

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.05 P.M. ON TUESDAY, 8 JULY 2014

**ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Joshua Peck (Chair)
Councillor Suluk Ahmed
Councillor Mahbub Alam
Councillor Asma Begum
Councillor Peter Golds
Councillor Denise Jones
Councillor Abjol Miah
Councillor Md. Maium Miah
Councillor John Pierce

Co-opted Members Present:

Nozrul Mustafa – (Parent Governor Representative)
Rev James Olanipekun – (Parent Governor Representative)
Dr Phillip Rice – (Church of England Diocese Representative)

Officers Present:

David Galpin – (Service Head, Legal Services, Directorate Law
Probity and Governance)
Mark Cairns – (Senior Strategy, Policy and Performance Officer)
Chris Holme – (Acting Corporate Director - Resources)
Louise Russell – (Service Head Corporate Strategy and Equality,
Law Probity and Governance)

Antonella Burgio – (Democratic Services)

COUNCILLOR JOSHUA PECK IN THE CHAIR

INTRODUCTIONS

Chair, Councillor Joshua Peck welcomed all members to the meeting. He outlined his aims for the Committee's work in the forthcoming municipal year informing all present that he wished this work, not only to comprise scrutiny of Council services and call-in but also to focus on the overview and policy development elements of the Committee's role. He asked all Members to support this work which he wished to deliver apolitically.

1. APPOINTMENT OF VICE-CHAIR

Councillor Peck invited nominations for the position of Vice-chair of Overview and Scrutiny Committee (OSC) for the duration of the municipal year. Councillors John Pierce and Maium Miah were nominated and seconded respectively. The nominations were each put to the vote and each received four votes. Chair, Councillor Joshua Peck then made a casting vote and Councillor John Pearce was elected Vice-Chair of OSC for the municipal year.

RESOLVED

That Councillor John Pearce be appointed Vice-Chair of OSC for the duration of the municipal year.

2. APOLOGIES FOR ABSENCE

No apologies for absence were received.

3. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of disclosable pecuniary interests were made.

4. UNRESTRICTED MINUTES

The minutes of the OSC held on 1 April 2014 were presented.

RESOLVED

That the minutes of the overview and scrutiny committee held on 1 April 2014 be approved as a correct record of proceedings.

The following matters arising from the minutes were also noted:

Councillor Denise Jones enquired:

- whether the action requested relating to the circulation of education maintenance grant criteria to Committee Members had been undertaken and asked that this information be re-circulated to the Committee.
- whether the information requested regarding the identity of the auditors engaged to undertake the investigation on the sale of Old Poplar Town Hall had been circulated to the Committee and asked that this information also be re-circulated.

Councillor Peck requested that

- questions, comments and information recorded in future minutes be attributed to officers and members with whom they originate.
- the resolution relating to scrutiny reports of reviews and challenge sessions requiring “the Service Head For Corporate Equality Strategy

And Equality be authorised to amend the draft report before submission to Cabinet after consultation with the Chair ...” should be revised to “...in agreement with the Chair of the Panel and of OSC.”

VARY ORDER OF BUSINESS

Councillor Peck informed the Committee that he had received a request to consider an item of urgent business.

The Chair **moved** and it was agreed that the order of business be varied. Accordingly, item 8 was considered as the first item of business and following this, other items were considered according to the printed order, resuming from agenda item 5.

5. REQUESTS TO SUBMIT PETITIONS

Nil items.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Overview & Scrutiny Committee Terms of Reference, Membership, Quorum, Dates of meetings, Protocols and Guidance

The Clerk introduced the report circulated at agenda item 6.1, which informed the committee of the internal arrangements and procedures that govern the delivery of OSC meetings.

Regarding Scrutiny Lead Portfolios, the Chair noted that the Directorate structure reported at appendix 1 did not reflect the current corporate structure. The Clerk agreed to refer this matter to the Service Head Democratic Services for review of this element of the procedure in the Council's constitution.

The Chair noted that the forthcoming OSC meeting also fell within Ramadan. He moved and it was agreed that the meeting on 22 July 2014 start at 6.00pm. Members then discussed whether they wished to vary the starting time of ordinary OSC meetings. Following this, it was agreed that, for the remainder of the municipal year, meetings would begin at 7.15pm and that this arrangement be kept under review.

