

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 7 FEBRUARY 2012

**ROOM 71, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Ann Jackson (Chair)
Councillor Rachael Saunders (Vice-Chair)

Councillor Tim Archer
Councillor Sirajul Islam
Councillor Zenith Rahman
Councillor Amy Whitelock
Councillor Helal Uddin

Co-opted Members Present:

Memory Kampiyawo – (Parent Governor Representative)
Jake Kemp – (Parent Governor Representative)
Rev James Olanipekun – (Parent Governor Representative)

Officers Present:

David Galpin – (Head of Legal Services (Community), Legal Services, Chief Executive's)
Michael Keating – (Service Head, One Tower Hamlets)
Stephen Murray – (Head of Arts and Events, Communities Localities & Culture)
Nick Smales – (Service Head Economic Development and Olympic Legacy, Development & Renewal)
Frances Jones – (Service Manager One Tower Hamlets, Chief Executive's)
Antonella Burgio – (Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Stephanie Eaton and Co-opted Member Canon Michael Ainsworth.

2. DECLARATIONS OF INTEREST

Councillor Rachael Saunders declared a personal interest in respect of agenda item 6.1 in that she was a Board Member of the Bromley by Bow Centre

Councillor Zenith Rahman declared a personal interest in respect of agenda item 6.1 in that she was a Board Member of the Bromley by Bow Centre

Councillor Helal Uddin declared a personal interest in respect of agenda item 6.1 in that he was employed by the Bromley by Bow Centre

3. UNRESTRICTED MINUTES

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

RESOLVED

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 10th January 2012 be approved and signed by the Chair as a correct record of the proceedings.

4. REQUESTS TO SUBMIT PETITIONS

Nil items.

5. SECTION ONE REPORTS 'CALLED IN'

5.1 Cabinet Decision Called-in: Corporate and Commercial Events in Parks (CAB 061/112)

The Committee considered Cabinet Decision: Corporate and Commercial Events in Parks (CAB 061/112) which was called-in for further consideration.

The Committee considered the views and comments made by Councillor David Snowdon in presenting the call-in, the information given by Councillor Rania Khan, Cabinet Member for Culture, with Stephen Murray, Head of Arts and Events, in response to Councillor Snowdon's issues and their answers to the Committee's questions.

Councillor Snowdon (on behalf of the call-in Councillors) outlined the reasons for the call-in and responded to questions from the Committee. These are summarised below:

- a inconvenience and detriment of the community:
 - potential for disruption experienced
 - adverse impacts on regular sporting and recreational activities
 - exacerbated disruptive impacts resulting from restricted space and residential location of the proposed venues.

- greater demands on Council services during and after events
 - greater traffic nuisance.
- b the decision opposed a resolution made by Full Council on 21 September 2011:
- the Cabinet decision conflicted with the Council motion
 - pursuing the decision opposed the authority of Full Council
 - Isle of Dogs' residents opposed the proposal
 - costs had not been quantified
 - responses to Councillor Snowdon's enquires concerning costs had been unclear

Councillor Rania Khan, Cabinet Member for Culture, and Stephen Murray, Head of Arts and Events, responded to the concerns raised. The response and answers to the Committee' questions are summarised below:

- a Financial matters:
- money involved in delivering these events would be small
 - 10% of revenues from events would be reinvested in parks
 - the majority of events were intended to be small scale.
 - opportunities for showcasing new kinds of events and open new revenue streams would be created
 - no specific revenue target had been set
 - lessons learned from previous events management would be used in the delivery of events at the other venues
- b Neighbourhood Issues
- by designating areas within parks for events residents would retain access to the amenities
 - use of other venues would relieve pressure on Victoria Park
 - there would be opportunities for local organisations to participate
 - sports activities in parks were generally winter sports therefore the proposed events would have no impact on these
 - there were well established post-event procedures to deal with the reinstatement of venues
 - parks had been mapped out for suitability and collated data of what kinds of specific events would be suitable for specific parks could be made available
 - suitability of the parks would be based on a marketing exercise
 - access to children's facilities in John MacDougal Park would remain
 - the nature of events at each of the parks would be determined by the size of park and facilities available
 - no issues had been raised around local impacts but it was intended to use the parks appropriately for the spaces available
 - the proposal would help relieve pressure on Victoria Park
- c Governance Issues
- the proposal was aligned to the Parks policy, not contrary to it

- officers had not been tasked to undertake major consultation
- post-event debriefs would inform future management proposals

Stephen Murray agreed that data of indicative numbers and nature of events would be collated and provided to Committee Members 4-5 weeks hence

Action: Stephen Murray, Head of Arts and Events

The Committee considered the views and comments made by Councillor David Snowdon in presenting the call-in, the information given by Councillor Rania Khan and Stephen Murray in response to Councillor Snowdon's issues and their answers to the Committee's questions.

