

**Overview & Scrutiny Pre Decision Questions**  
**29/07/2019**

<b>Cabinet Report</b>	<b>Questions / Responses</b>
<b>6.1 Outcome of recent Ofsted Inspection of Local Authority Children's Services (ILACS)</b>	1. For children returning home from care (Section 20 in OFSTED letter), how do we ensure the quality of practice is consistent?
	<p><b>Response</b></p> <p>As with many other areas of practice the quality of intervention will be monitored through the individual supervision of Social Workers and more widely through the auditing of cases through our QA systems. With regard to the specific challenges raised by Ofsted, we did scrutinise cases ourselves at the time and agreed with inspectors that one of the key ways to improve the overall consistency of practice and planning in this particular area was to strengthen the work being undertaken by the Edge of Care Team. We also acknowledged the need to ensure that all cases where a decision was taken to return a child home was consistently scrutinised/signed off by a Senior Manager.</p> <p>Therefore we have re-issued guidance in relation to the over-sight of decision making for situations when children return home. We have also agreed to undertake a specific audit on cases in where Children do return home. This audit will take place in September and will be able to gauge if practice is strengthening/improving.</p>
<b>Cabinet Report</b>	<b>Questions / Responses</b>
<b>6.2 Local Community Fund</b>	1. How has the Council ensured that a fair and transparent process has been followed when awarding grants?
	<p><b>Response</b></p> <p>Co-design with the VCS at each stage of the process from inception to the point bids were invited from</p>

	<p>organisations has ensured transparency at every stage of the process. The LCF has had the highest level of engagement of the VCS of any TH funding programme.</p> <p>The assessment and scoring of the funding criteria designed by the council and the VCS has been executed by an external body using expert assessors drawn from a national pool as well as local specialists. Equalities monitoring of the assessor profile shows 75% female, 55% from BME communities and age profile majority 25-44. The process is part of council's internal audit programme for this year.</p> <p>The assessment criteria and scoring included in the Cabinet report Appendix E were developed with the VCS and published as part of the documentation for LCF bidders</p>
	<p>2. How does the Council support local organisations to bid and what measures have been identified to provide further support for unsuccessful (local) applications.</p> <p><b>Response</b></p> <p>The support programme undertaken by the council and Tower Hamlets Council for Voluntary Service to support bidders is set out in detail in the report (appendix C). Analysis of the participation of VCS organisations shows that 86% of the successful bidders took advantage of the support offered by the council and THCVS.</p> <p>The support programme for unsuccessful bidders is also set out in the report (paras 3.54 to 3.58). All unsuccessful bidders will be offered feedback and signposted to services provided by THCVS and other infrastructure organisations. Those previously funded by the council will be invited to discuss a transition action plan with their VCS Team contact officer drawing on various elements of the transition proposals as appropriate.</p> <p>3. As there were not as many applications for the health grant, will the amount of funding available for this area be allocated to areas which have received a significantly higher volume of applications?</p>

**Response**

All of the themes were significantly oversubscribed with more than sufficient quality bids to make effective use of the budget available.

4. How has a Community Wealth building framework been applied to the Outcomes of the LCF and the awards against which these Outcomes will be delivered?

**Response**

The LCF has a strong local focus. A significant proportion of the assessment score was based on bids demonstrating local connection to ensure that, even where projects are managed by organisations with their main base outside the borough, the benefits, including the economic benefits, are retained in the borough as far as possible.

All organisations have priced their bids on the basis of at least the London Living Wage for any staff working on LCF funded projects.

5. Has a gender, BAME and localism audit been carried out against all of the applicants?

**Response**

The contract mobilisation stage will include target setting in relation to people with equality protected characteristics. Organisations will also be required to collect equalities monitoring data which will be reported annually.

The assessment process included local connection and local impact. This is set out in detail in Appendix E of the report to Cabinet.

6. What would the effect of a one year halt (or installation of a break clause) to the current award for the undertaking of further organisation audits be?

**Response**

The current MSG programme commenced in September 2015. There have been a few minor changes in the programme but essentially it is still based on the needs as assessed at that time. To continue the current programme for a further year would risk public funds being used less effectively to meet the current priority needs of local residents. It may also be perceived as being unfair to VCS organisations which are not currently funded by the council losing the opportunity of gaining support for their projects.

