

# OVERVIEW & SCRUTINY COMMITTEE

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Monday, 28 June 2021 at 6.30 p.m., Online 'Virtual' Meeting -  
<https://towerhamlets.public-i.tv/core/portal/home>

## SUPPLEMENTAL AGENDA

Due to ongoing Covid-19 restrictions, the press and public are encouraged to watch the meeting remotely through the <https://towerhamlets.public-i.tv/core/portal/home> site

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For further information including the Membership of this body and public information, see the main agenda.

#### **4. UNRESTRICTED MINUTES**

**All Wards**

To confirm as a correct record of the proceedings the unrestricted minutes of the last meeting of the Overview and Scrutiny Committee

##### **4 .1 24th May, 2021**

**All Wards**

**3 - 16**

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE**

**HELD AT 6.32 P.M. ON MONDAY, 24 MAY 2021**

**COMMITTEE ROOM ONE - TOWN HALL, MULBERRY PLACE, 5 CLOVE  
CRESCENT, LONDON, E14 2BG**

**Members Present:**

Councillor Mohammed Pappu (Chair)*	
Councillor Bex White*	– Scrutiny Lead for Children & Education
Councillor Faroque Ahmed	– Scrutiny Lead for Community Safety & Environment
Councillor Marc Francis	
Councillor Ehtasham Haque	– Scrutiny Lead for Housing & Regeneration
Councillor Denise Jones	
Councillor Gabriela Salva Macallan*	– Scrutiny Lead for Health & Adults
Councillor Leema Qureshi	– Scrutiny Lead for Resources & Finance
Councillor Andrew Wood*	

**Co-opted Members Present:**

Halima Islam	– Co-Optee
James Wilson	– Co-Optee

\*Members present in person and able to vote. (Remaining Members attended from remote locations).

**Other Councillors Present:**

Councillor Asama Begum  
Councillor Mufeedah Bustin  
Councillor Sirajul Islam  
Councillor Puru Miah

**Officers Present:**

Sharon Godman	– (Director, Strategy, Improvement and Transformation)
Afazul Hoque	– (Head of Corporate Strategy & Policy)
Daniel Kerr	– (Strategy and Policy Manager)
David Knight	– (Democratic Services Officer, Committees, Governance)

Matthew Mannion

– (Head of Democratic Services,  
Governance)

**1. APOLOGIES FOR ABSENCE**

No apologies for absence were received at the meeting.

**2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST AND OTHER INTERESTS**

The following Members for transparency declared a potential interest in relation to Item 9 Pre-Decision Scrutiny Questions:

- I. Councillor Marc Francis due to his wife Councillor Rachel Blake being the Deputy Mayor and Cabinet Member for Adults, Health and Wellbeing; and
- II. Councillor Ehtasham Haque due to wife Councillor Sabina Akhtar being the Cabinet Member for Culture, Arts and Brexit.

**3. UNRESTRICTED MINUTES**

26th April 2021

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

**RESOLVED**

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 26th April 2021 be approved as a correct record of the proceedings and the Chair was authorised to sign them accordingly.

**5. REQUESTS TO SUBMIT PETITIONS**

Nil items

**6. FORTHCOMING DECISIONS**

Noted

**7. APPOINTMENT OF SCRUTINY LEAD MEMBERS AND ESTABLISHMENT OF SUB-COMMITTEES FOR 2021-21**

The Committee received a report regarding the establishment of the Scrutiny Sub-Committees and Appointment of Members to those Sub-Committees.

As a result of discussions on the report the Chair moved and it was **RESOLVED:**

1. That the appointment of the Vice-Chair of the Committee should be deferred to a future meeting.

2. That the Scrutiny Lead for:
  - a) Children & Education would be Councillor Bex White.
  - b) Health & Adults would be Councillor Gabriela Salva-Macallan.
  - c) Housing & Regeneration would be Councillor Ehtasham Haque.
  - d) Resources & Finance would be Councillor Leema Omar Qureshi; and
  - e) Community Safety & Environment would be Councillor Faroque Ahmed.
3. To note that establishment of the scrutiny sub-committees as set out in the report.
4. To approve the nominations for members for the scrutiny sub-committees.
5. To note the terms of reference of the Committee and agree the terms of reference for the scrutiny sub committees as set out in the report; and
6. To note the co-optee requirements for education in accordance with legislation, as set out in the report and the wider co-option arrangements for scrutiny at Tower Hamlets, as set out in the report.

