and Councillor Leema Qureshi

Co-opted Members:

Anne Ambrose

Moshin Hamim

Tenant Representative

Leaseholder Representative

[The quorum for this body is 3 voting Members]

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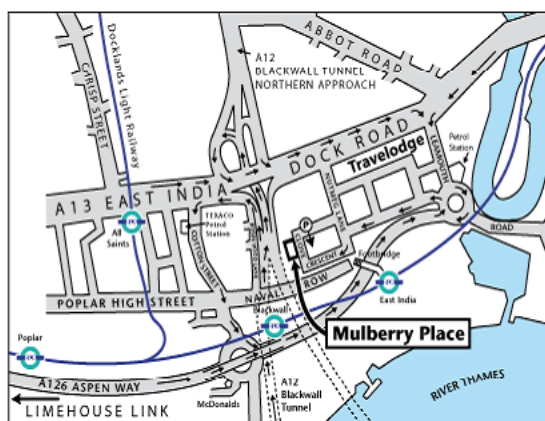
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APOLOGIES FOR ABSENCE

- 1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS** **5 - 8**
To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.
- 2. MINUTES OF THE PREVIOUS MEETING** **9 - 14**
To note as an accurate record the minutes of the meeting held on 22 July 2019.
18:30-18:40 (10 mins)
- 3. REPORTS FOR CONSIDERATION:**
- 4. SPOTLIGHT: HIGH STREETS AND TOWN CENTRES - SUPPORTING NEW AND EXISTING BUSINESS**
Fiona Crehan, High Streets and Town Centres Manager - *Report to follow.*
18:40-19:50 (1hr 10 mins)
- 5. DRAFT HOUSING OPEN SPACES SCRUTINY REPORT**
Report of Mark Baigent, Interim Divisional Director Housing and Regeneration – *Report to follow.*
19:50 – 20:20 (30 mins)
- 6. ANY OTHER BUSINESS** **20:20-20:30 (10 mins)**
To consider other urgent business.

Next Meeting of the Sub- Committee

The next meeting of the Housing & Regeneration Scrutiny Sub Committee will be held on Tuesday, 26 November 2019 at 6.30 p.m. in MP701 - Town Hall Mulberry Place.

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DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part C of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:

Asmat Hussain, Corporate Director Governance & Monitoring Officer Tel 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE HOUSING & REGENERATION SCRUTINY SUB COMMITTEE

HELD AT 6.35 P.M. ON MONDAY, 22 JULY 2019

MP701 - TOWN HALL MULBERRY PLACE

Members Present:

Councillor Dipa Das (Chair)
Councillor Eve McQuillan
Councillor Ayas Miah
Councillor Helal Uddin

Co-opted Members Present:

Anne Ambrose	Tenant Representative
Moshin Hamim	Leaseholder Representative

Other Councillors Present:

Councillor Sirajul Islam	Cabinet Member for Housing
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Others Present:

Sandra Fawcett	Chair of Tower Hamlets Housing Forum
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Officers Present:

Abidah Kamali	Strategy and Policy Manager (Place)
Mark Baigent	Interim Divisional Director, Housing and Regeneration
John Harkin	Assistant Lettings Manager
Rafiqul Hoque	Head of Housing Options
Rushena Miah	Democratic Services

Apologies

Councillor Shah Suhel Ameen	Member
Councillor Andrew Wood	Member

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of pecuniary interests, although Councillor Helal Uddin declared a personal interest that his employer, the Bromley by Bow Centre, worked closely with Poplar HARCA a housing provider in the borough.

2. MINUTES OF THE LAST MEETING AND ACTIONS

RESOLVED:

1. The minutes of the meeting held on 9 April 2019 was approved as an accurate record and signed by the Chair.

3. HOUSING & REGENERATION SCRUTINY SUB-COMMITTEE TERMS OF REFERENCE 2019/20.

The Committee noted the Terms of Reference. The Chair clarified that the performance statistics would be discussed every six months.

RESOLVED:

1. To note the Committee's Terms of Reference.

4. APPOINTMENT OF VICE-CHAIR

Members unanimously agreed to appoint Councillor Eve McQuillan as Vice-Chair of the Committee.

