

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 4 DECEMBER 2007

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

Members Present:

Councillor Marc Francis (Chair)
Councillor Ohid Ahmed
Councillor Alibor Choudhury
Councillor Stephanie Eaton
Councillor Peter Golds
Councillor Shafiqul Haque
Councillor Alexander Heslop (Vice-Chair)
Councillor Ahmed Hussain
Councillor Mohammed Abdus Salique
Councillor Salim Ullah
Councillor Shahed Ali

Other Councillors Present:

Co-opted Members Present:

Mr H Mueenuddin – Muslim Community Representative

Guests Present:

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Officers Present:

Suki Binjal – (Interim Head of Non-Contentious Team, Legal Services)
Afazul Hoque – (Acting Scrutiny Policy Manager, Scrutiny and Equalities, Chief Executive's)
Michael Keating – (Service Head, Scrutiny & Equalities, Scrutiny & Equalities, Chief Executive's)
Maureen McEleney – (Director of Housing Management)
Emma Peters – (Corporate Director, Development and Renewal)
Sara Williams – (Assistant Chief Executive)

Kweku Quagraine – (Democratic Services)
John Williams – (Service Head, Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies of absence were received from Co-opted, Parent Governor Representatives Members Terry Bennett and Azad Ali.

2. DECLARATIONS OF INTEREST

The following declarations were made:

Councillor Ohid Ahmed declared a personal and prejudicial interest in relation to item 6.1 'Progressing Leaseholder Buy Backs to Enable RSL Regeneration Schemes' as a Member of the Cabinet which took the decision subject to call-in.

Councillor Shafiqul Haque declared a personal and prejudicial interest in relation to item 6.1 'Progressing Leaseholder Buy Backs to Enable RSL Regeneration Schemes' as a Member of the Cabinet which took the decision subject to call-in.

3. UNRESTRICTED MINUTES

The minutes of the meeting held on 6th November 2007 were confirmed as a true and accurate record.

In discussing matters arising from the minutes of the 6th of November, the Chair indicated that the proposed letter to the Standards Board, regarding the attendance of Cabinet Members at the O&S Committee was in the process of being drafted and would be circulated to Committee Members by the end of the week.

Councillor Stephanie Eaton referred to the beneficial effects of the Overview and Scrutiny Committee's work in relation to Residential Care of Older People and recorded her appreciation of Councillor Ahmed Hussain's work in this regard.

4. REQUESTS TO SUBMIT PETITIONS

No requests to submit petitions were made.

5. REQUESTS FOR DEPUTATIONS

No requests for deputations were made.

6. SECTION ONE REPORTS 'CALLED IN'

6.1 Progressing Leaseholder Buy Backs to Enable RSL Regeneration Schemes

The Chair invited Councillor Tim Archer on behalf of the Call in Members to present his reasons for the Call in. He outlined the key issues that they held against the recommendations of the report.

Councillor Archer explained that the purpose of his Call in was not to delay but rather to scrutinise the process. He expressed concern at the decision to give delegated authority to an Officer, to agree the Compulsory Purchase Orders of up to 102 homes and businesses in the borough. Councillor Archer felt that a negotiated settlement should be the preferred option. In negotiations between freeholders/leaseholders and their respective Residential Landlords less than half had so far been agreed. If CPOs were ultimately required, each set of Orders should be reported to the Cabinet for approval

Committee members put their questions to Councillor Archer. Councillor Peter Golds enquired whether he had been approached by residents under threat. Councillor Archer informed him that a number of leaseholders had, with their main concern being that they will be forced into signing something that is not the best deal available to them.

Councillor Stephanie Eaton asked if Councillor Archer was aware of any proposals for residents to move back into their own homes after they had been refurbished. Councillor Archer explained that he understood they would not be able to move back into the properties they had vacated but understood the RSL was working with the Council in trying to find a solution.

Councillor Archer expressed the view that decisions should be based on known facts. He emphasised the need for sufficient accountability, with the final decision on this issue being taken in public, in order for members of the public to have the opportunity to hold Cabinet members accountable.

