

LONDON BOROUGH OF TOWER HAMLETS

Overview and Scrutiny Committee – 13 March, 2018 – Questions to be raised at 20 March, 2018 Cabinet

Questions	Responses
<p>Agenda 5.1 Community Commissioning Programme Framework Report</p> <p>1. Welcome the policy behind strategy and request that Recommendation 2 to develop detailed proposals for a Community Commissioning programme be shared well before April 2019?</p> <p>2. With regard to the development of a sound Theory of Change (Paragraph 3.6 - 4th Bullet Point) how will it be ensured that there is a continuity of approach between different programmes?</p>	<p>Question 1</p> <p>The detailed proposals for the Community Commissioning programme is being co-designed with the Voluntary and Community Sector (VCS), via a series of workshops that will run from late March to early May. We will be sharing developments as these workshops happen via Tower Hamlets CVS and our own channels. The final programme detail will be formed and the tender process will start in July / August 2018. Feedback from VCS organisations is that they will need reasonable timeframes to form partnerships and respond to the tender. Information on the programme detail will be shared at this point.</p> <p>Information on how to apply and the tender process, as well as agreements from the March Cabinet paper will be shared as part of the capacity building programme offered from April to June.</p> <p>Question 2</p> <p>The initial work on creating continuity of approach between different programme strands (i.e. a cohesive approach throughout the whole programme) has already been done in identifying our 'cross cutting principles of delivery' (Paragraphs 3.22 - 3.23). The next workshop on the 27th March will be focussed on creating a Theory of Change, looking at short, medium and long term outcomes. Although these will differ across the programme, key outcomes developed should in many cases contribute to</p>

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<p>3. With regard to the delivering of capacity building support to the local VCS, to enable them to respond to tenders can this be spelt out further at an appropriate time and way e.g. could this be through the local road shows by the Mayor?</p>	<p>increasing economic wellbeing and cohesion. We expect to find more cross-cutting themes as we progress with the next workshops.</p> <p>Question 3 We will be publicising the capacity building programme workshops and one to one support available through our own email list and via Tower Hamlets CVS, as well as the Council website. The information can be shared with members and the Mayor.</p> <p>The capacity building programme will be delivered by external partners (Carney Green, new Economics Foundation and Get set for Growth) as well as in-house. Local organisations and groups will be able to contact council officers, and our capacity building partners for information, as well as book directly onto workshops.</p>
<p>Item 5.4 Premises Leased to Voluntary and Community Sector Organisations</p> <p>1. What do we do when a group using a public facility is not overtly a faith group but the main use of the space is for faith purposes? Also would such a group still be entitled to reduced rents?</p>	<p>Joint report Resources and Place Emily Fieran-Reed, Service Manager, Community Cohesion, Engagement and Commissioning David Freeman, VCS Strategy Manager</p> <p>Question 1: The Council’s policy on rent reduction specifically excludes premises used as a place of worship or for services limited to a faith congregation. However, the Council recognises that many faith based organisations carry out valuable work which is of benefit to the wider community. The policy therefore allows that, ‘Faith-based organisations, not occupying a place of worship and providing general community use, will be eligible to apply for the</p>

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2. Regarding implementing the arrangements for leasing premises, how is the Council going to ensure minimum disruption of services delivered by Community Organisations to the Community?

community benefit rent reduction'. Applications for community benefit rent reduction are assessed on a case by case basis with the applicant organisation providing evidence of the use of the premises leased from the Council. Premises benefitting from the scheme will also be monitored at least annually to ensure the use of continues to meet the relevant criteria.

The assessment of applications and the annual monitoring should ensure that, where it is not immediately apparent from the nature of the applicant organisation, premises used for worship or services solely for a specific faith congregation will not be awarded community benefit rent reduction.

Question 2:

The implementation of arrangements for leasing premises should not disrupt services which are currently supported by the Council. Arrangements are in place to ensure the additional costs which might arise for organisations moving to a lease do not have an impact on current services. In the longer term, organisations will be able to include the relevant premises costs in future funding bids.

A rent reduction scheme has been introduced to mitigate any negative impact on services which have a community benefit which may not be supported by direct funding from the Council.

