

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD ON THURSDAY, 14 SEPTEMBER 2017

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

Members Present:

Councillor Clare Harrisson (Vice-Chair in the Chair)
Councillor Danny Hassell – Scrutiny Lead for Children's Services
Councillor Rabina Khan
Councillor Ayas Miah – Scrutiny Lead for Governance
Councillor Helal Uddin – Scrutiny Lead for Place
Councillor Andrew Wood – Scrutiny Lead for Resources

Co-opted Members Present:

Shabbir Chowdhury – Parent Governors
Fatiha Kassouri – Parent Governors
Dr Phillip Rice – Church of England Representative
Christine Trumper – Parent Governors

Other Councillors Present:

Mayor John Biggs
Councillor Rachel Blake – Cabinet Member for Strategic
Development & Waste
Councillor David Edgar – Cabinet Member for Resources
Councillor Amy Whitelock Gibbs – Cabinet Member for Education and
Children's Services
Councillor John Pierce – Mayoral Advisor on Anti-Social
Behaviour

Apologies:

Councillor Muhammad Ansar Mustaqim
Councillor Oliur Rahman
Joanna Hannan – Representative of Diocese of
Westminster
Asad M Jaman – Muslim Faith Community

Officers Present:

Janet Fasan	– (Divisional Director, Legal)
Afazul Hoque	– (Interim Service Manager, Strategy, Policy & Performance)
David Knight	– (Principal Committee Services Officer)
Christine McInnes	– (Divisional Director, Education and Partnership, Children's)
Nancy Meehan	– (Interim Divisional Director, Children's Social Care)
Neville Murton	– (Divisional Director, Finance, Procurement & Audit)
Roy Ormsby	– (Divisional Director, Public Realm, Place)
Matthew Pullen	– (Infrastructure Planning Manager)
Ann Sutcliffe	– (Acting Corporate Director, Place)
Brian Snary	– Financial Accountant - Resources
David Tolley	– (Head of Environmental Health and Trading Standards)
Philip Wadsworth	– (Local Plan Place Team Leader)
Owen Whalley	– (Divisional Director, Planning & Building Control)

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Oliur Rahman and Councillor Muhammad Ansar Mustaqim

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interest.

3. UNRESTRICTED MINUTES

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

RESOLVED

That the unrestricted minutes of the meetings of the Overview and Scrutiny Committee held on 20th July, 2017 was approved as a correct record of the proceedings.

4. REQUESTS TO SUBMIT PETITIONS

Nil items

5. UNRESTRICTED REPORTS 'CALLED IN'

Nil items

6. SCRUTINY SPOTLIGHT

6.1 Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (Regulation 19 consultation) AND Adoption of the Statement of Community Involvement (SCI) Refresh

The Committee received a presentation from Councillor Rachel Blake (Cabinet Member for Strategic Development & Waste) highlighting a number of key issues in relation to Waste Management and the Local Plan.

The questions and comments from Members on the report may be summarised as follows:

Regarding the collection, transportation, disposal or recycling and monitoring of waste the Committee:

- Asked when LBTH will have new Underground Refuse System [URS] Trucks; access to clear sacks for plastics and improving educational awareness on recycling Food Waste;
- Noted in response that the current 3 URS trucks are too old and maintenance is an issue given their age. However, two new URS Trucks will be purchased in April 2018. Then the 3rd and oldest URS Truck will be taken out of service leaving 4 operational trucks;
- Commented that it was important to keep landlords informed when any of the fleet of URS trucks are out of service and when LBTH will have to use cadged refuse vehicles instead;
- Noted that clear sacks for plastics are available at major retail outlets and officers are working on options to increase access to such bags so as to help residents recycle;
- Noted that regarding food waste residents need proper education on how to recycle this type of waste and what they can do so as to facilitate the recycling of such waste;
- Indicated that there was more face to face work was needed to improve recycling and garden composting;
- Noted recycling in June hit 30% instead of the anticipated 27% which whilst a positive improvement it was accepted that LBTH needs to do better;
- Noted that in new local plan LBTH will be looking at how homes in developments can be design from the outset to accommodate storage of dry recycling and food waste and address noise pollution e.g. Education is a good idea as

then children to act as a lever to get their parents to recycle;

- Noted that “missed bins” are a significant issue for local residents especially relating to the collection from URS sites and the actual numbers of “missed bins” in LBTH is currently running at under 1%. However, residents have indicated that apparently when they contact the Streetline Team to arrange for bulky or large waste to be collected it can be very frustrating due to the poor response times;
- Noted that regarding the contamination of re-cycling bins the solution to this can be down to proactivity of the crews. Although the cost of waste recycling is an issue as this can vary significantly.

