

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 2 DECEMBER 2008

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

Members Present:

Councillor Abdul Asad (Chair)
Councillor Waiseul Islam
Councillor Ann Jackson
Councillor Shiria Khatun
Councillor Abjol Miah
Councillor Oliur Rahman
Councillor A A Sardar
Councillor Bill Turner (Vice-Chair)

Other Councillors Present:

Councillor Shahed Ali
Councillor Tim Archer
Councillor Alibor Choudhury
Councillor Marc Francis
Councillor Joshua Peck
Councillor Lutfur Rahman
Councillor M. Mamun Rashid
Councillor Muhammad Abdullah Salique

Co-opted Members Present:

Mr H Mueenuddin – Muslim Community Representative

Officers Present:

Andy Algar – (Service Head Asset Strategy, Capital Delivery and Property Services, Development & Renewal)
Lutfur Ali – (Assistant Chief Executive)
Suki Binjal – (Interim Head of Legal Services - Community, Chief Executive's)
Paul Evans – (Interim Corporate Director Development & Renewal)
Afazul Hoque – (Acting Scrutiny Policy Manager, Scrutiny and Equalities, Chief Executive's)
Helen Jenner – (Service Head, Early Years Children and Learning, Children's Services)
Michael Keating – (Service Head Scrutiny & Equalities, Chief

Jackie Odunoye	Executive's) – (Interim Service Head, Housing Strategy and Development, Development and Renewal)
Amanda Thompson	– (Team Leader - Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Stephanie Eaton.

2. DECLARATIONS OF INTEREST

Councillors Abdul Asad and Waiseul Islam declared personal interests in agenda item 6.1 as they were the relevant ward members.

Councillor A A Sarder declared a personal interest in agenda item 6.1 as he had attended other meetings where the issue was being discussed.

Councillors Alibor Choudhury, Marc Francis, Josh Peck and Lutfur Rahman each declared a personal and prejudicial interest in agenda item 6.1 on the basis that they were Members of the Cabinet when the original decision was taken, and all left the room during the Committee's decision making and voting on this item.

3. UNRESTRICTED MINUTES

RESOLVED

That the unrestricted minutes of the meeting held on 4 November 2008 be agreed as a correct record.

4. MATTERS ARISING FROM THE MINUTES

Mr Lutfur Ali, Assistant Chief Executive, provided an update on the issues raised at the last meeting concerning future women Councillors initiatives.

He reported that there was currently no dedicated recruitment programme for female Councillors, however the current programme did attempt to address the current gender imbalance and following a recent local advertising campaign, eighteen local women had been invited to attend the programme.

Mr Ali also advised that he would provide Councillor Oliur Rahman with an response to his question concerning the current levels of administrative support provided to backbench members as soon as possible.

The Chair, Councillor Abdul Asad, reported that in response to Members' questions concerning Corporate Complaints, he had been advised of the following:

- There had been 5 complaints to the Ombudsman during the current municipal year regarding school admission appeals.
- The Council was in the process of asking Registered Social Landlords (RSLs) for copies of their complaint procedures, and also details of their response times if they were willing to provide them.
- Currently no discernable trends had been identified however a better analysis of complaints by ethnicity would be produced when 'Business Objects' went live. This was the IT tool that would allow the integration of the complaints system against various criteria.
- Newly designed complaints leaflets would be distributed to the LAP Directors during the following week.

5. REQUESTS TO SUBMIT PETITIONS

None

6. REQUESTS FOR DEPUTATIONS

Suki Binjal, Interim Legal Services Manager, informed Members that representatives from the Madani School Management Committee were present at the meeting and wished to make a deputation in relation to agenda item 6.1 – Call-In – Disposal of Grenfell School Site. They had advised her that they were not aware of the Council's deputation procedure and therefore had not submitted their request before the deadline.

Ms Binjal stated that in accordance with the Council Procedure Rules at Part 4.1 of the Council's Constitution (Rule 20.1), the deadline for receipt of deputation requests had passed, however it was open to the Committee to consider whether to suspend the rule to enable the deputation to address the Committee.

Councillor Bill Turner moved, and Councillor Oliur Rahman seconded, that Council Procedure Rule 20.1 be suspended in order to allow the Committee to consider whether or not to hear the deputation. This motion was put to the meeting and was agreed.

