

Overview & Scrutiny Committee

**Monday, 27 November 2023 at 6.30 p.m.
Council Chamber - Town Hall, Whitechapel**

Supplemental Agenda

8. **OVERVIEW & SCRUTINY COMMITTEE QUERY AND ACTION LOG**
9. **VERBAL UPDATES FROM SCRUTINY LEADS (PAGES 21 - 22)**

To hear updates from the Overview and Scrutiny Leads on their work across the Council.

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Reference	Action	Assigned to	Scrutiny Lead	Due Date	Response
19.06.2023	OSC requests the service to provide clarity on the £24 million being sent to GLA from the right to buy receipts and provide the committee with the source of this claim.	Karen Swift Rupert Brandon	OSC Chair	24.07.2023	In terms of financials, the council physically returned the below amount to DLUHC (MHCLG at the time): (includes 24 Million plus Interest) <ul style="list-style-type: none"> • 2018/19 - £2.2m • 2019/20 - £18.7m • 2020/21 - £5.5m
	OSC requests action being taken by LBTH to support businesses and traders in Roman Road Market	Simon Baxter Ellie Kershaw	OSC Chair	24.07.2023	We have a borough-wide training/grants programme, which isn't aimed specifically at Roman Road, but businesses and market traders located there are able to participate. <i>Any business or market trader located in one of our high streets, including Roman Road, can benefit from a support programme aimed at supporting high street businesses and market traders to establish new income streams and improve their performance. The programme is managed by the High Streets Team and involves businesses participating in a tailored training programme, a combination of 1-2-1 bespoke support and online training, followed by an opportunity to apply for a small grant upon completion of the training. The programme is currently in delivery, and to date 22 businesses have participated in the training</i>

					<p><i>programme, of a target of 65. The target number of grants to be distributed is 55.</i></p> <p>In addition, we have a planned weeklong training course for new Market Traders in October. Once the traders are trained and ready to start with will launch a cohort of them at one of our Markets with Roman Road being one of those offered.</p>	
Page 4	24.07.2023	OSC requested a note on 25% recycling was stated a previous achievement but 2017 that figure was identified and considered not accurate. OSC recollects that there was 5% drop so wants clarification what went on and what led to this happening.	Simon Baxter Director of Public Realm	OSC Chair	16.08.2023	See appendix 1
		OSC requested a note on the details of financial support available for business traders and market traders in roman road and details on uptake	Ellie Kershaw Simon Baxter	OSC Chair	16.08.2023	<p>Of the 22 businesses who have participated in the business training and grant program to date, 6 are located in Roman Road East town centre.</p> <p>In addition, The High Streets Team ran a food hygiene training programme. Since May 2022, 1 business located in Roman Road East town centre has benefitted from the support.</p> <p><u>Eligibility Criteria</u></p> <ul style="list-style-type: none"> The business must be a registered UK business or sole trader with a high street business with a retail frontage (i.e., not an office-based or online business located within a high streets) within the borough's designated high street locations, or a

