

LONDON BOROUGH OF TOWER HAMLETS
MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.15 P.M. ON TUESDAY, 24 MARCH 2015

COMMITTEE ROOM ONE - THALL

Members Present:

Councillor Joshua Peck (Chair)	
Councillor John Pierce (Vice-Chair)	
Councillor Asma Begum	(Scrutiny Lead for Adult Health and Wellbeing)
Councillor Denise Jones	(Scrutiny Lead for Children's Services)
Councillor Dave Chesterton	(Scrutiny Lead for Development and Renewal)
Councillor Peter Golds	(Scrutiny Lead for Law Probity and Governance)
Councillor Muhammad Ansar Mustaqim	

Co-opted Members Present:

Nozrul Mustafa	(Parent Governor Representative)
Victoria Ekubia	(Roman Catholic Church Representative)
Dr Phillip Rice	(Church of England Representative)
Rev James Olanipekun	(Parent Governor Representative)

Apologies:

Councillor Mahbub Alam	
Councillor Abjol Miah	(Scrutiny Lead for Resources)

Officers Present:

Jamie Carswell	(Director of Investment, Tower Hamlets Homes)
John Coker	(Strategic Housing Manager, Development & Renewal)
David Galpin	(Service Head, Legal Services, Law Probity & Governance)
Kevin Kewin	(Service Manager, Strategy & Performance)
Jackie Odunoye	(Service Head, Strategy, Regeneration & Sustainability, Development and Renewal)
Peter Nourse	Interim Head of Property at Tower Hamlets Homes
David Knight	(Senior Democratic Services Officer)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mahbub Alam, Councillor Rabina Khan (Cabinet member for Housing and Development) and Councillor Abjol Miah (Scrutiny Lead for Resources)

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of disclosable pecuniary interest.

3. REQUESTS TO SUBMIT PETITIONS

The Chair advised the Committee that a petition had been submitted to the Service Head of Democratic Services regarding the bills that have sent by Tower Hamlets Homes to Leaseholders for major works as part of the Decent Homes Programme. The Chair indicated that he was minded to allow the petitioners to address the Committee and present their petition given the importance of the petitions subject to leaseholders.

It was:

Resolved

To suspend Council Procedure Sub Rule 19.4 "Scope of petition, under the provisions of Council Procedure rule 26.1 "Suspension" in order for the Committee to receive the petition.

Accordingly, the Committee received and noted a petition presented by Christina Josephides from the Avebury Estate Leaseholders. The main points of the petition may be outlined as follows:

Leaseholders across Tower Hamlets have been sent bills by Tower Hamlets Homes for as much as £40,000 for major works as part of the Decent Homes Programme. Leaseholders have now been given 12 months to repay these significant and unmanageable bills. Leaseholders feel that Tower Hamlets Homes and Tower Hamlets Council have not adequately engaged, consulted or responded to their concerns, and are now calling on Tower Hamlets Homes and the Council to meet our reasonable requests below.

1. Extend the current repayment period for major works from 12 months to 10 years;
2. Provide much greater transparency on all charges and proposed major works; and
3. Adopt a pro-active approach when responding to, engaging with and consulting leaseholders.

The discussion on the issues highlighted by the petitioners are summarised below in minute 4.2.

4. SCRUTINY SPOTLIGHT

4.1 The Mayor

The Committee expressed their displeasure that the Mayor Lutfur Rahman had been unable to attend tonight's meeting. The Mayor had cited an unexpected commitment related to the Election Court. The Committee noted that he had offered the following alternative dates:

- 21st April 2015;
- 22nd April 2015; and
- 28th April 2015.

The Committee was reminded that it had already expressed its disappointment that the Mayor has not attended previous meetings. As a result of a full and detailed discussion on the constitutional provisions regarding the Mayors non-attendance, the Committee indicated that this situation was unacceptable and that it meets again in April using those dates suggested by the Mayor. In addition, that a pre-action letter should be sent to the Mayor regarding his continued non-attendance at the Committee. Accordingly, the Chair **Moved** and it was:-

RESOLVED that:

- Subject to ruling out any meeting date(s) where a significant number of members could not attend, that the committee meets again in April using those dates suggested by the Mayor; and
- A pre-action letter should be sent to the Mayor as required by the Pre-Action Protocol.

Action by

- David Galpin (Service Head, Legal Services, Law Probity & Governance); and
- David Knight (Senior Democratic Services Officer)

4.2 Tower Hamlets Homes

The Committee received and noted a presentation from Jamie Carswell (Director of Investment, Tower Hamlets Homes) and Peter Nourse Interim Head of Property at Tower Hamlets Homes, relating to the standard of housing management on the estates managed by THH in Tower Hamlets. A summary of the discussion on this item is set out below.

The Committee heard that:

- Leaseholders had expressed concerns at the quality of work undertaken; why the work was required and the costs of that work. Leaseholders had also indicated that their views had not been properly considered by THH throughout the whole process.