In his response to Councillor Archer's Call in, Councillor Shafiqul Hoque outlined the key aspects of his tabled response. He explained that the Council recognised the severity of the Compulsory Purchase Order and that these required careful consideration. He further informed the Committee of the Council's empowerment by law to make Compulsory Purchase Orders to acquire land, using the authority to assist housing associations.

Cllr Haque reiterated the point that a CPO would always be the last resort, to be preceded by vigorous attempts to buy the land by agreement.

Councillor Haque further explained that the RSLs would be supported and regularly monitored by Council officers to ensure compliance and that good practice is being followed in their dealings with the affected leaseholders,

freeholders or shop owners. The Council would not make a Compulsory Purchase Order on an estate, unless satisfied that negotiations with every affected leaseholder were either progressing, or had reached the stage where they would not progress any further.

Questions were then posed to Councillor Haque from Committee members. Councillor Shahed Ali enquired about the length of a potential public enquiry if a resident insisted on taking this avenue. Councillor Haque explained that this opportunity was available but he was not in a position to specify a time frame.

Councillor Stephanie Eaton questioned why it was necessary to delegate authority to an officer at this stage. Councillor Haque responded explaining that for regeneration to occur correct measures must be in place, stating that officers had been given the power but to use as a final measure.

The Chair requested clarification of who undertook the valuation of the homes under compulsory purchase and who would be consulted on the matter. The Director of Housing Management, Maureen McEleney explained that a Leaseholder had the right to an Independent Valuation on the terms of the CPO.

Following discussion the Committee voted on whether to refer the item back to Cabinet for further consideration. It was **RESOLVED**

That the alternative course of action proposed in the call-in would not be pursued and no referral would be made to Cabinet.

7. SCRUTINY SPOTLIGHT:LEAD MEMBER

Councillor Ohid Ahmed Lead Member of Regeneration, Localisation and Community Partnerships opened his presentation by giving a brief overview of what his Portfolio entailed, highlighting the areas of local management, the Third Sector, community engagement, consultation and empowerment, strategic and regeneration partnerships, business liaison and partnership, business tourism and community cohesion.

Councillor Ahmed then went on to mention some of the key challenges and achievements from his portfolio. He informed the Committee of the success of the Tower Hamlets Partnership as one of the most successful local Strategic Partnerships in the country, evidenced by the LGC award it received earlier this year, along with the green light assessment given by government.

Councillor Ahmed further informed the Committee of another achievement in the improvement of the Tower Hamlets Partnership identifying local priorities and then translating this into delivery. The Safer Neighbourhood teams, improved primary care and mobile dentistry were all examples of this.

Councillor Ahmed highlighted the new Community Plan and Local Area Agreement as one of the challenges in his portfolio, stressing the importance of ensuring the partnership model was fit for purpose. He explained that in spring 2008 there would be a refresh of the Community Plan up to 2020, as well as agreeing a new Local Area Agreement. During this time he hoped to review the partnership model with all the partners. Councillor Ahmed further explained another challenge is the loss of key grants such as the European Regional Development Fund (ERDF), the Single Regeneration Budget (SRB) and New Deal for Communities (NDC).

Councillor Ahmed referred to the challenge of bringing the relationship with the third sector up to best practice, e.g. the move towards a commissioning model which posed significant capacity issues that will need to be addressed with organisations such as the Community Organisations Forum (COF) and the Community Empowerment Network (CEN).

The Committee put a number of questions to the Lead Member. Councillor Shahed Ali enquired as to the progress made in the regeneration of the Thames Gateway. Cllr Ahmed and the Corporate Director Development and Renewal, Ms Emma Peters, explained that the total target figure for new homes in the Thames Gateway was in excess of 100,000. In the last year in Tower Hamlets 3,000 units had been completed, 6,000 more were under construction and planning permission was in place for a further 6,000.

Councillor Ahmed Hussain asked how much had been spent on consultants, and what measures were being taken to minimise this. Councillor Ahmed did not have precise figures to hand but explained that there were certain specialist areas due to the technicality of the skills required where the use of consultants was unavoidable.

Councillor Stephanie Eaton requested clarification of the term 'Business Tourism'. Members were informed that this involved promoting and maximising the benefits of business sector accommodation at conferences and other events within the borough. This was a growing sector and would continue to expand in the run up to the 2012 Olympics.