With regard to the Local Plan it was noted that this is the Council’s most important planning document, guiding development and to help manage future growth across LBTH. A new Local Plan has therefore been prepared to respond to local requirements and to reflect national and regional policy changes that have emerged in recent years, such as the Borough’s housing target which was substantially increased through the London Plan in 2015. The Local Plan has been informed by comments received during the two previous rounds of consultation and an up-to-date evidence base the Committee:

- Noted that in terms of air quality residents want LBTH to take a robust stance;
- Noted that LBTH have 90 monitoring sites in total across the Borough that checks air quality;
- Commented that they would like to know what is happening to address air quality around primary schools and what is being done to address pollution from commercial vehicles emissions especially in those areas where there is a large foot fall;
- Commented that residents have raised concerns about general smoke control areas and the use of the waterways (**e.g.** complaints of the smoke/odour from canal boats using their generators whilst docked which becomes an issue in the Autumn and Winter);
- Indicated that the location of schools should give consideration to not locating in areas of high pollution (**e.g.** Building of school on London Dock);
- Noted that in new Local Plan all schools need to have air quality impact assessments;
- Noted that 9,000 Londoners die due to poor air quality and there is a major issue on the impact on the quality of life in the metropolis;
- Stated that there needs to be a national intervention on these issues (**e.g.** pollution from vehicles that have had

their engines left idling whilst parked);

- Felt that there was a need to look at impact of the Night Time Economy [NTE] on residents;
- Asked will the Local Plan should address the provision of affordable housing and social and physical infrastructure. In response it was noted that under the new policies that new developments should have social/living rents;
- Asked how LBTH can address residents' concerns at changes to an area and the actual/perceive negative impacts upon residents. In response it was noted that schemes need to be liveable for the local residents and working to address that;
- Noted that the Local Plan is in alignment with the Regional Plans and it is intended also to align it to the London Mayor's 30 priorities (**e.g.** GLA has been in consultation with London Boroughs and LBTH have also consulted internally);
- Noted that Whitechapel is in the City Fringe OAPF [Opportunity Area Planning Framework] and not overlooked especially the infrastructure required. However, the Committee wished to see the infrastructure to be in place before any development or alongside. However, it was noted that national guidance is very prescriptive and does not allow LBTH to be that inflexible;
- Noted that LBTH is awaiting for the outcome of the Grenfell enquiry on clear guidance on cladding; building and fire regulations;
- Noted that LBTH aim to be flexible to respond to those outcomes and changes in demand as a consequence of decision to leave the European Union;
- Noted that LBTH needed to look at the population churn and that the communities do need to have a real voice in these developments (**e.g.** LBTH has established a Self-Builders forum where both self-builders and construction professionals can gather information, ask questions and share the benefit of their knowledge and experience);
- Whilst noting that there seems to be positive progress in LBTH but there remains the consequences of poor regulation which has been referenced in the Plan;
- Noted that the Plan looks to make as much land as possible be accessible to the public **e.g.** A key proposal in the Plan is to create a continuous walk along banks of Thames;
- Noted the Plan aims to address safety issues around homes in new developments especially safety around kitchen areas and having homes with adequate space for families.

6.2 New Strategy for Children and Young People with SEND: proposed consultation update

The Committee received and noted an external review of Special educational needs and disability (SEND) and high needs which had identified some support for children and young people with special needs and disabilities is good but there were significant areas in urgent need of review and improvement. Benchmarking showed the demand for Education, Health and Care Plans in Tower Hamlets to be relatively high and growing whilst national funding is relatively static. It was noted that the development of a new SEND strategy is needed to provide a clear and transparent framework to support the difficult decisions we need to make to ensure good value for money, fairness and equity. This paper provides

- Data on children and young people with SEND and available funding
- The rationale for the development of a new SEND strategy
- The proposed structure of the draft strategy and an outline of the development process; and
- Proposed governance of SEND.