The Committee's discussion of the call-in brought forward the following views:

It was noted the Committee was not opposed to the use of the borough's other parks for community events in principle as it would bring people together and offered opportunities to generate revenue. Notwithstanding this, the following concerns remained:

- a Financial
 - the projected likely revenues had not been sufficiently estimated taking into account the likely capacity of the venues and numbers of events that would be required to achieve the expected revenue of £100,000.
 - only a small percentage of monies generated would be reinvested in the parks and there were no details of how this would be done
 - savings had been identified but no clear plan on how these would be attained.
 - there was no clear plan of how monies would be generated and how the events would be delivered
- b Neighbourhood
 - local concerns expressed to Ward Councillors had not been taken into account when proposals were formulated
 - the risk of adverse effects on residents had not been quantified
 - residents should have been consulted on the decision before proceeding to Cabinet
 - it was considered inappropriate to encourage visitors to the borough at the expense of residents
 - the Committee considered that suitability of parks for events could not properly be assessed without consulting residents
 - there was a risk that that there would be pressure in some parks for events every week
- c Governance
 - noting Council's resolution of 21 September 2011 concerning events in parks, it was felt that the decision opposed Full Council's authority and had not been well thought out

- the proposal contained no checks and balances
- the methods of implementation lacked detail

The Committee also wished the following points to be noted:

- the events could be beneficial as the Olympics would bring visitors to the borough
- in principle, the Committee supported the creation of opportunities to use park facilities but there needed to be more regard to residents' views
- there should be evidence of consultation with residents and consideration given to the community.

Having deliberated, Members of the Committee endorsed the reasons for the call-in. The Committee agreed that the provisional decision be referred back to Cabinet asking that (while there was no objection to the decision in principle) further consideration should be given on the basis of the views and concerns expressed.

RESOLVED

1. That the Overview and Scrutiny Committee endorsed the call-in on the basis of that, in taking the decision, issues of nuisance, planning and consultation had not been properly addressed.
2. That the Cabinet Decision called-in "Corporate and Commercial Events in Parks (CAB 061/112)" be referred back to the Cabinet noting that the Committee did not wish the decision to be reversed but that it be considered again in the context of the comments made

6. REPORTS FOR CONSIDERATION

6.1 Enterprise Strategy

Councillor Shafiqul Haque, Cabinet Member for Jobs and Skills, and Nick Smales, Service Economic Development and Olympic Legacy, introduced presented the report circulated at agenda item 6.1.

The Committee received a presentation from Nick Smales, Service Head, Economic Development and Olympic Legacy, which set out the socio-economic data that informed the Strategy, challenges to the borough's enterprise economy and actions to achieve its aims.

The Committee was invited to comment on the Strategy prior to its submission to Cabinet and then to Council. The following comments were recorded:

The Committee:

- supported the aims and objectives of the Strategy which provided a context for the maintenance of a vibrant and growing economy that benefited the local population.
- was pleased to note that the findings of the Scrutiny Review into Small and Medium Sized Business 2010-11 had been incorporated into the strategy.
- recommended that the Council encourage the establishment of a unified business forum to support local business needs and innovations in the environment of competition from larger more powerful businesses that operated within the borough.
- recommended that the Council explore how to support the growth of social enterprises and SME enterprises. It was noted that funding for enterprise had declined in recent years.
- proposed that an assessment be undertaken of social enterprises established through grant funding and their sustainability to determine reasons for success or failure and what lessons could be learned in terms of future support.
- recommended that the Council explore ways of incorporating vocational training into schools education programmes.
- recommended that the Council liaise with Rainbow Hamlets to explore what support could be given to enterprises owned by the lesbian, gay and bisexual community
- was pleased to note that S106 benefits had been channelled to SME support and requested that this be pursued.
- recommended that the Strategy facilitate health economy enterprise opportunities to be exploited.
- that innovative support for start-up enterprises be promoted e.g. subsidised leases
- recommended that the Council explore with proprietors how to return underused enterprise spaces in the borough to activity .

RESOLVED

That the comments of the Committee be referred to Cabinet as part of the Budget and Policy Framework.

6.2 Covert investigation under the Regulation of Investigatory Powers Act 2000

David Galpin, Head of Legal Services - Community presented the report circulated at agenda item 6.2 which reported the Council's use of covert investigation powers under the Regulation of Investigatory Powers Act 2000 (RIPA).

The following matters were highlighted:

- the following outcome of surveillance CS0002, detailed at paragraph 3.18 was reported at the meeting. At trial the perpetrator had pleaded

guilty to the offence for which the surveillance had been undertaken and a sentence would be handed down on 10 February 2012.