The contract mobilisation process will confirm the due diligence checks carried out by the external assessors and support organisations to engage in continuous improvement.

7. It's a great concern to that there is a gap (acknowledged in the equality assessment) in services for pregnancy and under 5's. Council strategy prioritises first 1001 days (i.e. conception to 2) and it is known that this is the most effective age of intervention to improve outcomes for children including reducing the need for care proceedings. It is much cheaper than any attempt to help older children.

Some of the most needy families won't access Council run services as they fear that they will be seen as failing, the 3rd sector is in a privileged position as they are seen as less threatening, and we do have organisations who deliver to this group and weren't successful in their bids.

Therefore:

- a. How come there wasn't a requirement for this need to be met when assessing the bids?
- b. What will be done now to ensure that this gap is filled?
- c. How will we know that this will be done in a fair and transparent way?
- d. The way previous tendering happened ensured that this need was met so was this a failure of the current design?

## Response

- a. The provision of Early Help services was a priority in the LCF programme framework agreed by Cabinet in October 2018 (Theme 1 Scheme A). Organisations submitted bids to provide services in this priority area. However, only one was successful, the bid from Osmani. Maternal health and very early years development was not identified as a specific priority in the development of the LCF but it would fall within the broader Early Help priority.

The Equality Analysis identified that, while there is a recommended project which might address some of the issues around maternal health and very young children, there is no specific provision in the programme. This linked to the EA relating to age and the gap identified in services to support very early years (0-5).

- b. The proposed mitigation is that the council develops a specification for a low value tender for services to meet this need where, as the question implies, the VCS has a particular role to play.
- c. It would be consistent with the approach taken to the development of the LCF that the specification is co-designed with VCS providers. This should also ensure that the process is fair and transparent
- d. This need was not a specific priority in the MSG programme. Maternal health and early years development was within a broader strand, 'Vulnerable and Excluded'. However, it was not a specific priority or outcome in the specification. The response of the VCS to the specification for the Vulnerable and Excluded strand produced projects which include within their scope maternal health and very early years development, and the Commissioners agreed to fund some of them.

<b>6.3 Strategic Review of Tower Hamlets Homes</b>	<p>780 and 300 residents responded to the online and telephone surveys respectively. A comprehensive analysis of the outcome of the surveys is included in Appendix 1.</p> <ol style="list-style-type: none"> <li>1. Where can I find the full survey results mentioned in Appendix 1 (which is the Altair review)? There is a word cloud type summary of telephone &amp; email responses in Appendix 2. But none of the online responses. There does not appear to be an aggregate summary of responses in reports.</li> <li>2. Can a decision be taken if the full set of consultations surveys are not in the public domain?</li> </ol>
	<p><b>Response</b></p> <ol style="list-style-type: none"> <li>1. The full survey results can made available by contacting the ALMO Client Team on <a href="mailto:Housing.Strategy@towerhamlets.gov.uk">Housing.Strategy@towerhamlets.gov.uk</a></li> <li>2. It is considered sufficient to provide the Cabinet with a summary of the survey responses.</li> </ol>
	<ol style="list-style-type: none"> <li>3. Why were only 197 residents consulted and did they represent a demographic cross sections (including of residents and leaseholders) of THH tenants?</li> </ol>
	<p><b>Response</b></p> <p>The consultation on the review of Tower Hamlets Homes was undertaken with all tenants and leaseholders totalling circa 22,000. In supporting this process, the Mayor sent a letter to all residents seeking their views on the future arrangement of housing services. Residents were asked to provide comments to <a href="mailto:Housing.Strategy@towerhamlets.gov.uk">Housing.Strategy@towerhamlets.gov.uk</a> or they could phone 020 7364 7037. On expiry of the deadline, a total of 197 residents responded by email or telephone made up of 85 leaseholders and 74 tenants. 38 residents did not identify their tenure type.</p>
	<ol style="list-style-type: none"> <li>4. What was the response to Mayor's letter to residents?</li> </ol>