Where services are specifically excluded from the rent reduction scheme the Council may provide a transitional 'stepped rent' arrangement as described in the report currently to be considered

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<p>3. What is the Council's understanding of how services might have already been disrupted (especially for the smaller organisations)?</p>	<p>by Cabinet. Business development and capacity building support is also being provided by the Council for groups such as early years settings which are excluded from rent reduction.</p> <p>Question 3: New leasing arrangements have not been finalised with all VCS organisations but, of those which have been, there is no reported adverse impact on services.</p> <p>As described in the response to question 2 above, arrangements are in place to minimise the impact of changes to the arrangements for leasing premises to VCS organisations occupying our premises.</p>
<p>Item 5.5 Private Sector Housing Renewal Policy 2018 – 2022</p> <p>1. There is a widespread perception that many new high rise buildings are 'empty' and kept deliberately so by investors which academic research suggests is not the case but any evidence to the contrary would be useful?</p>	<p>Place Martin Ling – Housing Strategy Manager See attached document Empty Homes by Postcode Area and Ward</p> <p>Question 1 With regard to his query 'that there is a widespread perception that many new high rise buildings are 'empty' and kept deliberately so by investors which academic research suggests is not the case' - This is to some extent true - many homes which appear to be empty can be classified as second homes so only used on an occasional basis – they are therefore empty much of</p>

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	the time but would not meet the official Ministry of Housing, Communities & Local Government definition of an empty home
Item 5.6 The Impact of Short-Term Holiday Platform Lets 2. Section 1.4 of the report states that limiting the area in which LBTH are seeking an exemption gives more chance of success as the Government guidance indicates that it is intended as a targeted response. Therefore, is LBTH aware which parts of the Borough are recognised as “hot spots” so that it is in a position to target its response? 3. This market is already regulated yet Section 2.1 of the report seems to imply that it is not was that the intention?	Place Marc Lancaster, Private Sector Housing Policy Officer My responses to the questions raised by Overview and Scrutiny in relation to Short Term Holiday Platform Lets: Question 2 As per Paragraph 3.9 of the report and parts 6-10 of the appendix set out, there are very clear hotspots around Brick Lane (encompassing parts of Weavers, Spitalfields and Whitechapel wards) and to a lesser extent around Canary Wharf/Island Gardens. Question 3 The regulations that exist are widely accepted as being so difficult to enforce that the market is in effect unregulated. As the report sets out, prosecution would require evidence that a dwelling had been let out on each of 91 nights in a calendar year. Gathering such evidence is extremely resource-intensive. In the last twelve months short-term letting ceased following initial action at five addresses, and just two Planning Contravention Notices have been served in the borough on dwellings thought to be in use as short term lets for more than 90 nights.

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<p>4. Is it correct that Section 2.3 of the report should state that an application to apply the Secretary of State for Housing for exemption from the Deregulation Act across the Borough may be popular?</p> <p>5. Where will the resources come from to regulate the operation of Short Term lets?</p>	<p>Question 4 The decision is likely to be popular with communities impacted by ASB and those seeking private rented housing, but it may be less so with market operators.</p> <p>Question 5 If we make a successful application to exempt areas of the borough from the 90 day permission, enforcement would be significantly easier. We envisage that in that event existing resources supplemented by additional planning application fees and cost recovery would be sufficient – though clearly this would need to be subject to review. Other than that, the working group proposed in the report would amongst other things consider the need for additional resources to fund cross-departmental enforcement action and report to the council accordingly.</p>
<p>Item 5.7 All-Zone Multi-Purpose Permits for Car Clubs – Amendment to Permitted Bays</p> <p>1. How will this affect those areas of the Borough where there are pressures on parking spaces e.g. In Canary Wharf ward during the evenings people in car free developments park their cars overnight on the streets thereby restricting the number of available spaces.</p>	<p>Place Colin Sims, Senior Parking Business Officer Michael Darby</p> <p>Question 1 In the short term we expect there to be a positive effect on permit bays during restricted hours as the proposed amendment to the scheme will allow vehicles to park in any bay where drivers can pay for parking. This will add approximately 1,000 non-permit bays to the scheme and take pressure off resident and business permit bays.</p> <p>Outside restricted hours we do not expect there to be any greater effect than the scheme would already have, as any vehicle is</p>

