

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 5.30 P.M. ON TUESDAY, 1 SEPTEMBER 2009

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

Members Present:

Councillor Sirajul Islam (Chair)
Councillor Stephanie Eaton
Councillor Ann Jackson
Councillor Bill Turner (Vice-Chair)
Councillor Shahed Ali
Councillor Shiria Khatun
Councillor David Snowdon
Councillor Salim Ullah

Other Councillors Present:

Councillor Ohid Ahmed
Councillor Rofique U Ahmed
Councillor Tim Archer
Councillor Marc Francis
Councillor Peter Golds
Councillor Rania Khan
Councillor Abdal Ullah

Co-opted Members Present:

Mr H Mueenuddin – Muslim Community Representative

Officers Present:

Michael Keating – (Service Head, Scrutiny & Equalities)
Afazul Hoque – (Acting Scrutiny Policy Manager, Scrutiny & Equalities, Chief Executive's)
David Galpin – (Head of Legal Services (Community))
Kevan Collins – (Interim Chief Executive)
Alan Finch – (Service Head, Corporate Finance, Resources)
Stephen Halsey – (Corporate Director, Communities, Localities & Culture)
Owen Whalley – (Service Head, Major Project Development, Development & Renewal)

Stephanie Ford	– (Interim Performance Manager, Strategy & Performance, Chief Executive's)
Susan Ritchie	– (Acting Head of Participation and Engagement)
Jennifer Richardson	– Interim Strategic Planning Manager, Development & Renewal)
Robin Beattie	– (Acting Head, Strategy & Resources Communities, Localities and Culture)
Mike Windley	– (Team Leader Building Control)
John Chilton	– (Head of Parking Services)
Andy Algar	– (Service Head Asset Strategy, Capital Delivery, Property Services, Development & Renewal)
Jackie Odunoye	– (Service Head Strategy Regeneration and Sustainability, Development & Renewal)
Alan Ingram	– (Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Alex Heslop, Abdul Aziz Sardar, Denise Jones, Abjol Miah and Mr Lutfur Ali, Assistant Chief Executive. Apologies for lateness were received from Councillor Bill Turner.

Councillors Shiria Khatun, Shahed Ali and Salim Ullah deputised for Councillors Heslop, Sardar and Jones. Councillor David Snowdon deputised for Councillor Tim Archer, who was presenting Call-In reports.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. UNRESTRICTED MINUTES

The unrestricted minutes of the meeting held on 28 July 2009 were agreed as a correct record, subject to the amendments noted in section 15 of these minutes.

4. REQUESTS TO SUBMIT PETITIONS

There were no requests made to submit petitions at the meeting.

5. REQUESTS FOR DEPUTATIONS

The Chair announced that a request had been received for a deputation in relation to the call-in on Ideas Store Strategy. He then invited the representative, Mrs Maggie Phillips, to address the Committee.

Mrs Phillips indicated that she was Chair of the St. John's Tenants' and Residents' Association, whose members wished to ensure the continued use of Cubitt Town Library, in a refurbished form with additional space, rather than have it discontinued for an Idea Store at ASDA. She pointed out that there were many overcrowded households in that area and, consequently, children tended to use the library as a venue for homework and study. Idea Stores that she had visited were noisy and loud, not studious in nature.

She added that Cubitt Town Library was a beautiful building, used by many residents, and she could not see how an Idea Store in its place would give value for money. Local residents comprised a mixed population, who backed the retention of the library all the way, to maintain a facility for children to study.

The Chair invited Members to put questions to Mrs Phillips, who replied that:

- The new Idea Store had not been widely discussed at LAP8 meetings and the St. John's TRA, established 26 years ago, had held discussions with local people.
- The possible site of an Idea Store at Wood Wharf was not a convenient location for people who lived at Cubitt Town.
- She confirmed that she had visited other Idea Stores and commented that the Crisp Street building was frequented by drinkers and unsuitable as a study facility. All sectors of the community wanted retention of the existing library as the best possible facility.
- The current layout of the library meant that only part of the available space was used and there could be additional development to the rear of the building.