					<p>council market trader trading at one of the borough's 10 street markets.</p> <ul style="list-style-type: none">• The business must have been trading for a minimum of 6 months.• The business must have less than 50 employees.• The business must not exceed Subsidy Control Allowance (formerly State Aid) threshold of £335,000 over 3-years.• The business cannot be in difficulty i.e., in administration, insolvent or subject to striking off notice.• The business cannot use the grant to support existing business as usual activity. E.g., buying stock• The business must commit to completing the tailored business support programme and take part in evaluation of the programme in advance of receiving the grant. <p><u>Award Criteria</u></p> <ul style="list-style-type: none">• Grants will be distributed in line with Mayoral manifesto and strategic plan 2022 – 2026 Priority 4 and it is planned the award criteria and appraisal of businesses addresses the following points (including but not limited to):<ul style="list-style-type: none">○ The distribution of grants will take a 'whole borough' approach and reflect the size and makeup of each high street location. The number of grants awarded in each high street location will reflect the total number of retail units, as well as the type of
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					<p>businesses to avoid a concentration of funding for one sector or in one high street.</p> <ul style="list-style-type: none">○ The grant will enable the business to adapt their business model by developing an existing or establishing a new income stream. Examples of this may include:<ul style="list-style-type: none">● To purchase or upgrade equipment. E.g., purchase a new coffee machine.● To upskill and gain accreditation to authenticate the service offered. E.g., Barista training for staff.● To deliver a new healthy or sustainable product line.● The grant appraisal will account for the impact of Covid-19 on the businesses i.e., previous access to Government or Council support or the sectoral impact on the business.● The grant's impact will be assessed over 6-12 months with a preference for measuring additionality i.e., new jobs created or saved, new healthy products, increase in income, business continuity and confidence.● An EIA will be completed to assess the impact of the grants and ensure the number and type of beneficiaries reflect the borough profile. <p>A marketing campaign will be carried out to ensure there is awareness of the programme and businesses have equal opportunity to participate. The marketing campaign includes</p>
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					proactive recruitment to every business on the 9 key high streets, and all council market traders. The campaign will include a mix of online and in-person communication methods to ensure the beneficiaries are reflective of the borough's high streets and the impact of the funding is maximised. Underrepresented groups in our business community i.e female traders will be specifically targeted. Application will be via a simple online form and support to overcome language and accessibility barriers will be provided by the Council.
18.09.2023 Page 7	The committee requested an update on the homelessness services and the 1 or 2 on-going investigations into housing options.	Karen Swift Director of Housing	OSC Chair	17.10.2023	Circulated to Members offline
	Agenda Item 6.1 – Q1 Performance Report There are a number of measures in the Q1 report which do not have performance data. Can you explain why that is and when this will be provided?	Stephen Bramah Head of Corporate Strategy and Improvement	OSC Chair	19.10.2023	See Appendix 2
09.10.2023	Mayor's Community Grants Programme The committee requested information on advice and ask of the Kings Counsel and if the response can be shared with the Committee.	Janet Fasan	OSC chair	19.10.2023	The information requested is subject to legal professional privilege and is therefore considered to be exempt from disclosure at the present time.
	The OSC requests update on NCIL budget monitoring reports	Jennifer Peters	OSC chair		<ul style="list-style-type: none"> Report on the breakdown of grant approvals by NCIL area – Ready by mid-November

					<ul style="list-style-type: none"> Report on the allocations made affordable housing and capital projects. Will be made through the next Capital Programme scheduled for Jan/ Feb Cabinet
23.10.2023	<p>Missed Bins</p> <p>1. Why are we changing missed collections metric?</p>	Communities Directorate	OSC chair	23.11.2023	<p><u>Response from Communities Directorate</u></p> <p>The service is still unable to report on the measure and have a provided a briefing note about this. The service will update the lead member about performance directly.</p>
	<p>2. Assurance there will be data in Q2 (and can the Q1 data be reported at this stage too?)</p>	Communities Directorate	OSC chair	23.11.2023	<p>Not able to report on this measure possibly until the next financial year. We can provide alternative data on performance in the narrative</p>
	<p>3. Can you come back with this information please?</p>	Communities Directorate	OSC chair	23.11.2023	<p>A response will be provided following a meeting with the service this month.</p>
	<p>Recycling</p> <p>This was the information provided in the (updated) Q2 reporting, which addresses the issues around recycling</p>	Communities Directorate	OSC chair	23.11.2023	<p><u>What the data shows?</u></p> <p>a. The overall recycling rate as of Quarter 2 2023-24 is 15.64% (provisional). This is a downturn in our rate in Q2 2022-23 (19.0%). The target for 2023-24 is 22%. 22,562 tonnes of household waste was collected, and 3,529.13 of this was recycled, reused, or composted. This shows a 3% decrease in the total household waste collected and a 19.99% decrease in the recycling collected compared to Q2 2022/23.</p> <p>BENCHMARKING DATA: This is work in progress to find up to date info.</p>