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	<p>permitted to park when restrictions are not in place. In the longer term, studies have shown that one car club vehicle can replace up to ten private vehicles, with particular reductions in car-free areas, thereby reducing overall parking pressure.</p>
<p>Item 5.9 Disposal of 2 Trinity Green, Mile End Road, E1 4TS</p> <p>1. Would it not be possible to for another Registered Housing Provider to take over the management of the property?</p>	<p>Place Richard Chilcott Divisional Director, Property & Major Programmes</p> <p>Question 1 The property is in a severely dilapidated condition so it is unlikely to appeal to another RP – but they will of course be able to bid for it when it is on the market for sale.</p>
<p>5.12 Strategy for Children and Young People with SEND: Findings from Strategy Consultation and Proposed New Strategy</p> <p>1. Are the timelines to meet the needs of SEND children being met currently? In particular, has there been progress with regards to waiting lists for Speech and Language therapy?</p>	<p>Question 1 There is a statutory deadline for the completion of Education, Health and Care Plans of 20 weeks. Over the financial year April 2017 to March 2018, 25.4% of EHCPs were completed within this timescale. A second statutory deadline of converting all Statements of Special Educational Needs to EHCPs by the end of March 2018 has negatively impacted on the ability to meet the deadline for new EHCPs. The team are well on track to convert the 2200 statements by the end of the month and have been congratulated by the DfE on this achievement. Once this task is completed, it will free some staff time to work on the new EHCPs.</p> <p>The capacity of the SEND team has been an on-going concern</p>

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<p>2. Will the proposed new strategy help alleviate delays in responding to the child's need as soon as the child's need has been identified?</p>	<p>and action to address this will now be prioritised under the leadership of the newly appointed Head of SEND who will join us fulltime in June. The use of the centrally held budget has been reviewed to ensure the team is resourced at an appropriate level to improve both performance and the quality of the plans being produced.</p> <p>Since June 2017, a number of measures have been put in place to improve performance including streamlining the Panel that considers applications for an EHCP and it has been strengthened through the regular participation of the Designated Medical Officer; a new process and format have been piloted and these will be rolled out from September 2018.</p> <p>The provision of Speech and Language Therapy is commissioned by both Children's Services and the Clinical Commissioning Group. Schools often also purchase additional support to meet needs. Whilst we are making changes to improve the efficiency of the services, the need does outstrip the available resources and so the ability to make any significant improvement in waiting lists is limited.</p> <p>Question 2</p> <p>The new strategy will help in ensuring minimise delays and that we meet statutory deadlines, however the national funding for SEND, the High Needs Funding Block, is not related to pupil number and so in common with other LAs Tower Hamlets is prioritising the use of limited resources. The strategy provides the</p>
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	framework of principles and priorities to enable this difficult decision making process.
5.15 Appendix 1 TH Planning Compliance Policy Adoption Draft 1. The Policy in Section 7.1 states that to initiate a planning compliance investigation, complaints should be made via the standard form which can be found on the Council's website https://www.towerhamlets.gov.uk/lgnl/environment_and_planning/planning/Development_management/planning_enforcement.aspx However, this link does not seem to work? 2. Can Scrutiny be provided with details of the number times that the Cross-Departmental Enforcement Forum has met over the past 12 months? 3. Are LBTH & TfL working together on a construction management and freight delivery strategy?	Place Desmond Adumekwe (Planning Compliance Manager) & Paul Buckenham (Development Manager) Question 1 The correct link should be https://www.towerhamlets.gov.uk/lgnl/planning_and_building_control/breaches_of_planning_regulations.aspx . This is will be updated in the policy Question 2 The Construction Impacts Working Group is an internal working group where individual construction site issues that have been raised are addressed across a number of regulatory services (planning, transport, environmental health, parking) and management of resources needed to resolve said issues are discussed. The group has met three times since November 2017 Question 3 Council officers are in contact with the TfL backed CLOCs (Construction Logistics and Cyclist Safety) Scheme with the intent to have it adopted across the borough and for the Council to act as a national CLOCS Champion. At present there is no overarching construction management and freight delivery

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4. Are LBTH officers attending or assisting the Informal Developers Co-ordination Forum active on the Isle of Dogs between the major developers working on Marsh Wall?

