

OVERVIEW & SCRUTINY COMMITTEE

Monday, 7 September 2015 at 7.15 p.m., C1, 1st Floor, Town Hall,
Mulberry Place, 5 Clove Crescent, London, E14 2BG

This meeting is open to the public to attend.

Members:

Chair: Councillor John Pierce

Vice Chair: Councillor Danny Hassell

Councillor Mahbub Alam

Councillor Peter Golds

Councillor Denise Jones

Councillor Md. Maium Miah

Councillor Oliur Rahman

Councillor Helal Uddin

Scrutiny Lead for Law Probitry and Governance

Scrutiny Lead for Communities, Localities &
Culture

Scrutiny Lead for Resources

Scrutiny Lead for Development and Renewal

Co-opted Members:

1 Vacancy

Nozrul Mustafa

Victoria Ekubia

Dr Phillip Rice

Rev James Olanipekun

(Parent Governor Representative)

(Parent Governor Representative)

(Roman Catholic Church Representative)

(Church of England Representative)

(Parent Governor Representative)

Deputies:

Councillor Candida Ronald

[The quorum for this body is 3 voting Members]

Contact for further enquiries:

David Knight, Democratic Services

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London, E14 2BG

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Web: <http://www.towerhamlets.gov.uk/committee>

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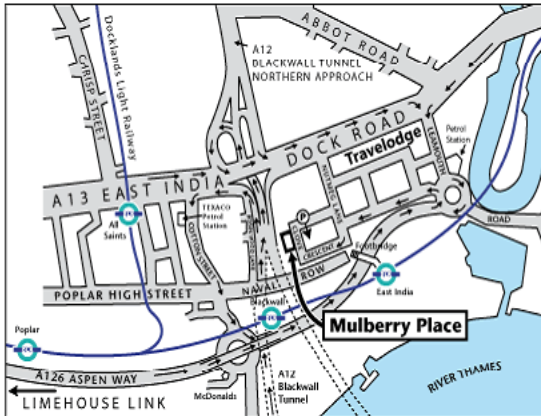
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1. **APOLOGIES FOR ABSENCE**
To receive any apologies for absence.
2. **DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST** 1 - 4

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Interim Monitoring Officer.
3. **UNRESTRICTED MINUTES** 5 - 26

To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 27th July, 2015.
4. **REQUESTS TO SUBMIT PETITIONS** All Wards

To receive any petitions (to be notified at the meeting).
5. **UNRESTRICTED REPORTS 'CALLED IN'** All Wards

No decisions of the Mayor in Cabinet 28th July, 2015 in respect of unrestricted reports on the agenda were 'called in'.
6. **SCRUTINY SPOTLIGHT**

Nil items
7. **OVERVIEW AND SCRUTINY TRANSPARENCY COMMISSION**

(Time allocated – 120 minutes).
 - 7.1 **Transparency Commission: Scope and Work Programme** All Wards 27 - 36
 - 7.2 **Executive Mayor's perspective** All Wards

Mayor John Biggs
 - 7.3 **Decisions on use of S106 and Community Infrastructure Levy** All Wards 37 - 46

Aman Dalvi, Corporate Director of Development & Renewal and Owen Whalley, Service Head for Planning and Building Control
 - 7.4 **Community Engagement** All Wards

Louise Russell, Service Head for Corporate Strategy &

Equality

7.5 Democratic Engagement **All Wards** **47 - 54**

John Williams, Service Head for Democratic Services

7.6 Whistleblowing **All Wards** **55 - 64**

Minesh Jani, Head of Risk Management and Anna Finch-Smith, Employee Relations and Policy Manager

7.7 Transparency and Scrutiny - A National Perspective **All Wards**

Ed Hammond, Head of Programmes, Local Accountability, Centre for Public Scrutiny

8. VERBAL UPDATES FROM SCRUTINY LEADS

(Time allocated – 5 minutes each)

9. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

To consider and agree pre-decision scrutiny questions/comments to be presented to Cabinet.

(Time allocated – 30 minutes).

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

To consider any other unrestricted business that the Chair considers to be urgent.

11. EXCLUSION OF THE PRESS AND PUBLIC

In view of the contents of the remaining items on the agenda the Committee is recommended to adopt the following motion:

“That, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government Act, 1972.”