- Leaseholders felt that Leasehold Valuation Tribunals (LVT) should have not been used to settle any financial disputes and to sort out disagreements about the quality of services provided.
- THH had also apparently been unresponsive to enquiries from leaseholders regarding maintenance, repairs, insurance and service charges.
- Leaseholders felt that there had been inadequate use of Section 20 of the Landlord & Tenant Act 1985 consultation procedure with regard to charges for running or maintaining their properties.
- THH had endeavoured to accommodate leaseholders and had convened in excess of a 100 meetings to discuss repairs or service charges.
- THH were committed to sharing all detailed surveys of properties with leaseholders and to address those concerns in a prompt and effective manner **e.g.** contractor and sub-contractor performance.
- Some properties had suffered water damage as a consequence of the Decent Homes Programme and the Committee asked to be provided with details of the circumstances relating to those properties.
- Leaseholders felt that THH need to have a high level of respect for them and that they had become disengaged from the process. The Committee therefore wanted consideration to be given to improving leaseholder engagement as in Islington where leaseholders now had a greater degree of control over Major Works. Accordingly, THH agreed to comprehensively review how they engage with leaseholders; look at consistency in leaseholder charges and look at best practice elsewhere.
- The GLA administer the Decent Homes programme in London and work with landlords to maximise the impact of the available funding, helping them to complete the programme as quickly and cost effectively as possible. LBTH and THH had been in regular dialogue with the contractors on their performance associated with the Decent Homes programme.
- Leaseholders had concerns at the way the billing for maintenance, repairs, insurance or service charges was managed. Accordingly, the Committee wanted the billing to be dealt with in a way that was responsive and demonstrated good customer service. In addition, the Committee was advised that consideration was being given to extending the repayment period for leaseholders (including the implications of extending the repayment period on any works to be funded out of the Housing Revenue Account).
- THH had been working with contractors on addressing the quality of the work undertaken to deliver the Decent Homes programme. In addition, THH aimed to survey all residents two weeks after completion of any work. As a result of discussions on the quality of work to deliver the programme, the Committee indicated that it wanted to see all residents in Hillyard House being offered a post completion survey.

- Leaseholders' complaints had not been properly addressed and that THH needed to take ownership of their complaints process. Accordingly, the Committee wanted THH to provide clarity on what is the trigger for the commencement of any complaints process.
- The THH Board currently has five vacancies for residents/independent members. Accordingly the Committee asked for an explanation as to why there have been vacancies on the Board for such a long period of time and the Chair requested a response from the Corporate Director of Development and Renewal. Officers also agreed to look at the governance arrangements for THH (including the relationship between THH and residents).
- In order to deliver the Decent Homes programme THH was working with contractors to improve and maintain their performance at the required level **e.g.** looking at the planning and delivery of the programme against those targets set out by the GLA.

Accordingly, the Chair **Moved** and it was:-

RESOLVED that:

1. THH's endeavours to engage and accommodate leaseholders through a series of meetings be detailed in writing to the Committee;
2. The Committee are provided with details of the circumstances relating to those properties that had suffered water damage as a consequence of the Decent Homes Programme;
3. THH should show a high level of respect for leaseholders and consider the work being undertaken to improve leaseholder engagement on Major Works in other boroughs;
4. It wanted to see all residents of Hillyard House being offered a post completion survey;
5. Leaseholder's complaints had not been properly addressed and THH needed to take ownership of the complaints process. Therefore, THH would provide the Committee with clarity on what is the trigger for the commencement of any complaints process;
6. The billing process should be dealt with in a way that was responsive and demonstrated good customer service; and
7. It receives an explanation as to why there have been vacancies on the TTH Board for such an extended period of time. The Chair indicated that he wanted a response from Corporate Director of Development and Renewal. Officers also agreed to look at the governance arrangements for THH (including the relationship between THH and residents).

Action by

- David Galpin (Service Head, Legal Services, Law Probity &

Governance);

- Jackie Odunoye (Service Head Strategy, Regeneration & Sustainability, Development and Renewal); and
- David Knight (Senior Democratic Services Officer)

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

The Committee received and noted the following brief verbal updates:

The Committee noted that:

- The next ASB Workshop would take place on 28th March, 2015 at the Whitechapel Idea Store;
- The report on the quality of Section 106 funded social housing will be considered by OSC on 7th April, 2015;
- A report on the Civic Centre procurement will be considered on OSC on 7th April, 2015;
- A Challenge Session on Town Centres Policy and Delivery would be held on 8th April, 2015; and
- One Housing Group had started to commence public consultation on the Isle of Dogs about the building of 10,000 new properties and it was agreed to extend an invitation to Mick Sweeney to address the Committee about this scheme at the meeting on 13th May, 2015.

Action by

- David Knight (Senior Democratic Services Officer)

6. EXCLUSION OF THE PRESS AND PUBLIC

The agenda circulated contained no exempt/ confidential business and there was therefore no requirement to exclude the press and public to allow for its consideration.

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

Nil items.

The meeting ended at 9.45 p.m.

Chair, Councillor Joshua Peck
Overview & Scrutiny Committee