The Chair invited the Lead Member, Leisure and Culture to address the meeting and Councillor Rofique U Ahmed stated that he did not know where Mrs Phillips had obtained information that the Cubitt Town Library was to close. He pointed out that the Ideas Store Strategy report explicitly stated that the Strategy did not propose the closure of any existing libraries.

The Chair thanked Mrs Phillips for her attendance and indicated that the discussion would be taken into account when the call-in item was debated.

6. SECTION ONE REPORTS 'CALLED IN'

6.1 Report Called-In - Ideas Stores Strategy

The Chair outlined the call-in procedure to the Committee.

Councillor Tim Archer, for the Call-In Members, outlined the reasons in their requisition. He reiterated Mrs Maggie Phillips' point on the strength of local feelings for the retention of Cubitt Town Library. The library was well-loved and local residents had expressed great concern over its possible closure. It was also the best performing library in the Borough and had the highest customer satisfaction rating. Retaining the facility would be more cost-effective than a new Idea Store, as a small amount of money could bring the upper floor into use, install a lift and extend the premises to the rear to provide enhanced services.

He felt that the only debate appeared to be whether an Idea Store would be provided at ASDA or Wood Wharf and invited the Lead Member, Culture and Leisure, to visit the building so that he might be apprised as to possible additional uses.

Councillor Archer referred to the proposed alternative course of action in the Call-In and asked that Cabinet should hold off any decision on the matter so that alternatives to closure of the premises could be proposed.

Committee Members then put detailed questions to Councillor Archer, who replied that:

- The section of the Strategy document relating to possible future sites by definition showed that Cubitt Town Library was not included. However, he looked forward to receiving affirmation that it would be retained.
- He agreed that signage to the library could be improved and there was a useful cut from the library site to ASDA which should be made more user friendly.

Councillor Rofique U Ahmed, Lead Member Culture and Leisure stated that his office had invited Councillor Archer for a visit but this had not been taken up and he had visited all libraries in his capacity as Lead Member. He added that, despite Councillor Archer's interpretation, the Strategy report showed that no libraries were proposed for closure and he encouraged the use of libraries for all appropriate activities.

Mr Stephen Halsey, Corporate Director Communities, Leisure and Culture, referred to the reasons for the Call-In and stated that, rather than making extravagant claims, the Strategy used data on a like for like comparative basis. Only the MLA common definition of a library visit had been used. As report author, he confirmed that the Strategy report did not propose the closure of any libraries and provided a framework for the future.

In response to further questions from Members, Mr Halsey stressed that the Strategy set out a 10-year programme for the service, without making decisions for individual premises. He made the point that the references to

possible Crossharbour and Wood Wharf sites arose from the fact that the lease of Idea Store Canary Wharf would terminate in 2019 and any future element of development would have to be the subject of a full report to Members. The report demonstrated how the key characteristics of a future Idea Store service would differ from the original concept but there were no recommendations either for library closures or additional Idea Stores. In particular, there were no proposals for the closure of Cubitt Town Library.

The Cabinet Members then left the room and after a short discussion it was

RESOLVED:

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

6.2 Report Called-In - Adoption of Street and Building Naming and Numbering Policy

Councillor Peter Golds, for the Call-In Members, outlined the reasons for the Call-In and stated that it was necessary to understand that Tower Hamlets was one of the most significant Boroughs historically. The proposals agreed by the Cabinet were very bland in nature and went against long-established naming and numbering procedures. He cited instances where historic addresses apparently would be disallowed under the new policy, which was overly restrictive.

In response to questions from Members, Councillor Golds replied that:

- Other Boroughs, such as Westminster and Kensington and Chelsea, were far less prescriptive in street naming.
- Confusion could arise from developers' actions but there was a need to preserve the Borough's special nature and the Planning service should prevent street naming in advance of the Council.

Councillor Marc Francis, Lead Member Housing and Development, outlined the statutory obligations on the Borough for street naming and numbering. He pointed out that the policy guidelines encouraged the use of historic place references. However, there needed to be simple and logical conventions as agreed by the Royal Mail and emergency services. The guidelines must be made available in the public domain and commonsense had been applied in this case. He circulated copies of the guidance notes, together with advice from the London Fire Brigade.