5. How does LBTH deal with issues when construction work is taking place out of hours and at a time when Council Offices and those of the Noise Enforcement Team are closed?

strategy but developers are referred to the TfL published Construction Logistics Plan Guidance.

Question 4

The Council are in contact with the informal co-ordination forum on the Isle of Dogs, with the intention of working with the group, as well as with the relevant utility companies, in order to better co-ordinate construction within the Isle of Dogs and with the potential to roll out this model to other parts of Tower Hamlets where substantial multi-site development pressure occurs.

Question 5

Noise nuisance from construction works is controlled by Section 60 and Section 61 Control of Pollution Act 1974 (COPA). Other nuisance is covered by Section 80 Environmental Protection Act 1990 (EPA). The Environmental Protection Team our out-of-hours noise service operates Thursday to Sunday 8pm to 3.30am.

Possible action includes the service a Section 60 Notice under COPA or an abatement notice for statutory nuisance under the EPA. Failure to comply with either a Section 60 Notice under COPA or an abatement notice for statutory nuisance under the EPA can lead to prosecution in the Magistrates' Court and a £5,000 fine on conviction (£20,000 in the case of statutory nuisance from business premises). Significantly, company directors and officers can be personally liable for breach of a Section 60 Notice where it can be shown that the offence has been committed with their consent, connivance or due to neglect on their part.

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	<p>If out of hours working also represents a breach of a planning condition the council has the power to take formal enforcement action against the developer, including the service of a breach of condition notice, against which there is no right of appeal to the Secretary of State. In determining whether to serve a notice, the usual expediency tests would be applied and consideration of the extent and impact of noise nuisance would be taken into account.</p>
<p>Item 5.18 2017-18 Quarter 3 (October-December) Strategic Performance Monitoring report</p> <ol style="list-style-type: none">1. What are the key indicators to be considered for incorporation into the monitoring of Crime in Local Neighbourhoods? 2. Will the Strategic Plan in future contain data that addresses improvements in pupil performance in the primary and secondary sectors so as to identify where early help is needed?	<p>Question 1 These are in the process of being developed, to ensure that the strategic plan is outcomes focussed and not just the number of Total Notifiable Offences which has been the measure previously. The measures will include KPIs relating to public perception, and tackling ASB drawn from the ASB blue print.</p> <p>Question 2 Response:</p> <ol style="list-style-type: none">(a) Data on annual performance in both primary and secondary schools can be produced by the performance team on an annual basis, (although this may be taken over by the THEP, clarity is being sought);(b) The performance team can provide data on attendance on a termly basis; and(c) This however does not identify sectors where early help is required. The number of cases and child details referred to early help can be provided.

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3. What is proposed to further reduce the average time between a child entering care and moving in with adoptive family?

Question 3

The service will make concerted efforts to find suitable prospective adopters as soon as possible through use of:

- a dedicated family finder for adoption and use of all means available to provide a robust approach to family finding for prospective adoptive children i.e. In-house prospective adopters,
- the adoption consortium,
- adoption register,
- adoption activities and
- publicity (fliers).

This will be monitored via monthly Adoption Summit and an internal monthly family finding meeting which are both chaired by the Adoption Service Manager. The performance team will provide on an annual rolling basis, the indicator measuring these timescales

4. What housing support is the Council providing to help key workers in adult social services and children's services?

Question 4

Following the Council's Affordability Commission the Council has introduced a new rental tenure called Tower Hamlets Living Rents based on average median income levels of Borough residents which are £31,645 pa, and working on the premise that it is reasonable to spend a third of income on rents. The first of these were let last year and more are expected to come through in the next two years as new developments complete.

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	<p>In terms of shared ownership homes being developed in the Borough the homes are initially ring-fenced for Borough residents to purchase and priority will also be given to people who have permanent employment in the Borough.</p>
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