Following discussion the committee voted on whether to hear the deputation and agreed that it would do so.

The Chair welcomed the deputation and asked its representative to address the meeting.

Mr Hussain addressed the meeting on behalf of the deputation and advised Members that the school had now successfully raised the necessary funds and was progressing towards Voluntary Aided School status. There were currently 265 students and for the past five years 100% of candidates had obtained GCSE grades A-C. Work was currently underway to set up a supplementary school at weekends and a number of other projects to benefit the local community and young people were in place.

Mr Hussain referred to a recent story in the East London Advertiser that had suggested that the site was being given away for free, however this was not the case as the school would be paying 1.3 million for it. Also only 30% of the pupils were not from Tower Hamlets.

Members of the Cabinet asked a number of questions in relation to fundraising, Voluntary Aided status and the background of the school's students to which the deputation responded.

The Chair thanked the members of the deputation for their attendance and presentation to the meeting.

7. SECTION ONE REPORTS 'CALLED IN'

7.1 Report Called In - Disposal of Grenfell School Site

Further to their respective declarations of a personal and prejudicial interests, Councillors Alibor Choudhury, Marc Francis, Josh Peck and Lutfur Rahman left the room during the Committee's decision making and voting on this item.

Mr Lutfur Ali outlined the call-in procedure to the Committee.

Prior to the presentation Ms Helen Jenner, Service Head, Early Years Children and Learning, advised the meeting that there had been a mistake in paragraph 6.2 of the original report to the Cabinet and the wording should have said "The school attracts its pupils from across East London and approximately 30% were **not** resident in Tower Hamlets'.

Councillor Archer for the Call-In Members thanked Ms Jenner for the clarification and then referred to the reasons in their requisition and highlighted the main issues that they held with the provisionally agreed decision to sell the freehold interest in the former Grenfell School Site to Madani School for the sum of 1.33 million.

Councillor Archer stated that their concerns were not directed at the school itself, and the main issue was the fact that a Council asset was being sold below market value and public money was being used to subsidise the purchase. Additionally the Council's current policy was to grant a long lease

rather than sell the freehold as this would enable the Council to control the use and ensure that benefits were achieved.

Councillor Archer advised the Committee that he was aware that the school provided a vital role within the community, however it did not need to own the site to continue providing the service. The more appropriate course of action would be to offer the school a long lease with an option to purchase the freehold once it had achieved Voluntary Aided status.

Councillor Archer then responded to questions from the Committee, in particular in relation to the actual wording of the call-in and the suggestion that the school was in breach of the Council's 'One Tower Hamlets' Policy. He advised that the call-in wording had not intended to be critical, and he was grateful for the clarification received regarding the number of pupils. Nevertheless other schools in the Borough did not own their respective freeholds, and Council tax-payers deserved value-for-money.

Councillor Josh Peck, Lead Member for Resources and Performance, then addressed the Committee on behalf of the Cabinet in response to the Call-in and made the following points:

The call-in was based on misinformation. Council policy stated that all disposals had to be at market value, this was complied with as the original agreement was based on the market value at the time. Also when selling at less than market value in exchange for community benefit, the granting of a long lease as opposed to selling a freehold was considered 'best practice' but was not Council policy.

The school would have responsibility for any repairs after the sale, however achieving Voluntary-Aided status had not been a condition of the sale.

Committee Members then put detailed questions to Councillor Peck on a number of issues including the benefits of Voluntary-Aided status and the relevant obligations under freehold and leasehold.

Following the discussion the Committee voted on whether to refer the item back to the Cabinet for further consideration and it was

RESOLVED:

That the alternative course of action proposed in the Call-in not be pursued and the decision of the Cabinet be confirmed.

8. SCRUTINY SPOTLIGHT - LEAD MEMBER

Councillor Marc Francis, Lead Member for Housing and Development, gave a presentation on the key issues, opportunities and challenges arising from his portfolio.