Councillor Salim Ullah expressed his concern regarding the perceived problem of social division on housing estates. Councillor Ahmed responded explaining that a lot was being done and that meetings were held with all faith and community leaders. However he did not accept the proposition that social division was widespread in the borough.

Councillor Alex Heslop asked about, in regards to Roman Road and Brick Lane, the possibility of employing town centre managers. Councillor Ahmed responded stating that this avenue was currently being considered.

The Chair thanked Councillor Ahmed for his attendance and for his responses to the questions raised by members of the Committee.

8. PERFORMANCE MANAGEMENT

8.1 The Council's Strategic Plan and Corporate Revenue Budget Monitoring Report 2007-08 Performance to 30th September 07

Councillor Joshua Peck introduced the report, highlighting the key points in relation to service performance and budget monitoring..

Members of the Committee posed questions to Councillor Peck regarding the current recycling target of 22% not being reached. Councillor Peck explained that discussions with the Government Office for London were ongoing on the possibility of matching targets to local conditions. Although the statutory targets were very challenging to a borough like Tower Hamlets, in fact significant progress had been made in recent months.

Councillor Marc Francis gave an example of residents in Poplar who had not had recyclable waste collected and where feedback from the residents had not been acted upon. Councillor Peck acknowledged that more work was required particularly in relation to contract management.

Councillor Ahmed Hussain referred to page 47 of the report. He asked whether a management panel could prevent the overspend of the learning disabilities budget and whether savings secured could be re-invested in staff resources. Councillor Peck explained that in areas where there was a growing need, there was a level of unpredictability. He explained that the Council maintained reserves if there was a need to apply additional resources to a service area. However there was not a direct relationship between staffing levels and service quality and services were increasingly responding to the need to develop new ways of working to deliver more with fewer resources.

Councillor Stephanie Eaton enquired in relation to the new Communities, Localities and Culture directorate, how the structural changes would make an impact on performance figures. Councillor Peck informed her that at this stage no dip should be witnessed in performance as in the main the existing staff units would simply transfer to the new directorate.

RESOLVED

That the performance monitoring reports on the Strategic Plan, Tower Hamlets Index and Corporate Revenue Budget be noted

9. BUDGET AND POLICY FRAMEWORK

9.1 Statement on Community Involvement

The Committee welcomed the Statement on Community Involvement and noted the consultation process that had been undertaken. The Committee acknowledged the importance of the document in regards to the future of the Council and stressed the importance of facilitating effective community engagement in all aspects of planning.

The Committee noted that at a Scrutiny Challenge Session on Determination of Major Planning Applications it was agreed that residents needed to be more involved and that all documents relating to this issue are made digestible and available to residents of the borough.

RESOLVED

That the Statement of Community Involvement as attached at Appendix 1 to the report be endorsed and the Council be recommended to approve it.

10. SCRUTINY MONITORING AND MANAGEMENT

10.1 Scrutiny Lead Members Verbal Updates

Councillor Ahmed Hussain reported that the proposed Scrutiny Review on young people's participation in sports leading up to the Olympics had been presented to the Learning, Achievement and Leisure CPAG. As part of this he had also attended a successful Tower Hamlets Youth Fair. He urged Members to attend the challenge session which would revisit the scrutiny review of the Youth Service undertaken in 2004/05 on 11th December, the time of which had been changed to accommodate the Mayor's Charity Ball.

Councillor Stephanie Eaton reported that the Tobacco Cessation Scrutiny Review was going well. She further reported that the Health Scrutiny Panel were due to look at palliative care, access to GP Surgeries and Maternity services. Councillor Eaton and Councillor Francis had also attended the London-wide Joint Overview and Scrutiny Committee, the next meeting of which would take place at the London Borough of Camden.

Councillor Mohammed Abdus Salique reported that two review meetings had been held on the 20th of November at which two members attended. Progress was being made on all areas and Cllr Salique invited all members to attend the next review meeting on the 17th of January 2008.

Councillor Alibor Choudhury referred to the forthcoming challenge session on the termination of major planning applications. He informed the Committee that a report would be presented at the Overview and Scrutiny meeting in January. In relation to the evaluation of NRF funding, progress was being

made on the scoping document and a review session was scheduled for 23rd January 2008.