The questions and comments from Members on the report may be summarised as follows:

The Committee:

Noted that:

- Work is being undertaken to engage families to shape and develop the Strategy and ensure that these children have fulfilling lives;
- The undertaking of a full strategy review has meant families are now more aware and they are asking for help earlier than before;
- There has been some concerns raised about the diversity of Free Schools [e.g. the provision in Free Schools; their offer and approach may not be one that fulfils the SEND needs of family's children] whilst some of the Grant Maintained Schools are doing an outstanding job in supporting the diversity agenda;
- Some Councils take a different approach than rather than issuing an Education, Health and Care Plan [EHCP] they use funding differently as based on a councils own method of identifying additional support than the EHCP route. Also they identify SEND needs earlier which means needs can be addressed and held at the SEN support stage than through an EHCP.
- In past the process of producing a Statement of Special Educational Needs (SEN) focused on a Child's Educational Needs but now the EHCP considers health care and Social Needs as well;

- That LBTH are confident that LBTH will meet its statutory deadline to convert all statements to EHCP's;
- That the DfE very interested in work being done in LBTH to develop children's EHCPs and they have reported very positively on the progress made and they have been assured by this progress;
- Felt that the development of this Strategy means the needs of children can be addressed and addressed well against the back drop of the current financial climate;
- Noted that officers are confident that the Tower Hamlets Educational Partnership will fully support this process; and
- LBTH is in dialogue with local schools on supporting the establishment of specialist units where they have significant number of SEN pupils on roll needing support. Plus the development of such units will attract extra funding.

7. UNRESTRICTED REPORTS FOR CONSIDERATION

7.1 Best Value Improvement Plan Update

The Committee received a report that provides an update on the Council's Best Value Improvement Plan 2017-18 covering the period April-September 2017. The report built upon the June 2017 submission to the Secretary of State and detailed the continuous progress against the five areas of Communications, Property, Elections, Organisational Culture and Grants and the 26 actions found within the Improvement Plan. As a result of consideration of this report:

The Committee **noted**:

- The preparations for 2018 elections;
- That the lessons learnt and areas for improvement from the 2017 General Election will be incorporated into poll staff training;
- That whilst the Returning Officer was in favour of ID at polling stations LBTH was no longer participating in the Cabinet Office ID Pilot Scheme. It was noted that whilst initial meetings had taken place during 2017 along with General Election review meetings. The next meeting was not scheduled until September 2018 and whilst it was noted that there had been no clear direction received from the Cabinet Office the view was expressed that this was a miss opportunity to participate in this scheme;
- That the Revised Register of Electors 2018 to be published in December 2017; and
- That there will be awareness raising and publicity for 2018 elections;
- Due to the complexity of the combined elections in 2018, mandatory face to face training will take place in April 2018.

7.2 Creating a Balanced Night Time Economy in Tower Hamlets

The Committee received a report that outlined the recommendations of the scrutiny review on creating a balanced night time economy in Tower Hamlets. The focus of this review being the delivery of a balanced Night Time Economy [NTE] in the Borough, ensuring that the benefits of a thriving local NTE are balanced against mitigating the negative impacts that the NTE can have on local people. The questions and comments from Members on the report may be summarised as follows:

The Committee:

Noted that:

- There was a need to develop a balance economy and a voice for local people and the apparent failure of the cumulative impact zone. Also it was felt that the value of the night time economy is unclear in LBTH whereas in Westminster there is considered to be a clear understanding of the NTE e.g. the level of ASB in local Accident & Emergency Units and how best to address it and apparent increase in unlicensed guest houses and hotels;
- The Council should develop a vision for the coming five to ten years for the Night Time Economy in the Borough;
- The Council should appoint a “Night Czar” for the Borough who is a champion for a balanced Night Time Economy, a voice for all and not just businesses and their customers;
- The Council urgently needs to review its Cumulative Impact Zone as the policy has failed to control the growth of licensed premises;
- The Council ensures that if a Late Night Levy is introduced, funds raised by the Levy fund additional activity, clarity is gained about what the 70% of funding allocated to the Police will be used for and explores the Soho model of using the Late Night Levy as a way of bringing businesses and residents together;
- The Council maps the “customer journey” for local residents through the licensing and enforcement process, with the aim of creating a clear guide for local people on who to contact and when if they are being affected by the NTE, accompanied by service improvement;
- The Council should review its staffing approach for enforcement officers for issues such as noise nuisance and anti-social behaviour (ASB) to ensure that officers are available at times of high demand such as late night at weekends;
- The Council should ensure that its skills and employment support provides local residents and young people with the assistance that they need to take advantage of opportunities for employment in night time economy employers;
- The Council undertakes a review of its Assets of Community Value process, and ensures that provisions in the Local Plan are robustly and consistently applied to save pubs and clubs as community assets;