RESOLVED

- 1 That OSC Terms of Reference, Membership, Quorum, and Dates of future meetings, as set out at Appendices 1, 2 and 3 of the report be noted.
- 2 That the OSC meeting on 22 July 2014 start at 6.00pm and scheduled OSC meetings for the remainder of the Municipal Year 2014/15; begin at 7.15pm and that this arrangement be kept under review.
- 3 That the protocols as set out at Appendix 4 of the report be noted.
- 4 That the guidance to facilitate the conduct of OSC business, in line with statutory and constitutional requirements, as set out at Appendix 4 of the report be noted.

6.2 Appointment of Scrutiny Lead Members, Co-options to Overview and Scrutiny Committee, and Health Scrutiny Panel Terms of Reference and Appointments

The Chair introduced the report, which informed Members of the Scrutiny Lead Portfolios, the requirement to appoint co-opted members to OSC in accordance with legislation and the establishment of the Health Scrutiny Panel by Full Council.

The Chair noted the co-options to the Health Scrutiny Panel and requested that paragraph 2.4 the report expanded and verified

At the Chair's invitation the following nominations for Scrutiny Leads were made:

Scrutiny Lead for Children's Services: Councillor Denise Jones was nominated and seconded by Councillors Asma Begum and John Pierce respectively. There being no other nominations Councillor Denise Jones was appointed.

Scrutiny Lead for Adult Health and Well-being: Councillor Asma Begum was nominated and seconded by Councillors Denise Jones and John Pierce respectively. There being no other nominations Councillor Asma Begum was appointed Scrutiny for Adults Health & Well-being.

Scrutiny Lead for Communities, Localities and Culture: two nominations were received.

Councillor Abjol Miah was nominated and seconded by Councillors Maium Miah and Mahbub Alam respectively; and Councillor John Pierce was nominated and seconded by Councillors Asma Begum and Denise Jones respectively. Four votes were cast for each nominee, the Chair therefore made a casting vote and Councillor John Pierce was appointed Scrutiny Lead for Communities Localities and Culture.

Scrutiny Lead for Development and Renewal: Councillor Maium Miah was nominated and seconded by Councillors Abjol Miah and Mahbub Alam

respectively. There being no other nominations Councillor Maium Miah appointed Scrutiny Lead for Development and Renewal.

Scrutiny Lead for Law Probity and Governance: two nominations were received.

Councillor Abjol Miah was nominated and seconded by Councillors Maium Miah and Mahbub Alam respectively; and Councillor Peter Golds was nominated and seconded by Councillors Joshua Peck and Denise Jones respectively. The nominations were voted upon and Councillor Abjol Miah received four votes and Councillor Peter Golds received five votes. Accordingly Councillor Peter Golds was appointed Scrutiny Lead for Law, Probity and Governance

Scrutiny Lead for Resources: Councillor Abjol Miah was nominated by Councillors Maium Miah and Mahbub Alam respectively. There being no other nominations Councillor Abjol Miah appointed Scrutiny Lead for Resources.

RESOLVED

- 1 That OSC continue to operate Lead Portfolios, as set out in the report, in the forthcoming term and the following Lead Scrutiny Members be appointed:
Scrutiny Lead for Children's Services - Councillor Denise Jones
Scrutiny Lead for Adult Health and Well-being - Councillor Asma Begum
Scrutiny Lead for Communities, Localities and Culture - Councillor John Pierce
Scrutiny Lead for Development and Renewal - Councillor Maium Miah
Scrutiny Lead for Law Probity and Governance - Councillor Peter Golds
Scrutiny Lead for Resources - Councillor Abjol Miah
- 2 That co-option to the membership of the OSC of representatives in respect of education matters, as set out at paragraphs 4.1 to 4.7 of the report be noted.
- 3 That establishment of the Health Scrutiny Panel by full Council, to discharge the Council's functions as set out in paragraph 5.1 of the report; with terms of reference and quorum as set out in paragraph 5.2 and Appendix 1 to the report be noted.
- 4 That the appointment of Members to the Health Scrutiny Panel for the Municipal Year 2014/15 as set out at paragraph 5.3 of the report be approved.
- 5 That the co-option of David Burbage and Sharmin Shajahan as representatives from the Tower Hamlets HealthWatch to the membership of the Health Scrutiny Panel for the Municipal Year 2014/15 be approved.