EXEMPT/CONFIDENTIAL SECTION (Pink Papers)

The exempt committee papers in the agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you

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SECTION TWO

WARD

**PAGE
NUMBER(S)**

12. EXEMPT/ CONFIDENTIAL MINUTES

Nil items

13. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

No decisions of the Mayor in Cabinet 28th July, 2015 in respect of exempt/ confidential reports on the agenda were 'called in'.

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

To consider and agree pre-decision scrutiny questions/comments to be presented to Cabinet.

(Time allocated 15 minutes).

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

To consider any other exempt/ confidential business that the Chair considers to be urgent.

Next Meeting of the Overview and Scrutiny Committee

Monday, 5 October 2015 at 7.15 p.m. to be held in C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE INTERIM MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Interim Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Interim Monitoring Officer following consideration by the Dispositions Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Interim Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

David Galpin, Interim Monitoring Officer, 0207 364 4801

John Williams, Service Head, Democratic Services, 020 7364 4204

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT TIME NOT SPECIFIED ON MONDAY, 27 JULY 2015

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

Members Present:

Councillor John Pierce (Chair)	
Councillor Danny Hassell (Vice-Chair)	
Councillor Peter Golds	– Scrutiny Lead for Law Probity and Governance
Councillor Denise Jones	– Scrutiny Lead for Communities, Localities & Culture
Councillor Md. Maium Miah	– Scrutiny Lead for Resources
Councillor Helal Uddin	– Scrutiny Lead for Development and Renewal
Councillor Khaled Uddin Ahmed	–

Co-opted Members Present:

Victoria Ekubia	– (Roman Catholic Church Representative)
Rev James Olanipekun	– (Parent Governor Representative)

Apologies:

Nozrul Mustafa	– (Parent Governor Representative)
Dr Phillip Rice	– (Church of England Representative)
Councillor Mahbub Alam	–
Councillor Amina Ali	– Scrutiny Lead for Adults Services
Councillor Oliur Rahman	– Independent Group Leader

Officers Present:

Paul Buckenham	– (Development Control Manager, Development and Renewal)
Mark Cairns	– (Senior Strategy, Policy and Performance Officer)
Ruth Dowden	– (Complaints & Information Manager, Legal Services, Law Probity & Governance)
David Galpin	– (Service Head, Legal Services, Law Probity & Governance)
Kevin Kewin	– (Service Manager, Strategy & Performance)
Susan Mulligan	– (Communications Advisor,

Louise Russell	– Communications, Law Probity & Governance) – (Service Head Corporate Strategy and Equality, Law Probity & Governance)
Andy Scott	– (Interim Service Head Economic Development, Development and Renewal)
David Tolley	– (Head of Consumer and Business Regulations Service, Safer Communities, Communities Localities & Culture)
Owen Whalley	– (Service Head Planning and Building Control, Development & Renewal)
David Knight IN ATTENDANCE	– (Senior Democratic Services Officer)
Mark Baynes	– (Love Wapping)
Muhammad Haque	– (LAWRIGHTERS LondonUKInt)
Ted Jeory	– (Deputy Editor Bureau of Instigative Journalism)

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1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Nozrul Mustafa; Dr Phillip Rice; Councillor Mahbub Alam; Councillor Amina Ali and Councillor Oliur Rahman.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were no declarations of Disclosable Pecuniary Interest.

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 7th July, 2015 be approved as a correct record of the proceedings.

4. REQUESTS TO SUBMIT PETITIONS

Nil items

5. UNRESTRICTED REPORTS 'CALLED IN'

Nil items

6. SCRUTINY SPOTLIGHT

Nil items

7. UNRESTRICTED REPORTS FOR CONSIDERATION

7.1 Challenge Session Report: Town Centres Policy and Delivery

The Committee received a report that outlined the recommendations for supporting the delivery of successful town centres (high streets and markets). It was noted that it is widely recognised that town centres, high streets and markets are vital in supporting opportunities in employment, social capital and economic growth in the area. However, there are many challenges facing town centres including changes in the way people shop, changes in the population demographic, strategic competition and national legislation. In addition, the population demographic of people who live and work in the borough has changed over recent years, becoming more ethnically diverse with more households with an income of above £60,000. Therefore evolving the offer and encouraging new businesses which can capitalise on the needs of new consumers is an essential part of ensuring town centres can thrive. The main points of the discussion may be summarised as follows.