- The Council should explore licensing and enforcement options for new, “sharing economy” entrants to the NTE in the Borough;
- The Council should undertake a review of its approach to ensuring adequate public toilet facilities for those using the NTE and travelling between venues to reduce the impact of public fouling on residents local to NTE zones;
- The Council should conduct a comprehensive impact assessment of the impact of the Night Time Economy on residents, services and businesses.

Accordingly, the Chair Moved and it was:-

RESOLVED

To:

1. Agree the draft report and the recommendations; and
2. Authorise the Divisional Director for Strategy, Policy and Partnership to amend the draft report before submission to Cabinet, after consultation with the Chair of the Overview and Scrutiny Committee.

8. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

The Committee received and noted the Cabinet papers for the 19th September, 2017 and made particular references to those reports set out below. In addition, the Chair asked the Committee to submit any further pre decision scrutiny of the unrestricted Cabinet papers by 12:00 noon on the 15th September. These submitted pre-decision scrutiny questions of the unrestricted Cabinet papers for the 19th September, 2017 will then be circulated with the agenda papers for the October meeting [**Attached**].

8.1 Children’s Services Improvement- progress report

The Committee received a report that provided an update on progress in delivering improvements to Children’s Services in response to the report published by Ofsted in April 2017 which rated LBTH services ‘inadequate’. The Council’s improvement plan aims to achieve a standard of ‘good’ by April 2019, which is the minimum our children and families deserve.

The body of the report it was noted included a commentary on progress in the four themes of our improvement plan, which was submitted to the Department for Education and Ofsted in July 2017. Whilst some progress has been made in all four themes, this first quarterly report identifies that there remain significant challenges in moving the service towards a ‘good’ standard.

The questions and comments from Members on the report may be summarised as follows:

The Committee:

Noted that:

- Progress will be monitored by Ofsted through quarterly monitoring visits. The first of these visits took place on 30-31 August, 2017. In their informal feedback, Ofsted noted the considerable progress that had been made in improving the management of contacts, referrals and assessments in our Multi Agency Safeguarding Hub (MASH) and Assessment and Intervention service, which was the focus of their visit. In their next visit, to take place in December, 2017 they will focus on the Family Support and Protection service where further progress needs to be made. As this was the first monitoring visit they recognised that it is early in the improvement journey and whilst good progress has been made, there is still a lot of work to do to ensure that improvement is fully embedded and the Service meets a consistently good standard;
- Whilst Ofsted feel LBTH are ambitious with the initial targets the longer term aim is for an outstanding service;
- LBTH is working to ensure that the Service needs to provide early help to families and there needs to be robust measurers in place;
- After a judgement as received by LBTH from Ofsted the number of referrals a Service can anticipate will increase;
- The 3 Divisional Directors will have over sight to ensure the families have the correct offer;
- The improvement in social work training;
- Both Staff and Managers are getting a clear message the focus of the changes needs to be what children need in LBTH not just about performance indicators;
- Supervision audits give social workers the support that they need and the recruitment is in hand to establish a stable work force and to lower of individual caseloads e.g. the volume of caseloads coming through the front door has surged after the Ofsted judgement and that this increase is working its way through the system;
- Concerning the recruitment and retention strategy LBTH is working to provide incentives for staff to remain with the Council for a number of year's e.g. Many LBTH staff have a real passion to meet the needs of those families that they are supporting; Need to use the passion of LBTH staff to illustrate why it is the best place to work and to convince staff to stay on from being on either agency/short term contracts;
- Noted we do now have a stable agency cohort and have addressed poor performance so that the Service is the one needed to support LBTH children in their journey;
- Noted in October there will be a Children's Spotlight session to allow there to be a really focused debate;

- Agreed that LBTH need to ensure that families have the confidence in staff to come forward to ask for their help and that the necessary structures are in place to address trafficking and adoption; and
- The Portfolio Lead Member wanted the Scrutiny Lead to identify areas of concern for discussion at the Spotlight Session.

