

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 6 MARCH 2007

**M71, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Motin Uz-Zaman (Chair)
Councillor A A Sardar (Vice-Chair)
Councillor Simon Rouse
Councillor Shahed Ali
Councillor Clair Hawkins
Councillor Mohammed Abdus Salique
Councillor Stephanie Eaton
Councillor Fozol Miah
Councillor Alexander Heslop

Other Councillors Present:

Councillor Peter Golds
Councillor Rupert Bawden
Councillor Joshua Peck
Councillor Lutfur Rahman
Councillor Timothy Archer

Co-opted Members Present:

Mr H Mueenuddin – Muslim Community Representative

Guests Present:

–

Officers Present:

Suki Binjal – (Interim Head of Non-Contentious Team, Legal Services)
Michael Keating – (Service Head, Research & Scrutiny)
Alan Steward – (Policy Scrutiny Manager)
Sara Williams – (Assistant Chief Executive)
Alex Cosgrave – (Corporate Director, Environment & Culture)
Paul Martindill – Head of Recreation
Maureen McEleney – (Director of Housing Management)
Emma Peters – (Corporate Director, Development & Renewal)
Natalie Errington – (Scrutiny Policy Officer)

Angus Dixon

– (Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Shiria Khatun for whom Councillor Alexander Heslop was deputising, and Councillor Oliur Rahman for whom Councillor Fozol Miah was deputising.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. UNRESTRICTED MINUTES

The Chair **Moved** and it was

RESOLVED

That the Section 1 Minutes of the meeting of the Overview and Scrutiny Committee held on Tuesday 6th February, 2007 be confirmed as a correct record and the Chair be authorised to sign them accordingly.

Subject to:

The addition to the attendance of Councillors Tim O’Flaherty, Ahmed Hussain, Alex Heslop and Peter Golds.

4. REQUESTS TO SUBMIT PETITIONS

No requests to submit petitions had been received.

5. REQUESTS FOR DEPUTATIONS

One deputation request had been received on the subject of Housing Investment and Arms Length Management Strategies.

The Chair welcomed the deputation and asked them to address the meeting. Ms Gail Burton, on behalf of the deputation, presented to the Committee that Council estate residents do not want an ALMO to be set-up, as they effectively see it as a move towards privatisation. Ms Burton further appealed that it was essential that a ballot of residents be held on this issue.

Ms Burton responded to a series of questions put by members covering issues including the benefits and limitations of Council managed estates,

democratic accountability and why the deputation was so certain that residents would be worse off under an ALMO.

The Chair thanked the deputation for their attendance.

6. SECTION ONE REPORTS 'CALLED IN'

6.1 REPORT CALLED IN - Housing Investment Strategy

At the request of the Chair, Sara Williams, Assistant Chief Executive, presented the call-in procedure to the Committee.

Councillor Tim Archer for the Call-In Members outlined the main issues that they held with the provisionally agreed Housing Investment Strategy including the insufficient detailing in the Cabinet report of alternatives to an ALMO, a lack of contingency planning to provide for the ALMO not achieving two star status and inadequate specification on the degree of consultation that will be performed.

Councillor Ahmed Hussain for the second group of Call-In Members referred to the reasons in their requisition and highlighted the main issues that they held with the provisionally agreed Housing Investment Strategy, namely that ALMOs are simply a stepping stone to privatisation and the omission from the strategy of a requirement for a ballot of residents to be held.

Committee Members put detailed questions to the Lead Member for Housing & Development, Councillor Rupert Bawden, Ms Emma Peters, Corporate Director Development and Renewal, and Ms McEleney, Director of Housing Management, on a number of issues including the lack of contingency planning in the report, whether or not ballots were going to be held, and the lack of supporting information that had been provided to Members on the Housing Investment Strategy.

Councillor Bawden, Ms Peters, and Ms McEleney responded on behalf of the Cabinet in detail on the points raised stating that whilst there were no plans to hold a ballot the widest possible consultation would be undertaken and that more detail would be provided to Members as the issue progresses.

The Committee felt that there were concerns about the report and decisions by Cabinet. In particular, Members felt that in agreeing a Housing Investment Strategy, there needed to be:

- Substantial detailing of the alternative management strategies for the Council's retained estates.
- Information provided on how the ALMOs could achieve two star status and contingencies if this did not occur.
- Further consideration of the need for a ballot of residents on whether they wish to see an ALMO established.