The Committee:

- Wanted to be advised on what work was being undertaken in the new growth areas and felt that it was important to focus upon development of a “sense of place” in the high roads, high streets and identifiable town or village centres of Tower Hamlets. In addition, that the recommendations contained within the report should be used to inform the future evolution of the Local Development Framework.
- Heard that the development of a Business Improvement District (BID), where local businesses in a location vote to invest collectively to improve their environment, was being investigated as an option for Shoreditch.
- Heard that once the review was agreed, it would be submitted to Cabinet with an action plan for approval.
- Heard that the Director and his team are working to build the recommendations contained within into the Local Development Framework which itself will be subjected to further scrutiny.

Accordingly, the Committee

RESOLVED to:

Agree the draft report and the recommendations contained in it;

Request that the report be submitted directly to the Mayor, the chair of the Development and Strategic Development Committees, and Cllr Dave Chesterton, in advance of the action plan’s development and approval; and

Authorise the Service Head for Strategy & Equality to amend the draft report before submission to Cabinet, after consultation with the Scrutiny Review Group.

7.2 Corporate Revenue, Capital Outturn and Performance Monitoring Report 2014/15 Quarter 4 (Month 12)

The Committee received a monitoring report that detailed the financial outturn position of the Council at the end of Quarter 4 compared to budget, and service performance against targets. This included that projected year-end position for the:

1. General Fund Revenue, Housing Revenue Account and Capital Programme;
2. Summary of the movement on Reserves; and
3. An overview of performance for all of the reportable strategic measures.

Whilst the main points of the discussion in relation this report have been summarised and incorporated within the appendix to these minutes the Committee did raise the following specific issues:

The Committee:

1. Wished to receive a copy of the list of Tower Hamlets Councils public assets;
2. Wanted to know when the review of the Youth Services Administrative Support Functions would be completed; and
3. Indicated that with regard to New School Governor Induction Training that it be confirmed that Governors are made aware of their disclosable "interests".

7.3 Overview and Scrutiny Transparency Commission

The Committee received and noted presentations from local journalists and bloggers Mark Baynes and Ted Jeory, about local transparency, including how the Council can be more transparent; how residents could be better informed about Council activity, processes and decisions; how councillors could be supported to make more transparent decisions; how decision makers could be held to account transparently. Officers also presented to the committee on how the Council responds to Freedom of Information (FOI) requests, and communication of information and decision-making regarding licensing and development.

In addition, the Committee received and noted the following questions submitted by Muhammad Haque:

What is the Tower Hamlets Council's Overview and Scrutiny Committee's priority?

- a) In the context of the most serious concerns that have been openly and publicly expressed by the lack of accountability, lack of transparency, lack of due diligence and lack of democracy in the behaviour of the LBTH Council?
- b) As made by all the known and public sources?
- c) Including and especially by a number of judges, at least ten MPs, at least four Government Ministers and in numerous comments published in print, online and in radio and TV programmes in the past two years?
- d) What is the position of the Tower Hamlets Council's Overview and Scrutiny Committee at this stage in answer to the Question from the Community - why is there not an audit and transparency route in place in the Council at present?
- e) What priority as the Tower Hamlets Council's Overview and Scrutiny Committee attached to the concerns, knowledge, opinions on the absence of transparency and accountability among ordinary members of the Community across Tower Hamlets?

In their presentations and subsequent discussion, the local journalists expressed the following views:

- The Council Tax payer's interests should come before commercial and business interests.
- Councillor/Chief Officer allowances; property; expenses; business interests and hospitality received should be published
- The cost of each internal advertising in East End Life;
- Mayoral Executive Decisions should not be published in a Portable Document Format;
- The Council should publish redacted versions of MAB/CMT minutes;
- The culture of the organisation should be open and unrestricted;
- The Council should publish all credit card transactions over £10.00 and those payments of £100 to suppliers – They need to be easily identifiable so that there is a clear audit trail i.e. each supplier should have a unique identifier;
- The Council should publish if a Councillor has stood for more than one political party and who proposed and seconded them so that the public know that they are bona fide;

Other points made by the committee were:

- More Council meetings should be held at community venues;
- The Council should publish Councillors' timesheets;
- There should be greater involvement of the Young Mayor more in Council meetings.
- The Best Value Plan (under organisational culture) should also consider policy and procedures for whistleblowing and should look to the report by Sir Robert Francis following the inquiry into Mid-Staffordshire Hospital as a model for developing this.
- Details should be provided about who sits on the Freedom of Information (FOI) Board;

- The overall costs of transparency measures should be investigated
- Why do Members have to raise FOI requests rather than being provided with information as Councillors;
- The FOI disclosure log needs to be more easily accessible;
- Consideration should be given to supporting the development of Amenity Societies within LBTH to monitor planning and development in a conservation and other sensitive areas;
- The Council should publish a plain English glossary of terms used in Planning and Licensing, and use plain English where possible in letters and notices;
- The Council needs to encourage developers to publicise their intentions for particular sites in a way that is accessible to the public;
- There should be a weekly publication of planning and licensing applications and promotion of these issues at ward level;
- The Council should investigate how other councils inform residents about licensing applications;
- The Council needs to develop a protocol on how developers should engage the community;
- The Councils web site needs to be more accessible e.g. LB of Redbridge should be seen as a best practice example;
- There needs to be a dialogue with the community on how the "revenue" from the Community Infrastructure Levy (CIL) and Section 106 is utilised in LBTH.

7.4 VERBAL UPDATES FROM SCRUTINY LEADS

The Chair informed the Committee that a Planning Session would be held on 1st September, 2015 to look at the Forward Work Programme.

8. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

As a result of a full and wide ranging discussion on the reports to be considered by Cabinet on the 28th July, 2015 a number of questions were raised. These questions together with the responses received are set out in the appendix attached to these minutes.

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

Nil items

10. EXCLUSION OF THE PRESS AND PUBLIC

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

Resolved:

That in accordance with the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to

Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972.

11. EXEMPT/ CONFIDENTIAL MINUTES

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

RESOLVED

That the restricted minutes of the meeting of the Overview and Scrutiny Committee held on 7th July, 2015 be approved as a correct record of the proceedings.

12. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items

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

Nil items

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

Nil items

Chair, Councillor John Pierce
Overview & Scrutiny Committee

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LONDON BOROUGH OF TOWER HAMLETS
Pre-Decision Questions - Overview and Scrutiny Committee – 27th July, 2015

Cabinet Report	Question / Comments
<p>Agenda Item 5.1 – Mental Health Recovery and Well-Being Service</p>	<p>The Overview & Scrutiny Committee:</p> <p>Committee asked the following:</p> <p>The report makes reference to more flexible and meaningful work opportunities being created. However:</p> <p>Response:</p> <p>I. Will the Lead Provider and Sub-contracted providers be required to pay their staff a London Living Wage?</p> <p>The 'Recovery & Wellbeing' model will provide opportunities for people to develop skills, experience and confidence to assist people prepare for employment, voluntary/vocational work and/re training/education. As such the service will not be directly responsible for terms and conditions of employment opportunities that service users may wish to pursue. Voluntary sector organisations commissioned by the Council are required to employ people on a living wage.</p> <p>II. What is the cost per head in respect to each service user?</p> <p>Analysis based on monitoring data (Jan – March 2015) from 16 services (in scope for proposed development) across the Borough identifies 1615 service users were supported at a cost of £340,985 giving an estimated cost per head of £211 over a 3 month period. This can be broken down further to £16 per week per service user.</p> <p>III. As 30,000 LBTH residents are living with mental health issues what is the percentage of the take up of this service?</p>