Members then put questions to Councillor Francis, who replied that:

- To avoid misdirected mail, it was necessary for addresses' secondary information, such as flat number/street name, to be included. It was not intended to look retrospectively at addresses within the Borough, but the policy could be used to set guidelines and amendments could be made if requested by residents.
- The previous flexible approach to street names would be maintained and the use of historic names in the Borough would be relished.

The Cabinet Members then left the chamber and after a short discussion it was

RESOLVED:

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

6.3 Report Called-In - Proposed Acquisition of Leasehold Interest at 585-593 Commercial Road, E1 and Temporary Relocation of Leven Road Car Pound

Councillor Tim Archer, for the Call-In Members, referred to the reasons in their requisition and added that the location of the proposed car pound was less than 100 yards from Limehouse DLR and less than a mile from buildings in the City. Due to its location, the site was very expensive real estate. It could enable the provision of about 1,000 new homes in an area that had some 22,000 people on the housing waiting list.

He expressed the view that motor vehicles should be routinely ticketed, rather than towed away, when they were not causing an obstruction and this would result in a smaller car pound being needed.

Councillor Archer responded to questions put by Members, stating that

- The existing Leven Road car pound was an unattractive site and the same would apply to the proposed site on Commercial Road, which was on a major arterial road. This did not make a positive statement in the lead-up to the Olympic Games.
- Although the car pound was to be a temporary use, there was no indication of when this would terminate. He also felt it was a poor argument to say that the site was easily accessible for cars to be reclaimed.

Councillor Abdal Ullah, Lead Member Cleaner, Safer and Greener, pointed out that people were accustomed to the usage of the site as a large car storage area and its accessibility for reclamation of towed vehicles was logical. He indicated that the site would be used for housing at a future time and the car pound was to be temporary as the current Leven Road car pound had to be vacated. Mr J. Chilton, Head of Parking Services, commented that

the car pound use was not anticipated to exceed five years and that was the period on the planning application.

Replying to further queries from Members, Councillor Ullah stated that

- Irresponsibly parked vehicles created problems for emergency services access and were a risk when vandalised, so it was necessary to remove them from the streets.
- The site would provide value for money and showed best use by a responsible Council. Mr Chilton added that the site of the parking contractors used by the Council was not easily accessible to residents. Payment of the towing fine was the actual punishment, rather than further inconveniencing people.
- The route to the Olympics site extended along Mile End Road, rather than Commercial Road.

The Cabinet Members then left the chamber and further discussion ensued on the points raised.

The Chair requested that future call-in reports should include exempt papers where appropriate. He added that regard must be had to routes to be used by towing vehicles, in view of residents' parking in the streets surrounding the car pound site.

The Committee then voted on whether or not to refer the item back to the Cabinet for further consideration and it was

RESOLVED:

- (1) That the alternative course of action proposed in the Call-In be not pursued and the decision of the Cabinet be confirmed.
- (2) That a further condition be applied to the planning application for the car pound site requiring a traffic management risk assessment of the streets surrounding the site and, in particular, that towing vehicles should not access the site through Bromley Street because of the location there of Sir John Cass School and high levels of residents' parking.

NOTE: Councillor Bill Turner indicated that, due to lateness, he had been unable to comment on the minutes of the previous meeting and asked that he might do so. The Chair indicated that Councillor Turner's comments would be heard at the end of the meeting.

7. SCRUTINY SPOTLIGHT

Councillor Rania Khan, Lead Member Regeneration, Localisation and Community Partnerships, gave a detailed presentation on the issues, opportunities and challenges arising from her portfolio.

The Lead Member referred to the progress of work on schemes relating to the Ocean Estate, Blackwall Reach/Robin Hood Gardens and New Deal for Communities. In addition, she set out successes and challenges in the delivery of the Tower Hamlets Partnership and proposals to ensure a thriving Third Sector.