Councillor Salim Ullah updated the Committee on progress in relation to his scrutiny reviews. Discussions had been held with a number of LAPs regarding anti-social behaviour in their areas, and Cllr Ullah had attended a Youth Partnership session. Work was continuing with the Police on the issue of Safer Neighbourhood teams and a report would be available in January 2008.

Councillor Alex Heslop reported that the review of the choice based lettings scheme was continuing, with the client support team having considered the adaptation of the housing register. Next they will be looking at medical assessments and whether homeless applicants have been well served in the Choice based lettings system. Further visits and four or five meetings would be arranged between now and April 2008.

The Chair updated the Committee on the Licensing review meeting of the 12th of December regarding Strip Club licensing in the borough. A further meeting was arranged for January.

Mr Mueenuddin, co-opted member of the Committee, asked that a calendar of forthcoming challenge sessions, review meetings etc, be circulated to the Committee. The Chair agreed and asked the officers to progress this suggestion.

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

The Committee considered thoroughly the proposed questions to submit to Cabinet and agreed that the following should be referred:

Agenda Item 6.1 – Parking Plan – Results of Consultation on Hours of Parking Controls in A6 and C3 mini Zones (CAB 080/078)

1. Will the introduction of parking restrictions up until 10pm on Mon-Fri in that part of the A6 Mini Zone west of Brick Lane displace the parking problems into that part of the zone east of Brick Lane? And if that occurs, will the reduction of those hours back down to 7pm west of Brick Lane be an option as well as the extension of the restriction up until 10pm across the whole Mini Zone?
2. Among the residents surveyed, how many own vehicles?
3. Has the suspension of parking in front of prayer facilities been taken in consideration?

Agenda Item 7.1 – Response to the Scrutiny Review Group – Access to GP/ Dentistry Services (CAB 081/078)

1. With reference to Recommendation 7, has the forthcoming schedule of Mobile Dental Unit visits been agreed and publicised?
2. With reference to Recommendation 8, has the PCT reported to the Health Scrutiny Panel on the evidence base used to inform the Oral Health Strategy including an overview of best practice from other parts of the country?

Agenda Item 8.1 Progressing the Local Development Framework – Local development Scheme (CAB 0082/078)

1. At the full Council meeting the Leader of the Council gave assurances that the LDF will seek to identify a multi faith burial ground. Can the Cabinet ensure that this will be incorporated in the current LDF document(s).
2. When will the Fish Island draft Master Plan be published and what consultation will be undertaken on it?
3. Why is the Fish Island Master Plan not scheduled to be adopted until two years after the end of consultation, and what status it will have until then?

Agenda Item 8.3 – Conservations Areas: Draft Character Appraisals and Management Guidelines, Proposed Conservation Area Extensions and Designation Guidelines for New Conservation Areas (CAB 084/078)

1. Can the Nags Head estate on Horatio Street, Senrab Street, the Victorian factories and warehouses on Fish Island and Cold Harbour be added to the list of those six additional Conservation Areas due to be consulted on later in the year?

Agenda Item 8.5 – 2 Gladstone Place: Granting of Development Lease (CAB 086/078)

1. What advantages are secured to LBTH by agreeing the surrender of the existing lease and its restrictions on residential development before the submission of a planning application for the redevelopment of the Safeways site?
2. Is it the Council's intention to sell the freehold of this site at some point in the future?
3. Is the rental income comparable with what might be achieved on the open market? Is this reviewable?

Agenda Item 10.2 2007 Revaluation of Pension Fund (CAB 091/078)

1. How is the pension fund invested to ensure smooth growth of the pension scheme? What companies do we invest in? Can a list be produced/ provided?

12. ANY OTHER SECTION ONE (UNRESTRICTED) BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

Nil Items

13. EXCLUSION OF THE PRESS AND PUBLIC

Nil Items

14. PRE-DECISION SCRUTINY OF SECTION TWO (RESTRICTED) CABINET PAPERS

15. ANY OTHER SECTION TWO (RESTRICTED) BUSINESS THAT THE CHAIR CONSIDERS URGENT

Nil Items