Cabinet Report	Question / Comments
	<p>In total there are approximately 30,000 adults estimated to have symptoms of a common mental health problem in the borough, with around 15,900 people known to their GP to have depression, and 3,300 known to have a serious mental illness. Traditionally in Tower Hamlets (in keeping with other areas) mental health day services have been provided to people with long term serious mental health illness.</p> <p>Based on a snapshot of current use of services (in scope the for proposed service development) Jan- March 2015 there were 1615 service users with longer term mental health issues which indicate an estimated take up of current services around 50% of target population based on long term severe mental illness.</p> <p>The proposed 'Recovery & Wellbeing' model aims to provide lower level support, information and guidance in addition to maintaining support for people with long term mental illness. It is anticipated that even greater numbers of people with a range of mental health challenges will benefit from the new service.</p>
<p>Agenda Item 5.2 – Transfer of Commissioning Responsibility for Early Years (0-5 years) Public Health Services from NHS England to the Local Authority.</p>	<p>The Overview & Scrutiny Committee:</p> <p>Committee asked the following:</p> <ol style="list-style-type: none"> 1. Regarding the estimates on recruitment for Health Visitors and not being able to fully meet the target of 95 Health Visitors. <ol style="list-style-type: none"> I. How far below the target will LBTH be by 1st October, 2015?; and II. Is this the responsibility of LBTH as the commissioner or the NHS as the provider of the service? 2. What work has been done on looking at practical joined up working between Children Centres; Troubled Families and Health Visitors? <p>Response:</p> <ol style="list-style-type: none"> 1. <ol style="list-style-type: none"> I. Progress on recruitment is being made but the best current estimate is that the service may be roughly 20 below the target of 95 Health Visitors at the time of transfer. This is due to a national shortage of trained Health Visitors which is

Cabinet Report	Question / Comments
	<p>acknowledged by the Department of Health; and</p> <p>II. From October 2015 it will be the responsibility of both the Council and the service provider to continue the trajectory towards the Call to Action target figure. The Council will ensure that when the service is re-procured for April 2016 the target number of Health Visitors is embedded in the service specification.</p> <p>2. A comprehensive stakeholder engagement exercise to plan for the transfer of Health Visiting responsibilities to the Council was completed in early 2015. This considered in depth how health visiting should join up with other Council services for children and families, particularly high need families, children with special needs and looked after children.</p> <p>A joint strategic working group including Children`s Centres and the Public Health Lead on Health Visiting commissioning is being established to ensure that there is a joined up approach. The new specification for the Health Visiting service clearly sets out the requirement to work closely in partnership with Children`s Centres and Children`s Social Care services to deliver the 0-5 Healthy Child Programme.</p>
<p>Agenda Item 5.3 – Ending Groups, Gangs and Serious Violence (EGGSYV)</p>	<p>The Overview & Scrutiny Committee:</p> <p>Committee asked the following:</p> <ol style="list-style-type: none"> 1. With regard to the Thematic Review (Section 6.3 Page 109 refers) for serious youth violence and looking at backgrounds of young people`s cases when will this be published? 2. The report states that LBTH does not currently have a significant gangs and serious youth violence issue in LBTH as evidenced in other Boroughs. How has comparison been evidenced? 3. Will there be accountability/reporting to the Local Safeguarding Children`s Board? 4. We would wish to have a clearer understanding of how this work would link in with the Child and Adolescent Mental Health Services? 5. Regarding issues of ASB what will be done help those young people who are not

Cabinet Report	Question / Comments
	<p>gang members?</p> <p>Response:</p> <p>Committee asked the following:</p> <ol style="list-style-type: none"> 1. With regard to the Thematic Review (Section 6.3 Page 109 refers) for serious youth violence and looking at backgrounds of young people's cases when will this be published? <p>The initial outcomes of this review have been considered by the Local Safeguarding Children's Board and it has been agreed that the actions and recommendations from the review will be implemented through the EGGSYV Strategy action plan. The recommendations are currently being considered by a working group and the final report will be going to the Local Safeguarding Children's Board on 24th September with a view to publish the report in October 2015.</p> <ol style="list-style-type: none"> 2. The report states that LBTH does not currently have a significant gangs and serious youth violence issue in LBTH as evidenced in other Boroughs. How has comparison been evidenced? <p>Comparatively Tower Hamlets has young population and high levels of poverty which the research indicates are key causal factors for GGSYV. The idea that we are not significantly involved has evolved from practitioners working closely with local service users and although the numbers are not alarming, the significance and nature of the trauma and violence used is alarming and of concern to practitioners. We need to improve the monitoring arrangements for GGSYV. There are a number of indicators which tell us that we do not have a significant problem compared to neighbouring boroughs. Our first time entrants to the Youth Justice system for example are better than the 'family' average and has halved over the last three years. We are seeing a spike in serious incidences and the recent ones have involved knives and we need a strategy in place to define our strategic approach and put in place operational arrangements to deliver a service offer which is co-ordinated with partners and invests in taking a prevention approach.</p>