RESOLVED:

1. To appoint Councillor Eve McQuillan as Vice-chair of the Housing and Regeneration Scrutiny Sub-Committee.

5. HOUSING & REGENERATION COMMITTEE WORK PROGRAMME

The Committee agreed the work programme for 2019/20. It was decided that 'implementation of Homeless Reduction Act one year on' should be the challenge session topic for 2019/20.

RESOLVED:

1. To note the work programme.

ACTION:

1. For Abidah Kamali to develop a scope for the challenge session and email to Members. The timeframe for this was around Quarter 3.

6. REPORTS FOR CONSIDERATION:

7. ALLOCATIONS POLICY

The Committee received the presentation of Rafiqul Hoque (Head of Housing Options) on proposed amendments to the Housing Allocations Policy. It was noted that proposal 1 and 5 required further refinement before formal consultation took place.

Key proposals included:

1. A private rented sector offer to prevent homelessness. Applicants threatened or actually homeless could be rehoused in the private rented sector with assistance from the council to be allowed to join or remain on the housing list for 3 years.
2. To release larger size units - offer ground floor properties to under occupying social housing tenants on first floor or above. This would free up much needed larger sized properties.
3. Ground floor 'flats' prioritised to applicants recommended a flat by a health advisor. Officers to be given 'discretion' to do this where appropriate.
4. Reduce residential condition of three years for victims of domestic abuse.

5. Remove existing applicants in band 3 that are adequately housed, with some exceptions.

Summary of discussions:

Medical assessments and officer discretion

It was clarified that Medical assessments were used to help inform the suitability of placements. The medical consultant NowMedical was not involved in the appeals process.

It was noted that there was a backlog in occupational therapist (OT) assessments. Officers explained that in order to alleviate the backlog, they would recruit two additional housing officers, enable housing officers to conduct basic OT inspections and standardise referral processes such as the autism referral process.

Officers explained that there were no specific guidelines for making discretionary decisions and due to the complexity of some cases, officers needed to be provided with the flexibility to make judgements especially in emergency situations. For example, if someone couldn't manage stairs but later inform the council they could, their priority would be lowered and it would be at the officer's discretion to allocate the space to another resident in need. A note containing reasons for the decision would be made by the officer on the system.

Officers acknowledged that there was sometimes a long wait for diagnosis due to further medical consultation, for example in cases of depression or PTSD. However, they explained that in order to ensure equity, they could only take into account the medical facts to date. Whether someone was confirmed a diagnosis was not what took precedence, it was whether that person's diagnosis had impacted their life to the extent that their accommodation was unsuitable to live in.

It was clarified that a GP's assessment did carry weight but it was Now Medical's responsibility to approach the GP independently, not for the resident to approach their GP for a letter. Members were assured that the authority to rehouse was a council officer decision, not Now Medical's.

Band 3

Members queried why a band 3 was introduced. Officers explained that choice based lettings came into effect under the old housing legislation which meant anyone could register onto the housing list, even owner occupiers. There was also no restriction on the number of bedrooms a person could bid on. Those with a low priority were put onto band 3. As of the 2013 Localism Act, many local authorities discouraged this practice and removed the band 3.

Officers advised that those on band 3 who had experienced a significant change in circumstance should make an application from the start. Applications could be completed online. There was a cut-off point to report a change of circumstance and at that point a review would take place.

Members advised that the council should write to all those on currently on band 3 to ensure any notifications of change were noted. Officers said they could do this.

Housing Management Panel

Officers explained that the Housing Management Panel only received a small number of exceptional cases not covered by the allocations policy. It was not designed for residents to self-refer. The panel convened monthly to provide solutions to challenging situations, such as an ex-partner being released from prison. In such a circumstance, the panel would convene early on to look into a safer housing situation for the at-risk individual.

Officers clarified that there was no limit to the number of allocations the Panel could make a month.

Members recommended that information about the Housing Panel should be put on the website, including clarification that only landlords could refer to the Panel.

With regard to refuges, the waiting time would be reduced from six months to three months, though it was up to the refuge to decide who to put forward.

Making a complaint

Members queried what residents could do if they were unhappy with their landlord and approaching the Housing Management Panel was not an option. Sandra Fawcett (Chair of THHF) explained that there was a clear allocations and lettings policy. If a resident felt their case had not been assessed in line with the criteria they could make a complaint. Most landlords had a three stage complaints process and the opportunity to contact the Ombudsman. If someone made a medical claim the landlord would work with the council to review the claim.

