

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 6 MAY 2008

**M71, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Marc Francis (Chair)
Councillor Shahed Ali
Councillor Alibor Choudhury
Councillor Stephanie Eaton
Councillor Alexander Heslop (Vice-Chair)
Councillor Ahmed Hussain
Councillor Oliur Rahman
Councillor Mohammed Abdus Salique
Councillor Salim Ullah

Other Councillors Present:

Councillor Peter Golds

Co-opted Members Present:

Mr H Mueenuddin – Muslim Community Representative

Officers Present:

Ashraf Ali – (Scrutiny Policy Officer, Equalities and Scrutiny, Chief Executive's)
Suki Binjal – (Interim Head of Non-Contentious Team, Legal Services)
Afazul Hoque – (Acting Scrutiny Policy Manager, Scrutiny and Equalities, Chief Executive's)
Michael Keating – (Acting Assistant Chief Executive)
Jebin Syeda – (Scrutiny Policy Officer, Scrutiny and Equalities, Chief Executive's)
Amanda Thompson – (Team Leader - Democratic Services)

1. APOLOGIES FOR ABSENCE

None received.

2. DECLARATIONS OF INTEREST

Councillor Alexander Heslop declared a personal interest in relation to item 6.1.

Councillor Mohammed Salique declared a personal interest in relation to item 6.1.

3. UNRESTRICTED MINUTES

RESOLVED

That the Section One minutes of the meeting held on 1 April 2008 be confirmed as a correct record, subject to Councillor Peter Golds and Co-opted Member Mr H Mueenuddin being added to the Members listed as present.

4. REQUESTS TO SUBMIT PETITIONS

No petitions were received.

5. REQUESTS FOR DEPUTATIONS

The Chair reported that two deputations had been received but had been ruled out of time in accordance with Rule 20.1 of Part 4 of the Council's Constitution.

The Chair put forward a motion proposing that Rule 20.1 setting out the procedure for receipt of deputations be suspended thereby allowing the deputations to be heard by the Committee.

The motion proposed by the Chair and seconded by the Vice-Chair was AGREED.

5.1 Deputation from Jenni Boswell-Jones (AND Association) in respect of the Disposal of Land at 10 Backchurch Lane E1

The Chair welcomed the deputation and asked its representative to address the meeting.

Jenni Boswell-Jones, on behalf of the AND Association, addressed the meeting in relation to the development proposals for the site at 10 Backchurch Lane E1. She outlined a number of issues raised by the deputation which focused on the lack of consultation with the existing tenants and the fact that they had not been invited to submit proposals for developing the site. Also they had not been made aware that the matter was to be discussed at Cabinet and did not have the opportunity to present their own proposals,

In response to questions from the Committee Ms Boswell-Jones advised that there was approximately eight years left on the twenty-five year lease, and the AND Association had made significant investment in the building. AND

wanted the area to be developed as did a number of adjacent businesses and residents and were willing to put forward their own proposals.

The Chair thanked the deputation for attending the meeting.

6. DEPUTATION FROM GATEWAY HOUSING ASSOCIATION AND TOWER HAMLETS ENVIRONMENT TRUST IN RESPECT OF LAND AT 10 BACKCHURCH LANE, E1

The Chair welcomed the deputation and asked its representatives to address the meeting.

Mr A. Greenwood, Gateway Housing Association, and Mr J. Aldenton, Tower Hamlets Environment, addressed the meeting and stated that they would support the matter being referred back to the Cabinet as further clarification would be beneficial all round. £300,000 had already been spent progressing the planning proposal for affordable housing together with a similar sum from the TH Environment Trust and this would be wasted if the project were not to go ahead.

In response to questions from the Committee Mr Greenwood and Mr Aldenton stated that although the Local Area Partnership had not been consulted, consultation had taken place directly with residents. They had assumed the Council would consult with its own tenants.

The Chair thanked the deputation for attending the meeting.