Cabinet Report	Question / Comments
	<p data-bbox="709 269 1934 337">3. Will there be accountability/reporting to the Local Safeguarding Children's Board?</p> <p data-bbox="709 380 1967 849">The Local Safeguarding Children's Board have been involved in developing this strategy. The EGGSYV Co-ordinator will work closely with all the key safeguarding posts to take forward the implementation of the strategy. We have aligned the strategy to Troubled Families Programme and the Community Safety Partnership Board, highlighting the need for the strategy to bring together strategic and operational lead to both support individuals taking a whole family approach and to ensure that the enforcement angle is appropriate and co-ordinated. The local authority strategic lead who the EGGSYV Co-ordinator will have dotted line reporting to will also attend Troubled Families Board and the proposed Strategic Action Group, she is also on the Community Safety Partnership Board and is a member of the LSCB. The strategy is framed around safeguarding and it is likely that the LSCB will receive an annual update on the EGGSYV Strategy. The strategic lead is also on the Child Sexual Exploitation Group and the Co-ordinator will sit on the MASE.</p> <p data-bbox="709 891 1948 959">4. We would wish to have a clearer understanding of how this work would link in with the Child and Adolescent Mental Health Services?</p> <p data-bbox="709 1002 1967 1255">The CAMH Service has been involved in developing this strategy. The proposed Strategic Action Group will be a multi-agency group co-ordinating a response to GGSYV with a co-ordinated service offer for those involved considering the involvement of the family and wider community where appropriate and will have CAMHS representation. The strategy will link with the CAHMS development of the conduct disorder service which will work with young people with multiple difficulties or persistent patterns of ASB across local services using network approach and NICE recommendations.</p> <p data-bbox="709 1297 1913 1365">5. Regarding issues of ASB what will be done help those young people who are not gang members?</p> <p data-bbox="709 1408 1934 1476">The Strategy proposes a prevention and intervention approach. There are a number of data sets which can be used to identify young people at risk of becoming involved in</p>

Cabinet Report	Question / Comments
	<p>more serious activities. The strategy proposes that this will be used and data considered periodically to identify individuals and to identify trends and hot-spots in relation to GGSYV. YOT practitioners build relationships with young people and provide diversionary activities with education being the ultimate goal.</p>
<p>Agenda Item 5.5 – Sovereign Court – Change of Consent and Lease Extension</p>	<p>The Overview & Scrutiny Committee:</p> <p>Committee asked the following:</p> <ol style="list-style-type: none"> 1. What evidence is there that AML has the ability to deliver a decent standard of living for the prospective residents of Sovereign Court? <p>Response:</p> <p>The permitted development rights being utilised by AML were introduced by the Coalition Government in 2013. They allow the change of use of buildings from B1 (offices) to C3 (homes) in order to provide new homes in existing buildings without requiring the applicant to submit a full planning application. This means the council is not allowed to consider issues such as the internal layout, overlooking, daylight/sunlight etc. The only matters that can be considered are flood risk, transport and contamination as part of the prior approval process. Building Regulations approval will still be required; although this is about meeting certain minimum standards in relation to fire safety, structural safety etc.</p>
<p>Agenda Item 5.6 – Strategy and Options for the use of Right to Buy Receipts</p>	<p>The Overview & Scrutiny Committee:</p> <p>Committee asked the following:</p> <ol style="list-style-type: none"> 1. In terms of Best Value what assessment has been made on the proposal to buy back homes sold previously under Right to Buy? 2. With regard to the Baroness Road and Hereford sites what consultation has there been with local councillors? 3. What is actual the risk that planning will be delayed or rejected on the basis of mono-tenure?