					<p><u>Why is this below target?</u></p> <p>b. The main aspects affecting our recycling rate are:</p> <ol style="list-style-type: none">1. Strike action taken by the staff in waste the waste operations team between the 18th and 27th of September 2023. This caused severe delays in the collection of residual waste and a decrease in the collection of dry recycling and organic waste. We are expecting higher tonnages of residual waste in October as part of the catch-up plan after the strike action.2. The overall contamination rate in our dry recycling was 27.27% compared to 22.32% in 2022-23.3. Increase in overall dwellings in the Borough has a direct impact on the amount of household residual waste generated. The total number of dwellings given by WasteDataFlow in 2023-24 is 144,240, whereas, in 2022-23 this number was 140,210. This represents a 2.87% increase from last year.4. Infrastructure for recycling services has not kept pace with the rate of property growth and growth in waste arisings. This affects the amount of recycling collected which has led to some properties being under capacity for recycling.
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					<p>5. Government regulations for the disposal of upholstered seating containing POPs (Persistent Organic Pollutants) has established that these items cannot be recycled and must be disposed of by incineration. Estimated loss of 115 tonnes per month diverted from recycling to the residual waste stream.</p> <p>6. Since June 2022, street litter collected from parks has been deemed unsuitable for recycling due to high levels of dog excrement (Estimated 65 tonnes per month diverted from recycling to residual stream).</p> <p><u>Actions taken?</u> The main projects that the service is working on that will help increase the recycling rate:</p> <ul style="list-style-type: none">• We will carry out targeted communication to encourage participation in the kerbside food and garden waste service and encourage kerbside properties (with storage) to order wheeled recycling bins.• Route optimisation for the dry recycling collections: This project aims to create more efficient collection routes that will help crews to improve their performance. This will reduce current contamination problems and is expected to increase the amount of dry recycling collected.
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- Flats project: This project aims to improve infrastructure at blocks of flats and on estates (e.g. the number of bins, location of the bins, signage etc) and provide educational information for the residents. Site surveys have been taking place at several blocks, and conversations are in progress with relevant managing agents. New infrastructure is rolling out and will continue to do so over the course of the year. We expect that this will encourage residents to recycle more and reduce contamination.
 - A new contamination campaign was launched in January 2023. The main purpose is to encourage residents to recycle more and contaminate less. Communication messages from the campaign will continue to be used in 2023/24
 - We will continue to encourage recycling and waste minimisation through a programme of engagement activities and events throughout the year.
- The current measures will take some time to effect change and we forecast that the recycling rate will remain low for the rest of 2023/24. However, we anticipate that the actions taken will improve performance and positive results will start to show in 2024/25.'

	<p>Street Cleanliness Measures</p> <p>Why is the street cleanliness measure not reported? I understand this was reported previously</p>	<p>Communities Directorate</p>	<p>OSC Chair</p>	<p>23.11.2023</p>	<p>Response from Communities Directorate</p> <p>This measure was last reported on two years ago. We had a contract with an external provider grading streets as the data source for this measure. We no longer have this contract and street grading is undertaken by the service. This measure is reported in the PR operational performance report. Not sure what we can do about this in Q3. Will pick this up for reporting in the next financial year.</p>
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Appendix 1

Background

This briefing provides an explanation of the drop (approx. 4%) in household recycling performance between 2016/17 (27.6%) and 2018/19 (23.2%).

Up until the end of September 2017 the council's waste disposal services were provided by Veolia. As part of the contract arrangement, some residual waste streams were delivered to a "dirty MRF" in Barking (run by McGraths) in order that recyclable material could be extracted and contribute to the overall recycling performance. Under the Veolia contract, the Council was provided with monthly reports that provided all of the relevant tonnage, compositional, recycling and energy recovery and end destination information in order that the WasteDataFlow reporting could be undertaken, and the Council's recycling performance calculated.

On 1st October 2017 a new waste disposal contract commenced with Cory Environmental, through which the same residual waste streams were delivered to the dirt MRF in Barking in order to continue recovering recyclable materials from the same residual waste streams as had been the case under the Veolia contract.

At the beginning of November 2017 Cory flagged up an issue in relation to the first monthly report that they were obliged to provide. Cory's report for the first month of the contract, October 2017, indicated that the amount of waste calculated as recovered for recycling from the residual waste streams amounted to approx. 10.3% (against the baseline figure of 16.2% at the end of the Veolia contract).

Information

As a result of this issue being flagged, a detailed analysis undertaken by Officers highlighted the causes for this drop were linked to changes in reported composition and tonnage of waste handled as part of the Waste Disposal Contract with Cory.