## **8. UNRESTRICTED REPORTS 'CALLED IN'**

### **8.1 Call-In Black, Asian & Minority Ethnic Inequalities Commission Report**

The Committee noted that the Cabinet on 24<sup>th</sup> March 2021 had considered a report from the Black, Asian & Minority Ethnic (BAME) Inequalities Commission and had **RESOLVED** to note the work that the Commission has undertaken during the four-month period and agreed the recommendations as set out in the report. This decision however had been 'Called-In' by Councillor Puru Miah (signed also by Councillors Peter Gold; Rabina Khan; Harun Miah and Andrew Wood). The main points raised as result of the questioning may be summarised as follows:

The Committee **noted** the:

1. Cabinet report,
2. Cabinet Decision of the 24<sup>th</sup> March 2021
3. "call in" requisition from the Call-in Members,
4. representations by the Call-in Members, and
5. representations by the Executive.

In addition, it was noted that in accordance with the OSC Protocols and Guidance adopted by the Committee at its meeting on 4th June 2013, any Committee Member(s) who present(s) the "Call In" is (are) not eligible to participate in the general debate.

### Summary of the Call-in:

The Committee:

- ❖ **Noted** that the Call-In Members had made two proposals (i) for Mayor and Cabinet not to just note the report, but instead to have it translated into community languages and produced in a non-digital format which should then be distributed in places like Ideas stores and GP surgeries. Then put out to further consultation for a six-month period; and (ii) for an independent panel to be formed to investigate the allegations of racial discrimination made to the Commission and for the panel to report its finding to the full council.
- ❖ **Observed** that the decision was considered by the Call-In Members to be in breach of Tower Hamlets Council's common law duty and statutory duties under the law. As when the BAME Inequalities Report had been launched in October 2020, one of its stated aims had been to "engage and operate at the heart of the LBTH communities to hear about people's lived experience and solutions, specifically Black, Asian and Minority Ethnic women and young people who experience higher levels of inequality". Therefore, the Call-In Members felt that residents had a legitimate expectation for the Council to keep its promise and to consult them fairly, or allow BAME residents, the proper means to engage with the Commission.
- ❖ **Noted** that the Call-In Members felt that the Council had breached its statutory duties, in particular, the Public Sector Equalities Duty as set out in s.149 of the Equalities Act 2010. This was by inadequately providing the means for BAME residents to engage with the commission and consultation, the Council had therefore failed in its Public Sector Equalities Duties. As the Council in its consultation and engagement with the Commission and report had apparently failed to give due regards to the needs of BAME residents.
- ❖ **Noted** that the Call-In Members considered that the decision to note the report within a week of its publication by the Mayor and Cabinet, when adequately not enabling BAME residents to engage with the Commission or its consultation goes against the stated object of the report. The Call-In Members also felt that it is unreasonable for the Mayor and Cabinet to believe that less than a one-week period is satisfactory to gather views on a report that had taken five months to formulate.
- ❖ **Observed** that although serious allegations of discriminations had been made to the Commissioners, the Mayor and Cabinet had not applied the MacPherson principles in treating the allegations as racist incidents and investigating them. This was felt by the Call-In Members had left the Council open to the charge of an apparent cover-up, by failing to investigate adequately allegations of racial discrimination.
- ❖ **Noted** that according to the Call-In Members the Commission had not kept to that promise in regard to consultation and engagement of BAME residents with the commission or the report. For example (a) All the consultations were conducted online in a Borough with high levels of data poverty, which it was felt disproportionately affects the BAME

residents; (b) No translations were provided in a consultation aimed at BAME residents, many of whom have difficulties with the English language.

### Summary of the Executives response

The Committee

- ❖ **Noted** that LBTH had actively reached out to communities through third sector; and partner agencies including help from these agencies the facilitation of translating the consultation documents. Also the Lead Member indicated that she was very happy to discuss any concerns raised with the Call-In Members.
- ❖ **Recognised** that the Commission had, had to undertake its work during the exceptional circumstances created by the coronavirus pandemic and it was accepted as relevant to the way that the consultation had been conducted.
- ❖ **Noted** that achieving true equality in LBTH is not a feat the Council can achieve alone and the collective efforts of all partners is critical in ensuring the successful implementation of these recommendations. The Commission therefore had recommended that a subgroup of the Tower Hamlets Partnership Executive Group should be established to lead on delivery of the recommendations and work with.
- ❖ **Observed** that the Commission had adopted a bottom up approach whereby they had gathered together a range of groups/agencies with a shared common interest on the issues under consideration and who had taken part in a series of interactive discussions. These groups it was noted had helped to give the Commission an appreciation of how residents felt, about their lived experience and what they felt were possible solutions.
- ❖ **Noted** that much of the evidence gathered by the Commission had suggested that institutional and structural racism is a key barrier in accessing services and progression in life and employment.
- ❖ **Understood** that the recommendations set out in the report will be delivered through the Tower Hamlets Partnership Executive Group. The Council will assume a lead role and will act as a facilitator to engage and support partners in both the public and private sector to respond to these recommendations.