Cabinet Report	Question / Comments
	<p>Response:</p> <p>1. Best Value assessment.</p> <p>Paragraph 16 covers best value considerations for the report. Paragraph 16.2 notes that future specific Best Value implications will be noted on a scheme basis. Paragraph 16.3 notes that alternative methods of funding have been considered for the use of receipts and the current proposal presents the best option going forward.</p> <p>2. Hereford and Locksley consultation.</p> <p>There has been limited consultation. The Council appointed Bell Philips Architect in July 2015 and a scheme is being developed for detailed resident consultation in August 2015. The council is reviewing its approach to ensure more detailed consultation at an earlier stage.</p> <p>3. Planning risk due to Mono-Tenure</p> <p>The report does not detail tenure mix in full; this will vary from site to site as schemes are developed further. The report sets out our overall approach for 1-4-1 receipts. Regarding the issue of Mono-Tenure the proposed sites are already within mixed-tenure estates and the new build proposals are for a limited number of units.</p>
<p>Agenda Item 5.7 - Strategic Performance, 14/15 General Fund Revenue Budget and Capital Programme Monitoring Q4/Year End</p>	<p>The Overview & Scrutiny Committee:</p> <p>Committee asked the following:</p> <ol style="list-style-type: none"> 1. What assessment has the Mayor undertaken regarding those funding priorities as agreed by the previous administration and will the Mayor review these decisions? 2. What is the Mayors intention with regard to the Banglatown Art Trail and Arches (Page 274 refers)?

Cabinet Report	Question / Comments
	<p>3. What is the position with regard to the underperformance of Black UK pupils and Looked after Children (Page 310 refers)?</p> <p>4. With regard to the CCG review of health support services for Looked after Children will this review be referred to the Corporate parent Steering Group (Page 322 refers)?</p> <p>5. With regard to the percentage of household waste sent for reuse/composting and re-cycling (Page 285 refers) what is being done to improve the direction of travel?</p> <p>6. With regard to the achievement of 5 or more A* - C grades (Page 288 refers) how does this compare to the national averages?</p> <p>7. Given the level of incidence with regard to the Number of Violence with Injury Incidents (Page 291 refers) what is the MPS view?</p> <p>8. Why is the “Time to Adoption” (Page 298 refers) as long as it is?</p> <p>Responses:</p> <p>1. What assessment has the Mayor undertaken regarding those funding priorities as agreed by the previous administration? Will the Mayor review these decisions?</p> <p>An initial assessment has been made as part of the Strategic and Resource Planning report at tonight’s committee, which re-aligns revenue spending priorities. A more detailed assessment will be made as part of the ongoing budgeting and medium term planning process for 2016/17.</p> <p>2. What is the Mayors intention with regard to the Banglatown Art Trail and Arches (Page 274 of Cabinet papers)?</p> <p>The 2016/17 Budget process will examine uncommitted capital projects, including this project, in detail. Any changes will be fully reported to Cabinet in the lead up to budget setting in February 2016.</p> <p>3. What is the position with regard to the underperformance of Black UK pupils and Looked after Children (Page 310 refers)?</p>

Cabinet Report	Question / Comments
	<p>Black UK pupils are not an underperforming group in Tower Hamlets. The percentage of Black UK pupils in Tower Hamlets achieving at least 5 GCSEs graded A* to C including English and Maths was 58.2%. This is only 1.5 percentage points below the borough average of 59.7% and above the performance of black UK pupils nationally which was 53.7%. In 2013, the figure for black UK pupils was 65.2%, slightly above the borough average, and in 2012 it was 59.4%, slightly below the borough average. The number of pupils in this cohort is relatively low, at around 300 pupils each year, and as such the difference in their performance to the borough average is not significant.</p> <p>11.5% of looked after children in Tower Hamlets achieved 5 or more GCSEs graded A* to C including English and Maths in 2014. Whilst this is only slightly below the national average of 12.5%, and the cohort is very small (25 children in 2014), we are concerned at the large decrease from 25% in 2013. We are recruiting a new Virtual School Head who will learn from the practice of best performing councils to drive improvement in the performance of our looked after children.</p> <p>4. With regard to the CCG review of health support services for Looked after Children will this review be referred to the Corporate parent Steering Group (Page 322 refers)?</p> <p>Yes, the report will be referred to the Corporate Parenting Steering Group.</p> <p>5. With regard to the percentage of household waste sent for reuse/composting and re-cycling (Page 285 refers) what is being done to improve the direction of travel?</p> <p>The principle emerging challenge has been contamination of recycling bins with non-recyclable material. Clean, Green & Highways, alongside the Veolia Outreach and Education Team, are currently working closely with registered providers to decrease instances of contamination and increase the quality and quantity of recycling collected from estates. A new communication campaign to compliment this work, to tackle contamination and increase participation, is being</p>