	<p><b>Response</b></p> <p>Of the 74 tenants expressing a clear view, 54% were in favour of the review recommendation to extend the Management Agreement with THH. Of the 85 leaseholders expressing a clear view 30% were in favour of the review recommendation to extend the Management Agreement with THH.</p> <p>Tenants who raised concerns about existing services primarily identified the inconsistencies in the advice they receive from THH staff. Tenants also expressed dissatisfaction with the repairs service, the contractors' approaches, and resultant experiences. In contrast, leaseholders raised concerns around lack of clarity of service charge invoices, capital programme consultation and delivery, incremental services charges and insurance. Overall, there was positive recognition of improvements in the services THH provides by both tenants and leaseholders although management of ASB had mixed views. Residents also want THH to be held more accountable for service failures, and for the Council to scrutinise THH's performance further, and to engage further with residents.</p>
	<p>5. What are the next steps of the process for renewing THH's contract? Will there be a consultation? How will KPIs be set? The paper isn't clear.</p> <p>Specifically there need to be KPIs on</p> <ul style="list-style-type: none"> <li>- Improving Communications;</li> <li>- Creating Value for Money; and</li> <li>- Quality of Repairs.</li> </ul>
	<p><b>Response</b></p> <p>A steering group chaired by the Corporate Director Place has been set up to oversee the process of renewing the MA with THH.</p> <p>THH and LBTH agree KPIs annually as prescribed by the current MA. There are a total of 22 Business Critical</p>

	Indicators cross cutting the whole housing service provided by THH including resident's satisfaction and VFM.
	6. With only 10 out of 22 KPIs being met, will a new or improved contract monitoring mechanism be put in place?
	<p><b>Response</b></p> <p>Target has been achieved for eight BCIs [47%], with a further five [29%] close to target. Performance was particularly strong in the following areas:</p> <p>Income collection [both rental and service charge]; Housing Service Centre; Caretaking; Capital works [both satisfaction and programme delivery.</p> <p>The five BCIs close to target are 5% or lower. Measures exist for improvement to meet the target at the end of the financial year. Remainder of the BCIs are annually measured, therefore the respective performance will be evaluated at the end of the financial year.</p>
<b>6.4. Air Quality Action Plan Update on Progress</b>	1. (3.24) What is the proposed timeline for reviewing this action to ensure that the council's lobbying of TfL is harmonised with the Liveable Streets, School Streets and other local road design improvement schemes? Have any demands more stretching than reprioritisation been considered, for example charging for journeys that don't originate or terminate in the borough?
	<p><b>Response</b></p> <p>A delivery plan for the air quality action plan is currently being developed. This will be addressed as part of that.</p> <p>The draft Transport Strategy commits the Council to exploring the potential to introduce new travel demand management measures to reduce motorised through-traffic in the borough including</p> <ul style="list-style-type: none"> <li>• Working with TfL and neighbouring boroughs to develop proposals for the next generation of road</li> </ul>

	<p>user charging;</p> <ul style="list-style-type: none"> <li>• Using our membership of Silvertown Tunnel Implementation Group to press TfL to make sure charging of Blackwall and Silvertown tunnels is set to reduce the environmental impact and the volume of traffic travelling through the borough;</li> <li>• Progressing the implementation of a workplace parking levy in Tower Hamlets subject to a feasibility study.</li> </ul>
	<p>2. How has the Council promoted the air Text service?</p>
	<p><b>Response</b></p> <p>Promoted on the Council's Breathe Clean webpage  <a href="https://www.towerhamlets.gov.uk/lgnl/environment_and_waste/environmental_health/pollution/air_quality/Breathe_Clean.aspx">https://www.towerhamlets.gov.uk/lgnl/environment_and_waste/environmental_health/pollution/air_quality/Breathe_Clean.aspx</a></p>
	<p>3. How many penalty enforcements have been made as part of the anti-idling campaign?</p>
	<p><b>Response</b></p> <p>To date 29 separate locations in the borough have had anti-idling enforcement visits and 128 drivers have been observed to be idling. No fixed penalty notice (FPN) has been issued as the legislation requires an FPN can only be issued if a driver refuses to turn off their engine when requested to do so by an authorised officer. All of the drivers spoken to have complied. They were subsequently given an information leaflet on idling.</p>
	<p>4. Are there plans for a further Air Quality action fund?</p>
	<p><b>Response</b></p> <p>No. This will require a further growth bid.</p>