### Summary of Committee discussion

The Committee:

- ❖ **Recognised** that the report provides recommendations to improve the inequalities of local BAME Communities. It highlighted a number of areas where the Borough's BAME communities are experiencing poorer outcomes including in the areas of employment, health, and community leadership. However, although the Committee had reservations about how the work the Commission had been undertaken it felt that if the recommendations from the Commission were not taken

forward now it would mean that there would be delays in (i) addressing the inequalities currently facing the local BAME communities in the Borough; (ii) investigating the allegations of racial discrimination made to the Commissioners; and (iii) making those radical changes required to the close inequality gaps by advancing opportunities and ensuring the experience of racism within structures and institutions is eradicated.

- ❖ **Indicated** that whilst it was clear that there has been significant progress in the Borough, the Committee had reservations about the slow pace of change which it was felt that had not been either (a) quick; or (b) radical enough.
- ❖ **Indicated** that they considered that this was an ongoing piece of work to (i) build that element of trust between the Council, it's partners and the communities that they seek to serve; and (ii) address the allegations of racial discriminations that had been made to the Commissioners.

As a result of a full and wide-ranging discussion the Committee moved to the vote and Councillors Gabriela Salva Macallan; Bex White and Mohammed Pappu **RESOLVED** that whilst the decision was to be **reaffirmed**.

1. a paper would be **produced** on what concerns of discrimination were raised and how the Council had responded, and
2. an **update report** on the progress of the action plan would be brought back to the Committee to review later in the year.

Finally, the Chair also thanked all those in attendance for their time and participating in this process.

## 9. UNRESTRICTED REPORTS FOR CONSIDERATION

### 9.1 Air Quality Challenge Session

The Committee received a report in relation to the Challenge Session which had examined the Council's commitments to air quality and made a number of recommendations for members consideration. The main points raised as result of the questioning on the report may be summarised as follows:

The Committee:

- ❖ Was **informed** that the Challenge Session, chaired by Councillor Faroque Ahmed, Scrutiny Lead for Environment and Community Safety, had taken place on 30th March 2021. In light of the ongoing COVID-19 pandemic, the challenge session was held virtually in order to comply with the Government's requirements for social distancing.
- ❖ **Noted** that the Challenge Session had resulted in the development of a number of recommendations including that the Council should set up more air quality monitoring stations in key areas including around construction sites, by prioritising funding of air quality monitoring in future capital programmes so that it is proactive in collecting long-term accurate live air quality data from all



parts of the Borough not just certain sites; and to make monitoring data more accessible so residents are better informed to make decisions and promote behavioural change.

- ❖ **Commented** that the Council needed to identify existing air quality measures in the current capital programme and prioritise them for delivery, such as EV charging points.
- ❖ **Stated** that there should be a more ambitious programme in regard to the installation of EV charging points as this is also likely to encourage further uptake of electric vehicles. As a key deterrent in the purchase of EV's is the inconvenience of charging and so this would demonstrate an ideal solution to this concern.
- ❖ **Commented** that with the Government announcing all cars sold by 2030 are to be electric, the demand for more convenient charging stations that suit drivers' lifestyles is only going to increase. Therefore, it was important to identify new locations for installing charging points.
- ❖ **Indicated** that it wished to receive an update from the relevant Chief Officers on the current situation and what has been done to (i) monitor the environment, (ii) controlling emissions; and (iii) what enforcement action is being taken.

### Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. **Noted** the attached Environment and Community Safety Scrutiny Challenge Session Report and **agreed** the recommendations; and
2. **Agreed** to submit the attached report to the Mayor and Cabinet for executive response.

## 9.2 Improvement Plan

The Committee received a report that summarised the Committee's work in reviewing the scrutiny function in Tower Hamlets and submits an Improvement Plan to implement a range of actions in 2021-22 to improve and enhance scrutiny. The main points raised as result of the questioning may be summarised as follows:

The Committee:

- ❖ **Noted** that from March to April 2021, scrutiny officers had run a survey for scrutiny members, executive members, and non-executive members as part of a health check on scrutiny to help evaluate the effectiveness and impact of overview and scrutiny for 2020-21, as well help to inform areas for improvement for the next municipal year. The survey had also been sent to officers involved in scrutiny throughout the year, for their feedback.
- ❖ **Noted** that there had been two away-days in April 2021 to reflect on the achievements of scrutiny over the municipal year, and to formulate improvements that could build upon scrutiny's success.
- ❖ **Noted** that the survey and the away days had formed the basis for the

development of an Improvement Plan for 2021-22 (Attachment as appendix 1 to the report). The Improvement Plan had suggested actions to implement in seven areas of the scrutiny function at Tower Hamlets as detailed within the report.