When combined with other issues experienced at that time, including poor recycling service delivery, lack of easy access to recycling facilities, increased property growth, increased waste growth and reduced levels of recycling participation there was a significant impact on recycling performance in 2017/18 and 2018/19. The key reasons for the change in recycling performance are set out below.

 Key reasons for change

Impact of new waste disposal contract	The Cory waste treatment and disposal contract deals with residual waste and operation of Yabsley Street Re-Use and Recycling Centre (RRC). The majority of residual waste is transferred via river to the Belvedere Energy from Waste (Efw) plant in Bexley. However waste from street cleansing, fly tipping, bulky waste, market waste and contaminated recycling is taken to the McGraths “dirty” Material Recycling Facility (MRF) in Barking.
Changes at the “Dirty” MRF	The McGraths “dirty” MRF recovers recycling from residual waste and whilst total residual waste inputs have remained constant, the level of reported recycling capture has reduced compared to when Veolia were using this facility.
Changes in Waste Composition	Detailed analysis and evaluation highlighted changes in the composition and reporting of recycling captured by the McGrath MRF. These changes, which had not previously been expected, have a significant impact on our reported performance.
More properties & waste but less recycling	The impact of increased housing growth, increased waste growth, limitations on current Veolia recycling contract performance, limitation to our recycling service offer and reduced levels of actual resident participation at the time all contributed to this drop in performance.
Change at Yabsley Street RRC	Tighter site controls introduced by Cory reduced the tonnage of non-household waste being accepted at this site from businesses. This led to a reduction in overall residual waste and recycling tonnage compared to when Veolia operated the site.

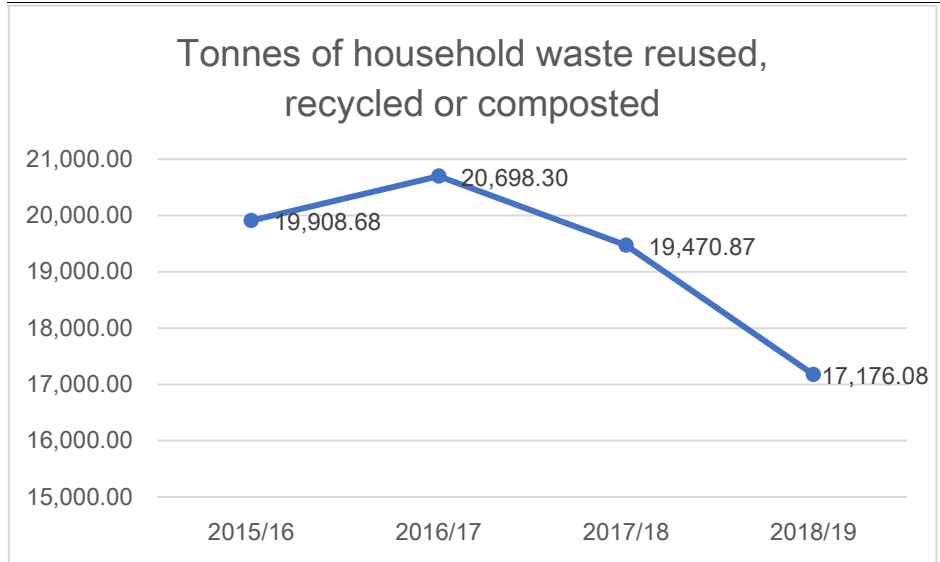
 Impact on recycling performance

23% household recycling rate in 2018/19	The recycling rate of approx. 23% in 2018/19 reflected the full year impact of the changes, including the previously unexpected impacts of changes to tonnage and composition of waste collected, processed and recycled as part of our new waste disposal contract. It set a revised baseline linked to delivery of service improvement and behaviour change initiatives starting in 2018/19
Less recovered via McGraths MRF	Whilst the overall tonnage of waste processed via the MRF has increased the tonnage of recycling recovered from street cleansing, fly tipping, market waste, bulky waste and contaminated recycling reduced from second half of 2017/18.
Change in waste composition to “Dirty” MRF inputs	Cory identified this change in early 2018, highlighting differences in composition of waste compared to previously reported data from Veolia. Following investigation and review action was taken to engage independent waste consultants to carry out composition analysis of inputs.
Results of composition analysis	Analysis of MRF inputs by Resource Futures highlighted reductions in the amount of recyclable content across all residual waste inputs from cleansing, fly tipping, market waste and contaminated recycling. This included significant reduction in the level of paper, card and cardboard in addition to an increase in food waste and non-recyclable waste.
Auditing and verification of results	Detailed analysis and auditing of waste data flow inputs was carried out to validate the changes in our 2017/18 performance. This led to a re-evaluation of expected performance in 2018/19 against the original forecast.
Revised recycling rate reflects reality	Our revised recycling rate of approx. 23% household recycling in 2018/19 reflected the reality of the position at that time. With increasing housing growth, increased waste growth, limitations on current Veolia recycling contract performance, limitation to our potential recycling service offer,