- although there had been no RIPA activity in quarter three, the Council was still pursuing enforcement proactively.
- the Council might expect some increased visitors in locations where touting is an issue during the forthcoming Olympics. However enhanced enforcement activity was being planned for those locations.

RESOLVED

That the report be noted.

7. VERBAL UPDATES FROM SCRUTINY LEADS

The following updates were provided:

Councillor Islam reported that the Review of Resources had been scoped.

Councillor Whitelock reported that the Review of Children's Centres – Early Years had been scoped. Meetings and visits were scheduled in March 2012 and a report prepared in April 2012.

Councillor Saunders reported that a challenge session on the merger of the three hospitals would be pursued once the Trust had responded to the proposed judicial review. In addition, the Health Scrutiny Panel wished to refer its reports on two consultation events "LAP 5 And 6 Health Event" and "Health Scrutiny Panel Adult Social Care Review Event" to Overview and Scrutiny Committee.

Councillor Archer reported that he was to meet with the Assistant Chief Executive (Legal Services) to pursue his review of 'East End Life'.

RESOLVED

That the verbal updates be noted

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

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

RESOLVED

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

Agenda Item 8.1 (Enterprise Strategy (CAB 068/112)).

- 1) How was the consultation on the enterprise strategy carried out, who was consulted and who replied?

Agenda Item 11.5 (New Partnership Structures (CAB 075/112))

- 1) What measures have been taken to ensure that the community champions who will chair the new local forums are reflective of the local community, and are diverse in race and gender? Previously LAP chairs were elected from the people who chose to be on the LAP and SNT chairs are currently elected by local residents who attend the SNT. Why has it been decided to have a different method for selecting the Community Champions, who will have a similar role? Please describe the process for selecting the new community champions.
- 2) Regarding neighbourhood agreements. What measures have been taken to ensure that the funding available for neighbourhood agreements is distributed evenly across the borough? How will the Council ensure that this resource is distributed in a way that reflects the diversity of our communities? I.e geographical spread, broad ethnic representation and a fair representation of our most deprived geographical areas?
- 3) How will the new partnership structure, where the majority of people who are not formal representatives of public bodies or similar are organised on a geographic basis ensure representation of important cross borough groups whose specific experience of services needs a voice such as disabled or LGBT people?
- 4) How much will each of the borough wide events, Mayor's assemblies, cost?

8.1 Mayoral Decisions

The following updates were provided:

The Chair had agreed that a report concerning Thames Tideway Tunnel be considered at Cabinet on 8th February 2012 under urgency / preclusion of call-in provisions based on the need to protect the Council's and public's interest in relation to the consultation response. A further report on this matter was anticipated.

The Chair had not received a response from the Mayor to her letter attached at Appendix 2 of the report concerning the lack of proper consideration and discussion of Scrutiny responses at Cabinet relating to call-in: "Contract for 2012 Olympic Festival Live Site (Mayor's Decision Log No 009)". The Chair advised that a response would continue to be pursued.

The Chair had received a response from the Assistant Chief Executive Legal Services on the subject of 'what comprises a key decision' arising from the

consideration of the Mayoral decision called-in: 'Housing Stock Options Appraisal (Mayor's Decision Log No 013)'. The Chair advised that in her view a full answer had not been provided and she intended to further pursue this matter. Additionally she had not been notified of the status of the referred decision and therefore intended to pursue this matter also.

The Chair invited Members of the Committee to submit any additional questions they might wish concerning the above call-in matters

RESOLVED

That the verbal update be noted.

8.2 OSC Comments on Budget Proposals

The Committee was asked to note the report circulated at the meeting containing OSC comments on the initial budget proposals. This would be presented at Cabinet. Members were invited to consider whether they wished add any further comments.

RESLOVED

That OSC comments on the initial budget proposals be noted.

9. OSC ANNUAL REVIEW PROCESS

Frances Jones, One Tower Hamlets Service Manager, presented the report circulated at agenda item 9 which asked the Committee to agree a process for producing the OSC Annual Review 2011-12.

Members were requested to respond individually to the questions at section 3.4 and submit these by mid-March 2012.

A session hosted by the Centre for Public Scrutiny would be held in April 2012. Following this, the Annual Review report would be produced and presented to the Committee in May 2012.

RESOLVED

1. That the proposal to work with the Centre for Public Scrutiny to review the year and consider ways in which the Committee could increase its effectiveness be approved
2. That it be agreed that all Overview and Scrutiny Committee Members will contribute individual responses to questions in paper.

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

Nil items.

The meeting ended at 9.10 p.m.

Chair, Councillor Ann Jackson
Overview & Scrutiny Committee