7. SECTION ONE REPORTS 'CALLED IN'

7.1 Disposal of Land – 10 Blackchurch Lane E1

The Chair outlined the call-in procedure to the Committee.

Councillor Alex Heslop for the Call-In Members referred to the reasons in their requisition and highlighted the main issues that they held with the provisionally agreed decisions concerning acquisition of the site 10 Blackchurch Lane E1, mainly that the original decision to dispose (March 2004) was taken without a competitive tendering process and the Cabinet was therefore not able to give due consideration to all options for disposal of the site.

Committee Members put detailed questions to Mr Owen Whalley, Service Head Major Project Development, and Colin Bradley, Interim Service Head Asset Strategy, Capital Delivery & Property Services, on a number of issues including the consultation process, new disposal protocols, lack of progress made in respect of the development proposal, and the Council's obligation under the terms of the tenants' lease.

Mr Whalley and Mr Bradley responded on behalf of the Cabinet in detail on the points raised stating that disposal by informal tender gave all interested parties an opportunity to bid for the site and no organisation was excluded. The decision of the Cabinet was to explore the ability of the Registered Social Landlords (RSL) to acquire and develop the site. It was not an authority to proceed to disposal which would require a further Cabinet decision.

The Committee were informed that there would be no further consultation unless separately pursued with and approved by the Development Committee. By proposing disposal by informal tender the officers were ensuring that all parties had the opportunity to bid, and therefore there was no obligation to consult in a normal Landlord and tenant relationship.

The Committee expressed concern that a Cabinet Member was not present at the meeting to respond to the call-in, and in referring the decisions back to the Cabinet, agreed that it be requested to agree that the decision concerning the disposal of 10 Backchurch Lane be delayed in order to give further consideration to their concerns and recommendations.

RESOLVED

That the Cabinet defer consideration of the following alternative course of action until after the Annual Council meeting in order that the whole issue of disposal can be considered:

- 1) That Officers be instructed to produce a report to Cabinet, with documentary evidence, showing progress made by the Gateway HA / Environment Trust in acquiring the other component parts of the whole development site (since the original Cabinet decision of March 2004), in order to better assess the viability of their development proposal.
- 2) That LBTH allow the sitting tenants, i.e the leaseholders, AND Association, a period of 6 to 9 months to finalise the development of their own alternative proposals for the regeneration of the land, based on the Council's own requirements in terms of the Local Development Framework. The sitting tenants' proposals could then be considered alongside those submitted by RSLs or anyone else.
- 3) That LBTH opens the informal tendering process to include the sitting tenants to present alternative proposals to be considered, in particular the establishment of a "Community Land Trust / Co-operative Consortium" and/or other models based on the principles of co-operation and community-led regeneration.
- 4) That Officers be instructed to provide full disclosure of all relevant information and documents to the sitting tenants and to provide the sitting tenants with meaningful help and assistance in developing an alternative proposal for Cabinet consideration.
- 5) That Officers report back on progress to Cabinet within six months.

8. PERFORMANCE MANAGEMENT

There were no items to consider under this heading.

9. BUDGET AND POLICY FRAMEWORK

There were no items to consider under this heading.

10. SCRUTINY MONITORING AND MANAGEMENT

10.1 Young Peoples Participation in Sports leading up to the Olympics - Report of the Scrutiny Working Group (Report to Follow)

Councillor Ahmed Hussain, Scrutiny Lead, Learning Achievement and Leisure, introduced the report thanking all who had been involved with the working group.

The conclusions and recommendations outlined in the report were intended to improve access and the experience and opportunities for young people to engage in sports, and enable young people to experience the momentum generated by the Olympics.

RESOLVED

That the Overview and Scrutiny Committee endorse the draft report and authorise the Acting Assistant Chief Executive to agree the final report before its submission to Cabinet, following consultation with the Scrutiny Lead for Learning Achievement and Leisure.

10.2 Choice Based Lettings Scheme - Report of the Scrutiny Working Group

Councillor Alex Heslop, Scrutiny Lead, Living Well, introduced the report and thanked all the officers, partners, residents and other stakeholders who had contributed to and supported the review.