The Chair **MOVED** and it was

RESOLVED

That Cabinet be requested to agree that the implementation of the Housing Investment Strategy be delayed in order to give further consideration to their concerns and alternative options including that Cabinet:

- 1) Consider the case for and against holding a ballot in order to consult residents on whether they wish to see an ALMO established.
- 2) Request more details of the 3 potential options for the future management of the Council's retained estates so that members can make a much more informed decision than is currently the case.
- 3) Require detailed plans to be produced showing how the ALMO could achieve its two star status.
- 4) Seek more detailed and financed plans to show how the Council will meet the funding gap that is expected even with the ALMO funds, and also what the Council's contingency will be should the ALMO not be successful in gaining two-star status.
- 5) Agree to lobby central government for further assistance, given the fact that Tower Hamlets as the report suggests is a unique borough with unique problems and opportunities, central government should be asked to provide further support. This further support could be relaxing the rules for the borough around borrowing for direct investment and a relaxation of the strict rules around eligibility for other Central Government grants.
- 6) Request detailed evidence provided showing:
 - a) housing investment needs with updated figures
 - b) available funding from all sources which could be utilized to meet this top priority (including all HRA receipts and maximum use of other available receipts)
 - c) an assessment of all publicly owned land and other assets available for building up to 100% genuinely affordable homes for rent
 - d) reassessing use of s106, planning and other processes to achieve the maximum possible affordable, environmentally-neutralised quality homes as quickly as possible

6.2 REPORT CALLED IN - Disposal of Poplar Baths

Councillor Peter Golds for the call-in members outlined their main concerns, particularly that given how longstanding and important to the Community the

Poplar Bath issue is, that the cabinet report in referencing a 6 month grace will not allow sufficient consideration of all options to enable the preservation of the baths.

Committee members put detailed questions to the Lead Member, Councillor Joshua Peck, on a number of related issues including other organisations that have expressed interest in the sight and any alternate plans they have, and options that will be available at the end of the six-month period.

Councillor Peck responded in detail on the points raised, stating that there were no other organisations that he was aware of whose plans included the rejuvenation of a swimming pool at the sight. Councillor Peck further discussed that Swan Housing believed that 6 months was sufficient time for them to compile the necessary information.

The Committee felt that the information they had gained through the discussion allowed them to understand the process that was going to take place and therefore that the report did not need to be referred back to Cabinet.

However the Committee believed that clear guidance needed to be issued to officers, the steering group and the community as to what needs to, and what will, be done and the various timeframes associated with this. It was also agreed that greater information along these lines should be provided in the future report.

7. SCRUTINY SPOTLIGHT - CULTURE

Councillor Lutfur Rahman, Lead Member for Culture, accompanied by Mr Paul Martindill, Head Recreation, were present for this item.

The Lead Member drew attention to the tabled summary of his presentation together with a summary of the achievements of the directorate over the last year, including the improvement from a two star 'Culture Block' score in 2005 to a three star score in 2006 - a period when seventeen other Boroughs received worse scores.

Mr Martindill then spoke of some of the challenges facing the Borough including increasing the number of residents achieving recommended levels of physical activity, attracting more older people to leisure facilities, achieving access to Olympic Legacy facilities, and submissions to Lotteries for funding for further facilities and services.

Members went on to pose a series of questions to the Lead Member and Mr Martindill on a number of related issues including library use and facilities, performance of the Culture indicators in the Tower Hamlets Index, and improving access to health centres to families to tackle childhood obesity.

Mr Martindill and Councillor Rahman responded in detail on the points raised. Councillor Rahman stated that he would look into the provision of adequate study space in libraries. Mr Martindill informed the Committee that the reason for the red traffic light in the THI was because an ambitious 'stretch target' had been set, however that Tower Hamlets was still performing better than most other London Boroughs. In addressing concerns about childhood obesity Mr Martindill discussed that officers were performing a number of presentations at schools, and developing school links with sporting clubs in order to get children involved in sports earlier, along with the running of a separate obesity programme.

The Lead Member and Mr Martindill were thanked for their presentation.