In order to improve communications between housing officers and tenants, officers said they were planning to source the support of an additional team to help answer phone calls and set up an email contact box to help resolve issues.

On the whole Members did not object to the proposed amendments to the Housing Allocations Policy, though they shared concerns regarding the medical assessment procedure and Housing Management Panel and therefore recommended officers take the actions listed below.

RESOLVED:

1. To note the presentation.

ACTIONS:

1. For the Chair to share concerns about the medical assessment process with the Health and Adults Scrutiny Sub-Committee.

2. For the Committee to receive a copy of the medical assessment criteria policy for further scrutiny.
3. Housing officers to write to those on Band 3 to note any change in circumstances.
4. Information about the Housing Panel to be put on the council website, including clarification that only landlords' could refer to the Panel.

8. FIRE SAFETY SCRUTINY REVIEW ACTION PLAN UPDATE

The Committee received the report of Mark Baigent (Interim Divisional Director Housing and Regeneration). As the Committee had read the report in advance, the Chair opened the meeting to Member questions.

Summary of discussions:

Fire doors

Tower Hamlets had purchased around 800 Manmaster doors, the same doors that Grenfell Tower had installed. The council were working towards getting the doors replaced. Tower Hamlets Homes (THH) had compiled a priority list with high rise apartments having the most priority for removal. THH assessed that it would take four years to replace the doors starting in 2019.

The council was exploring an incentivised approach to installing new doors for leasehold properties. Due to legal technicalities the council could not take ownership of the work because some leases disputed whether the council had the authority to do so.

Grilled gate doors

Members queried why some residents were allowed to keep grilled gates whilst others were not. Officers responded that the fire brigade had advised that grilled door gates were unsafe in emergency situations. THH were actively preventing new grills going up but had a lower priority in taking down gates that had already been installed.

Members agreed that grilled gates were a fire safety issue. They explained that many residents kept grilled doors due to personal safety concerns because of the high levels of anti-social behaviour in the borough. They suggested residents may be open to having their gate removed if a fire resistant multi lock door was offered in place of a gate. Officers agreed that there needed to be better communication on fire safety and secure by design alternatives to grilled gates.

A fire risk assessment had been conducted and completed by THH. The assessment resulted in a number of works being rolled out in order of priority. These would continue to be reviewed in light of the Hackett review over the next two years. Members were advised to contact Julie Selhep (Head of Property, THH) for information on the full programme of work and timescales.

Vulnerable residents

With regard to vulnerable residents, officers said THH housing officers kept a record of vulnerable residents and conducted housing visits. They also worked closely with the social work team to ensure they had the most up to

date information. It was noted this was more difficult to do with private tenants.

Safer Futures consultation

The Safer Futures consultation would be completed at the end of July 2019. The legislation would be drafted, debated in parliament and agreed. There would be an implementation period likely to last a couple of years. It was expected a new regulator would be introduced, though it was unknown who it would be or how it will be resourced. The new legislation was likely to take at least 3-5 years to take full effect.

RESOLVED:

1. To note the Fire Safety Scrutiny Review Action Plan Update

9. ANY OTHER BUSINESS:

9.1 SOCIAL HOUSING LANDLORDS PERFORMANCE REPORT - Q4 2018/19

It was clarified that there was an error on the agenda sheet and the performance report - was intended as an information item only, not for discussion.

The Chair agreed to review the data to decide which provider should be invited to an upcoming meeting.

RESOLVED:

1. To note the performance report.

9.2 EXCLUSION OF PRESS AND PUBLIC

The press and public were excluded from the proceedings, in accordance with Section 100 (A) of the Local Government Act 1972 as amended, on the grounds that further consideration of the item and options would involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act. - *Information relating to the financial or business affairs of any particular person (including the authority holding the information)* and would not be in the public interest.

10. RESTRICTED MINUTES OF THE LAST MEETING

RESOLVED:

1. The minutes of the exempt section of the meeting held on 9 April 2019 were approved as an accurate record and signed by the Chair.

The meeting ended at 8.25 p.m.

Chair, Councillor Dipa Das
Housing & Regeneration Scrutiny Sub Committee