The Committee noted that the Council's forthcoming Housing Strategy set out five key objectives:

- **Decent Homes** – focusing on the work needed for the ALMO, Tower Hamlets Homes, to secure a Two Star rating and attract the funding necessary to bring council accommodation up to the Decent Homes Standard.
- **Sustainable Communities** – a more “people-centred” approach to development in the Borough and what kind of residential schemes people want the new Local Development Framework to deliver.
- **Overcrowded Families** – how the Council would do more to help the huge numbers of those waiting for a larger or more suitable home.
- **New Homes** – how the Council would achieve the new Mayor's extremely challenging new housing supply targets, including over 5,000 new affordable homes between now and 2011.
- **Investment** – details the level of public funding required to deliver each of the four objectives outlined above, and suggests a way forward for meeting the funding shortfalls identified in specific projects.

Councillor Francis reported that no housing problem in Tower Hamlets was as acute as that of household overcrowding, and this was also a key driver of homelessness in the Borough. With so many households waiting such long periods for the transfer they needed it was inevitable that many children became adults while they were still on the waiting list, and some got married and had children of their own. While there was sometimes a desire, particularly among Bangladeshi families, to live in multi-generational households, this often resulted in tensions between older and younger family members. This in turn, sometimes led to them being told to move out and apply as homeless.

The Committee noted that in total more than 11,000 households were registered on the waiting list for a two, three, four or five-bedroom property. While several hundred of these would be homeless households in temporary accommodation, the overwhelming majority of the remainder were currently living in overcrowded conditions.

In response to questions Councillor Francis detailed a number of innovative schemes designed to try to help overcrowded families. These included:

- Knockthroughs of two properties into one (particularly where one of the properties was already overcrowded)
- Cash incentive schemes to encourage under-occupiers to move into the owner occupied sector where possible
- Cash incentive schemes to encourage under-occupiers to downsize into smaller accommodation
- Young adult members of severely overcrowded households being prioritised for re-housing independently
- Offer cash incentives to encourage council tenants to secure private sector accommodation

The council was also supporting over £200 million of bids by local RSLs for Social Housing Grant funding for new affordable homes in Tower Hamlets. These homes

would obviously still take several years to be built so an urgent package of additional measures was being proposed:

- Piloting a *Local Homes Initiative* that would build social rented homes on small sites for local overcrowded families
- Reform the Choice-Based Lettings scheme, so that it increased the priority awarded to applicants living in overcrowded households
- Purchasing available properties previously sold under the Right to Buy and encouraging housing associations to purchase such homes in their localities

Over the next eighteen months it was expected that this would help an additional 500 overcrowded families over and above those who would have been rehoused otherwise.

Members of the Committee expressed concern regarding the accountability of Registered Social Landlords (RSLs), and the lack of information available to ward members when trying to address residents' concerns. Councillor Francis accepted that this had been a problem in the past but now a performance management system had been introduced with Tower Hamlets Homes, and a number of RSLs had since been taken to task. There had also been a staffing restructure and training provided for front-line staff, and residents were encouraged to pursue formal complaints.

Councillor Francis also responded to a question concerning community safety and advised that anti-social behaviour was a huge issue, and often 'right-to-buy' tenants were responsible. This also needed addressing, possibly by taking action on social landlords.

The Chair thanked Councillor Francis for his very detailed and informative presentation.

9. REPORTS FOR CONSIDERATION

9.1 Strategic Plan and Corporate Revenue Monitoring Report 2008-09

Councillor Josh Peck, Lead Member for Resources and Performance, presented the combined service and financial performance report which covered the authority's progress against the actions in the Strategic Plan, key performance indicators and the overall financial position to the end of September 2008 (Quarter 2).

Councillor Peck advised that despite a projected underspend of £1.977m on the General Fund revenue budget for the current financial year, a number of directorates were reporting overspends and it would be important for Corporate Directors to act to contain these during the coming months.

In response to questions Councillor Peck advised that there would be a need to consider further levels of support for Children's Social Care, as following the recent case concerning Baby P the number of investigation requests had increased.

With regard to the Facilities Management overspend Councillor Peck advised that expenditure was significantly higher than originally estimated following the implementation of the Corporate Management Plan and the need to continue to honour existing leasing arrangements until the old properties could be sold. Unfortunately these were committed spends.

RESOLVED

That the performance information set out in the report be noted.