The Committee asked a number of questions relating to LAP leadership, focus and direction; addressing child poverty; the involvement of Health Services with YOTS; Third Sector development. Councillor Khan responded that:

- LAP leadership was expected to be by residents and there was a development programme for people who wanted to participate. A separate LAP event in connection with youth requirements would be held this year.
- The query from Councillor Snowdon relating to percentage/percentile points in Tower Hamlets Partnership would be referred to Officers for a response.
- Blackwall Reach would be receiving a community centre facility of twice the current provision and there had been no complaints in this regard. The Overview and Scrutiny Call-In had not delayed the Robin Hood Gardens process but had reduced the consultation period available.
- Child poverty had been discussed at the Partnership Board and was being addressed through a partnership strategy and the Families Trust.
- The Third Sector Strategy was designed to ensure that services in specific areas were improved. When COF had gone into liquidation not all of the relevant information was transferred to the Borough. Mr M. Keating, Service Head Scrutiny and Equalities, added that the Borough had a large number of Third Sector organisations and the task of co-ordinating them was ongoing, whilst very challenging.

Questions were asked on the matter of how answers from Officers to queries put by Members and recorded in the minutes could be followed up. The Chair indicated that he would consider whether a further agenda item heading would be needed in this respect. Mr Keating commented that the matter had been discussed at the last meeting and could possibly be addressed under Minutes or Matters Arising.

The Chair thanked the Lead Member Regeneration, Localisation and Community Partnerships for her contribution.

8. BUDGET AND POLICY FRAMEWORK ISSUES

8.1 Local Development Framework (LDF) Core Strategy

Councillor Marc Francis, Lead Member Housing and Development, introduced the report setting out details of proposals for adoption of the strategy that formed part of the Budget and Policy Framework (BPF), namely, the Local Development Framework Core Strategy (LDF). The report was to be submitted to Cabinet subject to the comments of the Overview and Scrutiny Committee, in accordance with the BPF Procedure Rules.

Councillor Francis outlined the four-year process for the development of the LDF, which was the cornerstone of the planning framework. The previous version had been returned to the Council by the Government Office for London and the current document represented a more organic approach. The concept of reinventing the hamlets was at the heart of the Core Strategy and would afford respect to the heritage of the Borough. In addition, there was an absolute commitment to the provision of affordable social housing, whilst recognising that this would impact on infrastructure requirements.

Ms J. Richardson, Interim Strategic Planning Manager, added that the document comprised the third and final stage of consultation and there had been extensive consultation with local residents, stakeholders and Government agencies. The first part of the document related to the four themes of: Setting the Scene; The Big Spatial Vision; Refocusing on Town Centres; Strengthening Neighbourhood Well-being. The latter sections looked at individual places to show how the Core Strategy would be delivered and implemented across the Borough.

NOTE: At 7.45 p.m. the Chair adjourned the meeting for Iftar. The meeting reconvened at 8.20 p.m.

Councillor Francis and Ms Richardson responded to questions put by Members. The following comments emerged:

- The density of certain types of business premises could saturate certain areas and create problems for residents. This could be addressed through the licensing and planning regulations and developers should be encouraged to take account of such matters.
- Consideration should be given to mechanisms for bringing intermediate housing within the reach of Borough residents, in accordance with the aim of providing affordable social housing.
- A case could be made for providing student accommodation in specifically designated areas.
- Development of the Borough fringe areas, particularly the Bethnal Green/Hackney border, needed more attention to improve quality of the environment.
- The document would translate into more specific elements to allow planning decisions to be made and a resource was needed to resist inappropriate applications, for instance an insistence on observing maxima and minima provisions for access to daylight.

- There were also concerns at tensions between the London Plan provisions and Borough requirements, such as the formula for child play space areas.
- Outdated overcrowding standards were now inappropriate and required updating.

RESOLVED:

- (1) That the recommendations to Cabinet included in the report be endorsed.
- (2) That Cabinet be notified of the Committee's comments as set out above.

9. PERFORMANCE MONITORING

9.1 Performance and Corporate Revenue Budget Monitoring - Performance to 30th June 2009

The Committee considered the report of the Assistant Chief Executive/ Director of Resources, drawing together the performance monitoring reports on the Strategic Indicators, General Fund Revenue Budget and the Housing Revenue Account.