	<p>5. Has an AQ audit been done at Woolmore primary school</p>
	<p><b>Response</b></p> <p>No. Funding for school audits is provided by the GLA. The GLA shortlist the schools to be audited as part of their school air quality audit programme. In 2017/18 two primary schools (Marner and Bonner) and in 2018/19 two nursery schools (Alice Model and Columbia Market Nursery) were selected for audit.</p>
	<p>6. Please confirm the "green wall" mentioned in the report by the A12 is not a green wall but a metal wall mainly designed to reduce noise pollution</p>
	<p><b>Response</b></p> <p>This is an additional green wall funded by a grant from the Tower Hamlets Mayor's Air Quality fund, the 'Poplar Detox Moss Wall' on Bryon Place (off Zetland Street)</p>
<p><b>Item 6.5c Appendix 3 - Risk Assessment - Local Biodiversity Action Plan 20119-24</b></p>	<p>1. What happens if the Local Biodiversity Action Plan is in conflict with Councils strategy to deliver 2,000 new homes, should this not be on the risk register? i.e. Limehouse Triangle</p>
	<p><b>Response</b></p> <p>There is very rarely a conflict between biodiversity and development (including housing) in the Borough. On the contrary, new development is one of the main implementation mechanisms for the Local Biodiversity Action Plan.</p> <p>On the rare occasions when biodiversity and housing development are in conflict, the development</p>

	<p>management process has to consider relevant policies in the Local Plan, and make a decision based on those policies. It is usually possible to mitigate or compensate for impacts on biodiversity, and end up with a net gain. The Local Biodiversity Action Plan provides guidance on the sort of mitigation and compensation which is most appropriate in such cases.</p> <p>In the specific case of the Limehouse Triangle (Locksley site D), the combination of a biodiverse green roof, features for biodiversity in the landscaping, and enhancements for biodiversity elsewhere on the estate will be sufficient to ensure net gains in biodiversity in line with the Local Biodiversity Acton Plan.</p>
<b>Item 6.6a Appendix 1 - Children and Families Strategy</b>	<ol style="list-style-type: none"> <li>1. Is there any analysis of numbers of children who leave TH as they grow older (families moving out to more family friendly areas?). Demographics of children do not match demographics of adult population and we also have a below average number of children?</li> </ol>
	<p><b>Response</b></p> <p>The consequences of demographic change and demand for school places is currently under consideration.</p>
<b>6.7 Response to OSC’s Challenge Session Recommendatio ns: Communications</b>	<ol style="list-style-type: none"> <li>1. In regards to <b>Recommendation 4</b>, the ward-specific element of communication with members appears to have been lost. What will be done to ensure both a culture and a system that promote information-sharing with ward councillors? This links to the second part of <b>Recommendation 5</b>, which rightly says that “People need to include [ward councillors] when circulating information about [consultations]. How will we ensure that this actually happens?</li> </ol>
	<p><b>Response</b></p> <p>On <b>Recommendation 4</b>: This is being looked at as part of the Strengthening Local Democracy work being led by the Monitoring Officer and supported by the General Purposes Committee. Some of the elements they are looking at includes making changes to the Members Hub so there is a mechanism where directorates can update members on issues in their wards.</p>

	<p>On <b>Recommendation 5</b>: There may also be opportunities with the new Consultation Hub (online portal) we are bringing in to have automatic notification to members on consultations.</p>
<p><b>Item 6.8 Proposed additions to the local list</b></p>	<p>1. Are there plans to reopen this process for additional buildings to be added to the local list in another tranche in the future?</p>
	<p><b>Response</b></p> <p>Yes, this is addressed in paragraph 3.4 of the Cabinet report, which states that:</p> <p><i>“Nominations for the local list can be made throughout the year. Officers will review nominations on the first of October each year and will refer appropriate ones to the local list selection panel. A six week public consultation will be held before a final decision is made, by Cabinet, about which buildings will be added to the local list.”</i></p> <p>Details of how to nominate a building for inclusion on the list can be found on the council’s website.</p>
<p><b>6.9 Revised Commercial Property Lettings and Disposals Procedure</b></p>	<p>1. Where is the democratic oversight when the Executive decides to lease buildings to community groups, how can we know what has been leased to whom and for how much? it exists for disposals but not lettings which is inconsistent</p>
	<p><b>Response</b></p> <p>Under the Council’s scheme of delegation, officers have authority to agree terms for leases, up to the threshold value. This applies to all Council property, including community buildings as well as the commercial portfolio. Information in respect of a new lease of a particular property or group of properties can be provided to Members on request. Some leases are subject to Community Benefit Rent Reduction. Decisions on rent</p>