- ❖ **Commented** that the monitoring service delivery and achievement against targets to ensuring best value or value for money (VFM) in all that the Council does is not as consistent as it should be and therefore needs to the subject of closer oversight by the Committee.

As a result of discussions on this report the Committee **Resolved** to:

3. **Note** the activity undertaken by the 2020-21 Overview and Scrutiny Committee to understand the strengths and weaknesses of scrutiny at Tower Hamlets: and
4. **Agree** to implement the draft Improvement Plan for 2021-22.
5. **Agree** for the Overview & Scrutiny Chair to make further amendments to the Improvement Plan

#### **10. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS**

Following comments by the Committee the Pre-Decision Scrutiny Questions (PDSQ) were agreed for submission to the Cabinet on the 26<sup>th</sup> May 2021 (**See attached appendix**).

#### **11. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT**

Nil items

#### **12. EXCLUSION OF THE PRESS AND PUBLIC**

As the agenda circulated contained no exempt/ confidential reports and there was therefore no requirement to exclude the press and public to allow for its consideration.

#### **13. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL) CABINET PAPERS**

Nil item

#### **14. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS THAT THE CHAIR CONSIDERS URGENT**

Nil items

**The meeting ended at 8.33 p.m.**

**Chair, Councillor Mohammed Pappu**

**Overview & Scrutiny Committee**

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## Overview & Scrutiny PDSQs 24.05.2021

### Item 4.1 Liveable Streets Brick Lane Consultation Outcome Report

Questions	Response																
<p>1. Can a table be provided (for those years available) the NO2 results each year from our N02 diffusion tube located at Brick Lane/ Princelet St (site ID 11) for the Annualised &amp; Bias Adjusted Average from 2015 to 2019 (and 2020 if now available)</p> <p style="text-align: right; font-weight: bold;">Page 13</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Site no</th> <th style="text-align: center;">Location</th> <th style="text-align: center;">2015</th> <th style="text-align: center;">2016</th> <th style="text-align: center;">2017</th> <th style="text-align: center;">2018</th> <th style="text-align: center;">2019</th> <th style="text-align: center;">2020</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">11</td> <td>Brick Lane/ Princelet St</td> <td style="text-align: center;">42.47</td> <td style="text-align: center;">44.21</td> <td style="text-align: center;">39.36</td> <td style="text-align: center;">29.91</td> <td style="text-align: center;">22.44</td> <td style="text-align: center;">36.1</td> </tr> </tbody> </table> <p>All information from 2015 to 2020 is available online at:  <a href="https://www.towerhamlets.gov.uk/lgn/environment_and_waste/environmental_health/pollution/air_quality/Advanced_information_on_air_quality/Monitoring.aspx#:~:text=Air%20quality%20in%20Tower%20Hamlets,5%20and%20CO.">https://www.towerhamlets.gov.uk/lgn/environment_and_waste/environmental_health/pollution/air_quality/Advanced_information_on_air_quality/Monitoring.aspx#:~:text=Air%20quality%20in%20Tower%20Hamlets,5%20and%20CO.</a></p>	Site no	Location	2015	2016	2017	2018	2019	2020	11	Brick Lane/ Princelet St	42.47	44.21	39.36	29.91	22.44	36.1
Site no	Location	2015	2016	2017	2018	2019	2020										
11	Brick Lane/ Princelet St	42.47	44.21	39.36	29.91	22.44	36.1										
<p>2. What is the World Health Organisation target for NO2 over a year and also UK national targets for NO2 over a year?</p>	<p>UK: 40 µg/m<sup>3</sup> annual mean                      WHO: 40 µg/m<sup>3</sup> annual mean</p> <p>It should be noted that this is a legal limit and should be the maximum level of NO2 to fit within the legal framework.</p> <p>Around half of London’s air pollution is caused by road transport. The rise of NO2 in 2020 indicates the risk of a car-led recovery and emphasises the need to facilitate zero-emission modes of active travel like walking and cycling. Aside from reducing air and noise pollution, it also carries health and wellbeing benefits to the participant.</p> <p>In the borough, 27% of pupils who live within 7 minute-walk of school,</p>																