10. VERBAL UPDATES FROM SCRUTINY LEADS

Councillor Shiria Khatun (A Safe and Supportive Community) reported that the third review meeting had taken place on the 25 November 2008, and the working group had heard evidence on the consequences of alcohol misuse amongst young people. Both the PCT and the Police were present at the meeting and had given a presentation on the health effects of alcohol misuse and the effects alcohol has on crime. Scrutiny officers were currently trying to arrange for members to go on a SNT visit to see the work being undertaken to discourage alcohol consumption amongst the youth population. The next meeting was in January and the group would be looking at some of the local projects in place to help treat young people with alcohol problem.

Councillor Bill Turner (Excellent Public Services) reported that the site visit to Early Intervention services in the Borough had taken place earlier that day and the group had visited duty teams based at Mulberry Place, the Eva Armsby Centre and Norman Grove. This had given group members an excellent insight into how early intervention worked at ground level. At the next meeting in January the group would be looking at service mapping and value for money.

Councillor A.A Sardar (Prosperous Communities) reported that at the last meeting on 24 November 2008 the working group had heard evidence on local initiatives to engage parents. This included the work of the extended schools service and Parent Information Point service, and it was clear that a lot of good work was happening in Tower Hamlets. The next review meeting was in January and the group would be visiting a local school to what initiatives schools are adopting to engage parents.

Councillor Waiseul Islam (A Great Place to Live) reported that he was currently looking at the Community Land Trust (CLT) model of development to see if there was a way of making homeownership more accessible for local people. A range of external partners were involved with the review including Tower Hamlets Homes, Tower Hamlets Community Housing, Swan and Poplar HARCA and it was also hoped to engage local developers. The Group would be visiting a CLT model and had arranged for external expertise to determine whether this could work in Tower Hamlets in the current economic climate.

Councillor Ann Jackson (One Tower Hamlets) reported that a number of detailed interviews had been scheduled to take place with a range of residents to try and gain an understanding of life in poverty. These would be taking place in December and January if any other Members were interested could they please let her know. A single parents focus group had already taken place, and a women only focus group where about 20 women attended had given the group some very interesting insights into individual's experiences of trying to gain employment and the barriers they faced. A further two sessions in February would consider the availability of child care provision in Tower Hamlets, the role of Childrens Centres, the Working Neighbourhoods fund and also the London Child Poverty Pledge.

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

The Chair **moved** and it was **RESOLVED**

That the following pre-decision questions be submitted to Cabinet for consideration:

Agenda Item 7.1 Draft 2009/12 Tower Hamlets Housing Strategy (CAB 069/089)

What indication has the Council had that it can realise the considerable funding required to implement the housing strategy if the Homes and Communities Agency has not yet set out its funding plans and as THH has not received its two star rating?

Agenda Item 7.4 Local Development Framework Annual Monitoring Report 2007-2008 (CAB 072/089)

- 1) In reference to paragraph 4.4 can the Cabinet provide more details on the proposed work to be commissioned to understand the full implications of the credit crunch on the borough's development plans? Does the Cabinet consider the slippage mentioned in paragraph 4.4, to be a result of badly designed plans formulated by developers which were consequently refused?
- 2) Will the Cabinet consider placing more emphasis on social housing for rent and less on affordable housing given the current financial climate and the average income level of our residents which makes many of these affordable housing unaffordable?
- 3) Can the Cabinet clarify the issues this monitoring report has highlighted which will need to be considered in future planning policies and how Members will be involved in the development of these policies?

- 4) Does the Cabinet feel we can justify the continued acceptance of high density housing in already densely populated areas in the borough?
- 5) Given the continued increases in Environmental Health Noise complaints what is the Council doing to address this through the LDF?

Agenda Item 8.3 Arrangements for Corporate Match Funding 2009-10 (CAB 076/089)

When Corporate Match Funding is allocated does the Council undertake an analysis that the bids are located in different LAP areas and meet the needs of the various communities?

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

No urgent business was submitted.

13. EXCLUSION OF THE PRESS AND PUBLIC

No Section Two business was submitted.

14. SECTION TWO REPORTS 'CALLED IN'

There were no Section Two reports 'called-in' from the meeting of Cabinet held on 5 November.

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

No Section Two pre-decision questions for Cabinet were submitted.

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

No Section Two urgent business was submitted.

The meeting finished at 9.45p.m.

Councillor Abdul Asad, Chair