8. PERFORMANCE MONITORING

8.1 Tower Hamlets Index - Monitoring Report

Councillor Joshua Peck, Lead Member for Performance and Resources was present for this item.

Members raised a number of questions and concerns with the Lead Member including desiring more information on how issues raised by the Overview and Scrutiny Committee have been actioned, and in general what actions have taken place since the Index was last before the Committee. The lack of clarity as to what constitutes an AMBER traffic light and a desire to see more detail provided in some categories was also commented on by the Committee.

Councillor Peck responded on the points raised and reminded the Committee that it was not the role of the THI to go into detail on service improvements and limitations, it was more designed to be able to measure the performance of Council against benchmarked levels at a given point in time.

In thanking Councillor Peck for his presentation the Committee agreed that the ongoing review of the report had led to improvements.

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

RESOLVED

That the report be noted.

8.2 Equalities Action Plan

The Committee discussed the updated report which had been requested at the January meeting of the Committee.

A number of points were raised by the Committee including that they felt that given the number of concerns raised when the report was presented initially, that the Lead Member should have attended to present this updated report and answer the Committee's questions. However it was agreed that the report was much improved with better layout and content.

In response to questions on the abundance of AMBER indicated actions in the report Michael Keating, Service Head, Research and Scrutiny, explained that this updated report was only dealing with AMBER and RED rated actions as this is what had been requested at the meeting earlier in the year. Mr Keating stated that the final report and the new Equalities Action Plan would come before the Committee shortly.

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

RESOLVED

That the report be noted.

8.3 Strategic Communications Report

Michael Keating, Service Head, Research and Scrutiny, introduced the report and provided the Committee with an overview of its contents and recommendations. These included that the Communications report requested by Councillor Simon Rouse, Scrutiny Lead Excellent Public Services, was not within the current workplan of the Committee, however that it could be brought into a planned review of the Council's use of consultants and temporary staff as a case study.

Suki Binjal, Legal Services, clarified from a legal perspective the process for Overview and Scrutiny to review a decision.

The Chair commented that this report should have come to the Committee at its previous meeting so that the scrutiny review process, if the Committee had decided to agree to the requested report, could have been put in train earlier.

The Scrutiny Lead disputed officers' interpretation of the Constitution and explained his view that officers should have presented a full report addressing his questions regardless of the work programme. He disagreed with the proposal for a special review of this item and instead requested a report to the next meeting of the Committee.

The Committee acceded to this request and agreed to receive the report at its next meeting.

Councillor Heslop **MOVED** and it was: -

RESOLVED

That the requested report be presented at the next meeting of the Overview and Scrutiny Committee.

8.4 Members' Enquires

Sara Williams, Assistant Chief Executive, introduced the report on Members' Enquires and provided an overview of the aims of the Business Process Improvement project.

The Committee discussed a number of issues arising from the report including the benefits of written responses, confidentiality and training issues arising from Members being required to input into the Siebel IT system, and the advantages that Members felt they had in liaising directly with officers on their issues.

The Committee raised concerns that the Leaders of the respective Political Groups had not been consulted as referenced, and that the balance of emphasis in the report was on getting members to improve their queries and play a larger role in the process. It was discussed that due to the complexities of some queries and the busy schedules that Members faced that more resources may be required to support them with a quality Members' Enquires service.

Ms Williams responded to the Committee on the points raised and stated that if Members wanted more resources for this area then this was a budgetary decision.

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

RESOLVED

That the report be noted.

9. SCRUTINY MANAGEMENT

9.1 Scrutiny Recommendation Tracking

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

RESOLVED

That the report be noted.

10. PRE-DECISION SCRUTINY OF SECTION ONE (UNRESTRICTED) CABINET PAPERS

Councillor Eaton **MOVED** and it was: -

RESOLVED

That the pre-decision questions be submitted to Cabinet as tabled for consideration.

That the questions as tabled be submitted to Cabinet for consideration and the views of the Committee in respect of Cabinet agenda item 8.2 be forwarded to Cabinet for consideration.

11. **ANY OTHER SECTION ONE (UNRESTRICTED) BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT**
12. **EXCLUSION OF THE PRESS AND PUBLIC**
13. **ANY OTHER SECTION TWO (RESTRICTED) BUSINESS THAT THE CHAIR CONSIDERS URGENT**