reduced levels of resident participation and increasing levels of contamination.

Recycling tonnage data

Total household recycling tonnage data from 2015/16 to 2018/19 shows impact on recycling performance



The table above shows the effect of the impacts described above on the annual tonnage figures of waste that was sent for reuse, recycling and composting.

Officers provided the Cabinet Member at the time with a Briefing Paper which set out the commentary given above.


Appendix 2

These are the 7 measures with missing data in the Q1 performance report along with comments from services as to the reason why and when the data is likely to be available.

Reference	Measure	Directorate	Q1 Outturn	Q1 Performance Commentary
KPI 003	Percentage of homelessness cases prevented or relieved	Housing & Regeneration	No data currently	This figure is reported in arrears as validated data for Q1 is set to be published by the Department of Levelling Up, Housing and Communities in Q3.

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KPI 012	Number of primary school pupils in KS2 receiving council-funded FSM	Children's Services	No data currently	This figure is delayed for reasons that include staff absence (illness and training). It is anticipated that the data will be available by the end of September (29/09) at the latest.
KPI 013	% of primary school pupils in KS2 receiving council-funded FSM	Children's Services	No data currently	This figure is delayed for reasons that include staff absence (illness and training). It is anticipated that the data will be available by the end of September (29/09) at the latest.
KPI 025	Rate of first-time entrants to the Youth Justice system	Children's Services	No data currently	This data is published nationally by the Youth Justice Board and will not be available until end September 2023.
KPI 026	% of young people that re-offend	Children's Services	No data currently	This data is published nationally by the Youth Justice Board and will not be available until end September 2023.
KPI 044	Adults with substance misuse treatment need who successfully engage in community-based structured treatment following release from prison	Health and Social Care	No data currently	Not yet published by National Drug Treatment Monitoring System (NDTMS) yet for Q1 2023-24. The reports are due to be published on the 28th of September 2023.
KPI 034	Number of missed collections per 100,000 households	Communities	No data currently	The waste service are not able to report on the missed collections per 1000,00 measure due to issues with Whitespace. Whilst our advice is that we revert back to the number of missed collections measure used in 2022/23 as it was previously approved by Cabinet, the service are of the view that this does not give an accurate reflection of performance.

<p style="text-align: center;">Overview and Scrutiny Committee</p> <p style="text-align: center;">27 November 2023</p>	 <p style="text-align: center;">TOWER HAMLETS</p>
	<p>Classification: Unrestricted</p>
<p>Scrutiny Lead Update</p>	

Councillor Abdul Mannan, Scrutiny Lead for Housing and Regeneration:

- 19th October – Chaired the Housing & Regeneration Scrutiny Sub Committee. The items discussed were: bringing the management of THH back inhouse; Tracking the progress of the Fire Safety Action Plan resulting from the scrutiny challenge session; and an update on building safety regarding the governance and accountability arrangements in preparation for New Build Compliance and Regulator.
- 2nd November - attended meeting with the Scrutiny Support and Democratic Service officers to review Housing & Regen Sub Committee meeting and instruct officers on the planning of the December meeting.

Councillor Abduk Malik, Scrutiny Lead for Environment and Community Safety

- I met with the Director of Community Safety to receive updates.
- We discussed the current conflict in the Middle East and I received an update on the work the tension monitoring group is doing to make sure local hate crime does not rise.
- We also talked about Islamophobia Awareness Month, and it was great to hear about the events put on by the hate crime team for staff and residents.
- I also discussed potential site visits to a drug treatment recess and to a police station.
- Lastly, I am working alongside officers to plan for a scrutiny review on the environment, planned for early next year.

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