6.3 Planning Work Programme

Mark Cairns Strategy Policy and Performance Officer tabled a draft work programme for consideration. The Chair noted the proposals for reports scheduled during the course of the municipal year. He noted an enquiry from Mr Mustafa regarding whether co-optees might contribute to the work programme and requested that:

- standard items be distributed across the work programme to enable the committee to consider other reports of interest during its meetings.
- contributions/proposals to the work programme from co-optees from per cup of representatives on the committee should be accepted and asked that any such requests be directed through the Chair and Democratic Services.

RESOLVED

That the draft work programme tabled and discussion on its contents be noted.

7. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

The Chair introduced the item referring to the pre-decision questions tabled at the meeting. He noted the procedure given for submission of pre-decision questions as set out in the OSC Guidance and Protocols given at Appendix 4, agenda item 6.1. The Chair enquired and Members confirmed that no further pre-decision questions other than those submitted in the tabled paper were to be referred to Cabinet on 9 July 2014.

RESOLVED

That the tabled pre-decision scrutiny questions be referred to Cabinet.

8. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

Reference from the Council - Investigation into the Sale of Old Poplar Town Hall

The Chair informed the Committee that the Council resolution of 22 January 2014 requiring investigation of the sale of Old Poplar Town Hall had led to the matter being referred for investigation by external auditors. The audit report had been circulated confidentially to committee members.

The Chair advised that the matter had not been brought for discussion at the present time but so that the Committee may consider a preferred approach regarding the full consideration of the report, which could take place at the meeting on 22 July 2014.

The Acting Corporate Director Resources informed the Committee that the report was recently made available and had been sent confidentially to Elected OSC Members on 7 July 2014.

Rev James Olanipekun noted that co-opted members had not received the document and the Service Head Corporate Strategy and Equalities advised that the matter was not a substantive business item but had been circulated in order to enable members to consider the approach members wished to take to formal consideration of the matter, proposed to take place on 22 July.

The following were noted arising from Members' discussions:

- All Members favoured the general approach that the report be considered in open session so far as possible and that all permitted information be made publicly accessible.
- Councillor Golds requested that sums bid should be disclosed but bidders' names should remain confidential.
- Councillor Golds also requested for transparency that only sensitive information should be redacted and cautioned against the removal of excessive information as this would render the report meaningless.
- The Chair agreed that there was a tension regarding the wish for transparency and respect for sensitive information.
- Councillor Peck confirmed that he wished the report to be redacted as little as possible and requested that the report be presented for full consideration at overview and scrutiny committee on 22 July 2014.

The Service Head Legal Services noted that the report would be brought forward for consideration on 22 July 2014 with an appropriate cover report which would make recommendations as to whether the report should be considered on a public or an exempt basis and, if the latter, to what extent. The views expressed by Members would be taken into account in preparing that cover report.

RESOLVED

That the discussion on the preferred approach in presenting the investigation report on the sale of Old Poplar Town Hall be noted

9. EXCLUSION OF THE PRESS AND PUBLIC

No resolution to exclude press and public was made.

10. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL) CABINET PAPERS

Nil items.

**11. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS THAT THE CHAIR
CONSIDERS URGENT**

Nil items.

The meeting ended at 7.45 p.m.

Chair, Councillor Joshua Peck
Overview & Scrutiny Committee

LONDON BOROUGH OF TOWER HAMLETS
Pre-Decision Questions - Overview and Scrutiny Committee – 8th July 2014

Cabinet Report	Question / Comments
<p>Agenda Item 7.1</p> <p>Review of the Council's Discretionary Awards Determination for the 2014/15 financial year and discretionary award policies.</p>	<p>What cost control measures are in place to prevent over-spending of the budget if the MEA is over-subscribed; why is there no ranking criteria for the MEA as there is for the MHEA and can one be introduced and published; and how was the 2013/14 overspend funded?</p> <p>On a point of detail, the figures in 4.9 refer to 2012/13 but appear in table 2 to refer to 2013/14. Is that an error?</p>
<p>Agenda Item 7.2</p> <p>2014/17 Education, Social Care and Wellbeing Capital Programme</p>	<p>What will the sum of £200,000 in recommendation 10 (or £300,000 in 3.28) actually be spent on? And which figure is correct?</p> <p>What level of over-subscription or backlog was there last year for the £100,000 budget for equipment and assistive technology to support people with care needs?</p> <p>What analysis has there been of a) where developments are geographically which have resulted in the £4.2m of S106 and b) where allocation is being made geographically?</p>

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