	reductions are reported to the Grants Determination Sub-Committee.
<b>6.10. Land to the West of Virginia Street - London Docks School</b>	1. If this is a DfE free school imposed on TH by the DfE then shouldn't the DfE hold the lease and pay for the costs of the school?
	<p><b>Response</b></p> <p>No this is not a DfE Free school; the Education Department (following a consultation process) is hoping to appoint Mulberry Trust to operate this school.</p>
<b>6.11. Angela Court, 315 Burdett Road; Lease to Mulberry Housing Society</b>	1. Can you provide a breakdown of who sits on the Mulberry Housing Society Board and detail how many members are Tower Hamlets residents?
	<p><b>Response</b></p> <p>The Members of the Mulberry Housing Society Board are Michael Tyrrell, Ken Jones, Syed Uddin, Ann Sutcliffe and Mark Baigent. Syed Uddin is a local resident.</p>
	2. What other housing associations offered to acquire these properties?
	<p><b>Response</b></p> <p>It is understood that Canary Wharf Group sought offers from a number of Registered Providers. The Council did not ask for, and was not provided with, the identities of the RPs involved.</p>
	3. Why did Canary Wharf Group pick an offshoot of the Council to acquire these properties?

	<p><b>Response</b></p> <p>The property has been acquired by the Council. The Cabinet report contains the recommendation that the Council grants a lease of the property to Mulberry Housing Society. The Council submitted a bid to acquire the property to Canary Wharf Group. After due consideration Canary Wharf Group decided to accept the Council's bid.</p>
<p><b>6.12 Revenue and Capital Budget Monitoring Q1</b></p>	<p>1. In regards to the <b>Community Safety underspend</b> - can we have confirmation that the delays in police deployment relate to the previously advised MET recruitment issues, and not to matters in the control of the Council?</p>
	<p><b>Response</b></p> <p>The Council funded police team (Partnership Task Force - PTF) has been operating at 50% capacity since September 2018. The Council has made a number of representations and sought reassurance from the MPS BCU Commander and the Deputy Assistant Commissioner, to provide officers up to the full complement of 4 sergeants and 20 constables to deal with the neighbourhood issues that impact on residents. Unfortunately due to a shortage of overall police officers the decision has been to prioritise safeguarding posts. In addition the council has offered to support a local recruitment campaign to attract police officers to the Metropolitan Police. The matter is out of the control of the council.</p>
	<p>2. Why did the Council not consider taking over the free holder arrangements for Aberfeldy provision in order to create a long term rental income stream (which other local authorities have done</p>
	<p><b>Response</b></p> <p>Previously it had been agreed that NHS Property Services would be the freeholder and would lead the fit-out of the premises, but the practice in question preferred an alternative model of delivery, in order to realise potential benefits of an integrated service with a community provider in Poplar Harca. Poplar Harca are the existing freeholder on the adjacent community space site as well as community café space. Plans are in place to</p>

	<p>discuss how we strengthen the integrated health and healthcare landscape with enhanced services to provide better community healthcare. This change will enhance the programme delivery.</p> <p>LBTH are reviewing future opportunities where the council taking over freeholds could be beneficial.</p>
<p><b>6.13 MTFS Refresh and 2020-21 Budget Planning</b></p>	<p>1. What is the scope for budget consultation to be brought forward in future years and/or done in two phases: initial outline and one on more detailed proposals?</p>
	<p><b>Response</b></p> <p>Budget consultation is initially focussed on the budget quantum rather than individual proposals which allows for Members to take into account the views of both statutory consultees (businesses) and other interested stakeholder, such as residents, whilst deliberating on the budget. The timing for budget consultation therefore has a certain reliance on confirmation of funding arrangements from central government.</p> <p>However, it is possible for Council's to engage in a pre-consultation phase of activities that inform on the impact on areas of the budget informed by stakeholder groups. A recent Best Practice Budget Consultation workshop was attended by finance, and Strategy, policy and Performance staff which will be used to review the approach in Tower Hamlets.</p> <p>None of this precludes or replaces the detailed consultation required on proposals for service change before they are implemented.</p>