## Overview & Scrutiny PDSQs 24.05.2021

	<p>and 50% who live within 14 minute-walk of school still travelled to school by car while only 6% of all children were cycling to school. The school Streets within this proposals will help to improve the environment and encourage others to actively travel to school.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 14</p> <p>3. Has air pollution reduced (based on NO<sub>2</sub>) on Brick Lane to below WHO targets since 2015?</p>	<p>At the one location where diffusion tubes are located, the data shows NO<sub>2</sub> spiked in 2016 and decreased over the following years. However, it spiked again last year at 36.1ugm.</p> <p>The existing monitoring unit in the area shows the level for nitrogen dioxide to be near the level. It should be noted that, these are the legal limits, but being just below doesn't mean they are safe, there isn't a safe level of air pollution.</p> <p>Particulate matter smaller than 2.5 microns (PM<sub>2.5</sub>) causes the most concern which is being exceeded across the borough. This particulate matter which comes from exhausts and tyres goes into the blood system.</p> <p>The WHO states 'Small particulate pollution has health impacts even at very low concentrations – indeed no threshold has been identified below which no damage to health is observed. Therefore, the WHO 2005 guideline limits aimed to achieve the lowest concentrations of PM possible.' We will continue to monitor the project this includes air quality.</p>
<p><b>Item 4.2 Liveable Streets Old Ford Road West Consultation Outcome Report</b></p>	
<p><u>Liveable Streets Old Ford Road West. Equality Impact Analysis:</u></p> <p>1. (EqIA) on disability (Physical, learning difficulties, mental health and medical conditions) Regarding the section on "Community transport and school buses will also</p>	<p>Discussions have been held with the internal teams with regard to the measures and alternative routes. The alternative routes will mainly include the use of Old Ford Road and Cambridge Heath Road depending on their origins and destinations. With regard to school bus services and student transport these will be eligible for an exemption to</p>

## Overview & Scrutiny PDSQs 24.05.2021

<p>be able to reach their destinations, however alternative routes will be required” have the community transport and school bus service directly commented on these plans and have alternative routes been considered which could be shared with the Cabinet papers?</p>	<p>the school streets to ensure they have access at appropriate times. This is an on-going discussion which includes other areas of Liveable streets as the works are taking place.</p>																
<p>2. Can a table be provided (for those years available) the NO2 results each year from N02_diffusion_tube located at Bonner road (site ID 28) for the Annualised &amp; Bias Adjusted Average from 2015 to 2019 (and 2020 if now available)</p>	<table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="text-align: center;">Site no</th> <th style="text-align: center;">Location</th> <th style="text-align: center;">2015</th> <th style="text-align: center;">2016</th> <th style="text-align: center;">2017</th> <th style="text-align: center;">2018</th> <th style="text-align: center;">2019</th> <th style="text-align: center;">2020</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">28</td> <td>Bonner Road</td> <td style="text-align: center;">39.34</td> <td style="text-align: center;">41.13</td> <td style="text-align: center;">39.13</td> <td style="text-align: center;">37.33</td> <td style="text-align: center;">35.19</td> <td style="text-align: center;">37.4</td> </tr> </tbody> </table> <p>All information from 2015 to 2020 is available online at: <a href="https://www.towerhamlets.gov.uk/ignl/environment_and_waste/environmental_health/pollution/air_quality/Advanced_information_on_air_quality/Monitoring.aspx#:~:text=Air%20quality%20in%20Tower%20Hamlets,5%20and%20CO." style="color: blue; text-decoration: underline;">https://www.towerhamlets.gov.uk/ignl/environment_and_waste/environmental_health/pollution/air_quality/Advanced_information_on_air_quality/Monitoring.aspx#:~:text=Air%20quality%20in%20Tower%20Hamlets,5%20and%20CO.</a></p>	Site no	Location	2015	2016	2017	2018	2019	2020	28	Bonner Road	39.34	41.13	39.13	37.33	35.19	37.4
Site no	Location	2015	2016	2017	2018	2019	2020										
28	Bonner Road	39.34	41.13	39.13	37.33	35.19	37.4										
<p>3. Has air pollution reduced (based on NO2 results) inside the Old Ford Road West area to below WHO targets since 2015?</p>	<p>At the one location where diffusion tubes are located, the data shows NO<sub>2</sub> spiked in 2016 and decreased over the following years. However, it spiked again last year at 37.4ugm.</p> <p>The existing monitoring unit in the area shows the level for nitrogen dioxide to be near the level. It should be noted that, these are the legal limits, but being just below doesn't mean they are safe, there isn't a safe level of air pollution.</p> <p>We will continue to monitor the project this includes air quality.</p>																

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