Councillor Ohid Ahmed, Lead Member Resources and Performance, introduced the document and commented that it provided an update on performance indicators. He pointed out that indicators shown as being at risk of failing were:

- Strategic 101 – Percentage of Undisputed Invoices Paid on Time
- Strategic 103 – Percentage of the top 5% of Local Authority Staff who are from an Ethnic Minority
- Strategic 104 – Percentage of the top paid 5% of Staff who have a Disability
- Strategic 202 – Number of Physical Visits to Libraries Premises per 1000 Population

Members raised a number of questions expressing concern in connection with the following issues, to which Officers made the responses shown:

- the overspend in communications – this was not a result of publishing East End Life;
- the need for a year on year comparison of crime and arson figures taking account of seasonal variations – details would be included in future reports;
- Strategic 226, service charge debt outstanding – this was a statistical anomaly as the 2009/10 service charge estimate of £8m had been raised very near the financial cut-off point for the period and a recovery strategy was now fully operational to reach target by year end;

- implications if the capital treasury management shortfall increases – it was hoped that interest rates would not fall further and the position was being managed as best possible without risk to the Council's finances – in any event, sufficient reserves/contingencies were available;
- continued low performance on anti-social behaviour – a reply would be forwarded to Councillor Jackson;
- payment of undisputed invoices was consistently off target – this continued to be problematic due to the large number of individual documents flowing into the organisation but a project had started this week to develop a new system to improve control on paperwork and reduce the number of items submitted;
- 16-18 year olds not in education, employment or training (NEETS) – an increase could be expected in the summer months with school leavers and the figures were expected to reduce around October;
- Children's Social Care overspend – this was an area where risks could not be taken to ensure proper safeguarding of children and more agency Social Work staff had been employed.

The Chair expressed the view that the percentage of residents satisfied with repairs should be added to the list of indicators shown as being at risk of failing as outlined above by Councillor Ohid Ahmed.

RESOLVED:

- (1) That the performance information contained in Appendix 1 of the report be noted.
- (2) That the projected outturn for Directorate service budgets and for the total General Fund net expenditure budget for 2009/10 in section 4 and Appendices 2A-G and Appendices 3A-C of the report be noted.
- (3) That the budget target adjustments and virements as detailed in section 6 and Appendices 4A-E of the report be agreed.
- (4) That the 2009/10 Savings Targets as detailed in Appendix 5 of the report be noted.
- (5) That the projected outturn in respect of the 2009/10 Housing Revenue Account as detailed in Appendix 6 of the report be noted.
- (6) That an agenda item be submitted to the next meeting of the Committee to consider the position regarding young persons not in education, employment or training (NEETS).

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

RESOLVED:

That the following Section 1 pre-decision questions be submitted to Cabinet for consideration:

Agenda Item 6.1 – Local Development Framework Core Strategy: Towards a sound Core Strategy (CAB 036/090)

- (1) Cabinet may recall that the Bow Common Lane Gas Field site was to be considered for a multi-faith cemetery and this was to be consulted as part of the LDF Core Strategy. Could Cabinet confirm this consultation has taken place and its outcome?

Agenda item 10.5 – Appointments to Five Boroughs Olympic Joint Committee (CAB 043/090)

- (1) Could Cabinet consider appointing the Borough's Olympic Ambassador as a nominated deputy as opposed to all being drawn from the Cabinet?

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

None.

12. EXCLUSION OF THE PRESS AND PUBLIC

No Section 2 business was submitted.

13. SECTION TWO REPORTS 'CALLED IN'

None.

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

None.

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

None.

CHAIR'S REMARKS

The Chair indicated that, as agreed earlier in the proceedings, Councillor Bill Turner would be permitted to comment on the minutes of the meeting of the Committee held on 28 July 2009.

Councillor Turner stated that it was necessary to amend the wording of his declaration of interest as follows:

“Councillor Bill Turner declared a personal interest in item 9.1 which related to Social Care Complaints as he had helped initiate a service user’s complaint in that service area, which could be viewed as his having had a personal interest.”

It was agreed that the declaration be amended accordingly.

The meeting terminated at 9.05 p.m.

Councillor Sirajul Islam
Chair, Overview and Scrutiny Committee