8.2 Corporate Budget Monitoring Report Period 3 (June 2017) 2017-18

The Committee received a report that detailed the financial outturn position of the Council at the end of Quarter 1 for 2017-18 compared to budget, and service performance against targets. It also included the quarter 1 position for the:

- I. General Fund (GF) Revenue Budget Position
- II. Housing Revenue Account (HRA) Budget Position
- III. GF and HRA Capital Programme Performance
- IV. Savings
- V. Progress delivering Council Growth Priorities, including Mayoral Priority Growth
- VI. Forecast use of Reserves
- VII. S106, CIL and Capital Receipts Income
- VIII. Council Tax and Business Rates Income
- IX. Debtors & Creditors
- X. Treasury Management Activities
- XI. Pension Fund Investments Position

The questions and comments from Members on the report may be summarised as follows:

The Committee:

- Questioned if the areas to be addressed will make up the ground. In response it was noted that whilst the forecasts indicate underspends it is recognised that there are pressures on the Budget they may have an impact; and
- Noted that the benefits that will come from the Brexit process will need to be carefully considered against the needs of the communities in the Borough.

8.3 Q1 (April-June) Strategic Performance Monitoring Report

The Committee received a report that provided details of the Council's performance against Strategic Measures during quarter one (April-June 2017).

The questions and comments from Members on the report may be summarised as follows:

The Committee:

Noted that:

- The Council's Strategic Plan and Strategic Measures are focused upon meeting the needs of the diverse communities living in Tower Hamlets and supporting delivery of One Tower Hamlets. In particular, strategic priorities include the reduction of inequalities and the fostering of community cohesion;
- The Strategic Measure set contains the measures "Proportion of people with mental health problems in employment"; "Employment gap for women: reducing the gap between the Borough employment rate and employment rate for women"; and "Employment gap for BME residents: reducing the gap between the Borough employment rate and employment rate for BME residents";
- The data for Quarter 1 2017/18 shows that 5.8% of those aged 18-69 years old with an open CPA (care pathway approach) were in employment, just below the Council's stretch target of 5.9% of people with mental health problems in employment;
- On the measures of the employment gap for women and BME residents, performance did not meet the Council's minimum expectation for the quarter, however the Council's WorkPath service and wider WorkPath partnership continue to support residents into employment and has seen an 87% increase of 93 more jobs recorded compared to this time last year. 133 (85.3%) of the 156 Job Starts recorded by the WorkPath service were for BME residents, 150 of which delivered employment in excess of 16 hours per week. 361 (86%) of the 420 residents engaging with WorkPath were from the BME community. 67 out of the 156 (42.9%) Job Starts recorded by the WorkPath service were for female residents, 50 of which delivered employment of more than 16 hours per week;
- The Council was also successful in supporting 199 local people into employment during the quarter through the WorkPath Partnership. This is an increase of 93 residents that have been helped into employment compared to the same period last year. The WorkPath service has seen 27 more reported Job Starts for BME residents, 15 more reported for female residents, 18 more for BME female and 9 more Lone Parents compared to the same period in 2016/17; and
- The WorkPath Service works with key Council services and external partners including the Supporting Stronger Families, Job Centre Plus, Poplar HARCA, Housing Options, the Careers Service, Drug and Alcohol Team, Integrated Offender Management project (Probation service) and Ideas Stores to identify those residents who would benefit most from support, maximising engagement of women, disabled and BAME residents. WorkPath focuses on supporting economically inactive and long-term unemployed groups of residents (Residents

furthest from the Labour Market, potentially with multiple barriers to employment), those that require extensive support over a longer period of time to get them job ready and into employment.

9. DRAFT OVERVIEW AND SCRUTINY WORK PROGRAMME 2017/18

The Committee stated that it wanted a quarterly item on OSC agenda for Children's Improvement Plan.

10. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

Nil items

11. EXCLUSION OF THE PRESS AND PUBLIC

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.

12. EXEMPT/ CONFIDENTIAL MINUTES

Nil items

13. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items

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

Nil items

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

Nil items

**Chair,
Overview & Scrutiny Committee**