The recommendations outlined in the report were intended to improve access, choice and quality, tackle overcrowding and support better understanding of Choice Based Lettings.

RESOLVED

That the Overview and Scrutiny Committee endorse the draft report and authorise the Acting Assistant Chief Executive to agree the final report before

its submission to Cabinet, following consultation with the Scrutiny Lead for Living Well.

10.3 Evaluation of NRF - Report of the Scrutiny Working Group

Councillor Alibor Choudhury, Scrutiny Lead, Creating and Sharing Prosperity, introduced the report and thanked all those who had contributed to and supported the review.

The recommendations were aimed at improving residents and Councillors involvement in neighbourhood renewal and focused on governance arrangements, communication and management, and future targets and priorities.

RESOLVED

That the Overview and Scrutiny Committee endorse the draft report and authorise the Acting Assistant Chief Executive to agree the final report before its submission to Cabinet, following consultation with the Scrutiny Lead for Creating and Sharing Prosperity.

10.4 Tackling Anti-Social Behaviour - Report of the Scrutiny Working Group (Report to Follow)

Councillor Salim Ullah, Scrutiny Lead, Living Safely, introduced the report and thanked all those who had been involved with the working group.

The intention of the investigation was to identify recommendations for the future direction of the Council's Anti-Social Behaviour strategy.

RESOLVED

That the Overview and Scrutiny Committee endorse the draft report and authorise the Acting Assistant Chief Executive to agree the final report before its submission to Cabinet, after consultation with the Scrutiny Lead for Living Safely.

11. OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT

The Chair presented the draft report detailing the work undertaken by both the Committee and the Scrutiny Lead Members and their working groups during the year.

The Committee discussed the ongoing progress that had been made in embedding Overview and Scrutiny within the Council, and the fact that the majority of the work programme agreed at the start of the year had been delivered. It was noted that although some Members did not have Scrutiny

Leads roles, they had made significant contributions to the work of the Committee.

Mr Mueenuddin, Co-opted Member, expressed concern with regard to the attendance of other Co-opted Members and suggested that they be encouraged to attend future meetings.

The Committee thanked the Chair for his competent and fair Chairmanship of the Committee, and also expressed thanks to all the officers involved with Overview and Scrutiny.

The Chair thanked the Committee for their efforts over the last 12 months.

RESOLVED

That the Overview and Scrutiny Committee endorse the draft report and authorise the Acting Assistant Chief Executive to agree the final report before its submission to Council, following consultation with the relevant Scrutiny Leads.

12. PRE-DECISION SCRUTINY OF SECTION ONE (UNRESTRICTED) CABINET PAPERS

The Chair **MOVED** and it was: -

RESOLVED

That the following pre-decision questions be submitted to Cabinet for consideration:

Agenda Item 9.2 Whitechapel Centre (CAB 165/078)

1. Can the Cabinet list the full schedule of works amounting to the sum of £1.44 million as the capital estimate?
2. What safeguards are being put in place to ensure against cost over-runs in these refurbishment works, and whether LBTH would bear the full burden of those costs?
3. What further consultation has been undertaken with the local community and businesses in relation to the establishment of the Whitechapel Community Trust?
4. What was the outcome of the recent advertisement in the local press, inviting Whitechapel residents to join the Trust?
5. Can the Cabinet confirm that LBTH must agree the recruitment process for all nine management committee members, and not just the four independent representatives?

Agenda Item 11.1 Heron Quays West – Proposal to use Compulsory Purchase Powers to Aid Land Assembly and Development (CAB 166/078)

1. What steps have been taken to ensure that the training centre is temporarily relocated during the development of Heron Quays West?
2. What estimate has been made of the number of employees in the Canary Wharf Business District who were born or educated in Tower Hamlets?
3. What is the total number of employees of the two lessees refusing to negotiate with Canary Wharf Group for the disposal of their interest?

The meeting ended at 9.40pm

Chair, Overview and Scrutiny Committee