Cabinet Report	Question / Comments															
	<p>planned for the later on the year. Cooperation and active participation in this by RSL's will be important as will any decision on the future of East End Life. In addition, work is being carried out to encourage households to take part in the food waste collection scheme in houses. Tower Hamlets still has one of the highest dry recycling rates for Inner London. Any significant increase in Recycling from existing levels will be the result of contract procurement and configuration decisions members are currently considering, much longer term impacts of better recycling design of new buildings and future reviews of recycling policy driven by UK and EU targets and potential fines.</p> <p>6. With regard to the achievement of 5 or more A* - C grades (Page 288 refers) how does this compare to the national averages?</p> <p>The following table shows the Tower Hamlets outturns for 2014/15 compared with the national average for the four Strategic Measures on attainment:</p> <table border="1" data-bbox="808 820 1936 1128"> <thead> <tr> <th data-bbox="808 820 1390 896">Strategic Measure</th> <th data-bbox="1390 820 1593 896">TH outturn 14/15</th> <th data-bbox="1593 820 1936 896">National Average 14/15</th> </tr> </thead> <tbody> <tr> <td data-bbox="808 896 1390 972">Early Years Foundation Profile (good level of development)</td> <td data-bbox="1390 896 1593 972">55%</td> <td data-bbox="1593 896 1936 972">60%</td> </tr> <tr> <td data-bbox="808 972 1390 1049">Key Stage 2 attainment (Reading, Writing and Maths)</td> <td data-bbox="1390 972 1593 1049">82%</td> <td data-bbox="1593 972 1936 1049">78%</td> </tr> <tr> <td data-bbox="808 1049 1390 1088">GCSE (5 or more A*-C)</td> <td data-bbox="1390 1049 1593 1088">59.7</td> <td data-bbox="1593 1049 1936 1088">53.4</td> </tr> <tr> <td data-bbox="808 1088 1390 1128">A-Level (Average Points Score)</td> <td data-bbox="1390 1088 1593 1128">687.2</td> <td data-bbox="1593 1088 1936 1128">772.7</td> </tr> </tbody> </table> <p>7. Given the level of incidence with regard to the Number of Violence with Injury Incidents (Page 291 refers) what is the MPS view?</p> <p>An extensive restructure of the Police Analytical Resources across the whole Metropolitan Police Service in February 2014, led to a significant reduction in the number of analytical staff. As a direct response to this reduction in resource the Borough Police currently only comment on their Mayor's Office for Policing and Crime (MOPAC) measures/indicators and targets in the MOPAC Policing and</p>	Strategic Measure	TH outturn 14/15	National Average 14/15	Early Years Foundation Profile (good level of development)	55%	60%	Key Stage 2 attainment (Reading, Writing and Maths)	82%	78%	GCSE (5 or more A*-C)	59.7	53.4	A-Level (Average Points Score)	687.2	772.7
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Cabinet Report	Question / Comments
	<p>Crime Plan as opposed to Local Authority targets. Whilst the Police do not comment on Council targets, the increase, in part, is due to the change in the way the Police record crimes. In the past some, violence with injury incidents were not recorded as crimes. The Home Office have changed the rules and the HMIC now tell the Police Forces to record using the new guidelines.</p> <p>8. Why is the “Time to Adoption” (Page 298 refers) as long as it is?</p> <p>The performance figure measures the time between a child entering care, and them being placed with adoptive parents following a placement order awarded by the courts. Difficulty matching children with suitable adopters can cause delay in the process. It is particularly hard to find suitable adopters for black and minority ethnic children, sibling groups and those with special educational need/ complex health needs. In addition, delays can occur in court processes particularly if a case is contested. Finally because of the small number in the cohort for this indicator (21 in 2014-15), the average time figure can be skewed by small number of very complex cases- over half of our adoptions in 2014-15 were completed in less than the national average time, but the average time was dragged up by very few complex cases (see chart below). Nationally, the average time for this process was 533 days in 2014-15. Our performance over the three years up to March 2015 was an average of 645 days which is relatively poor, and we are taking action to address this by setting up a new permanence team and increasing the pool of available adopters.</p> <p>“At the end of March 2015 there were 25 children awaiting adoption, 17 of whom were already placed for adoption, i.e. placed with families who intend to adopt them and going through the legal process.”</p>

Cabinet Report	Question / Comments
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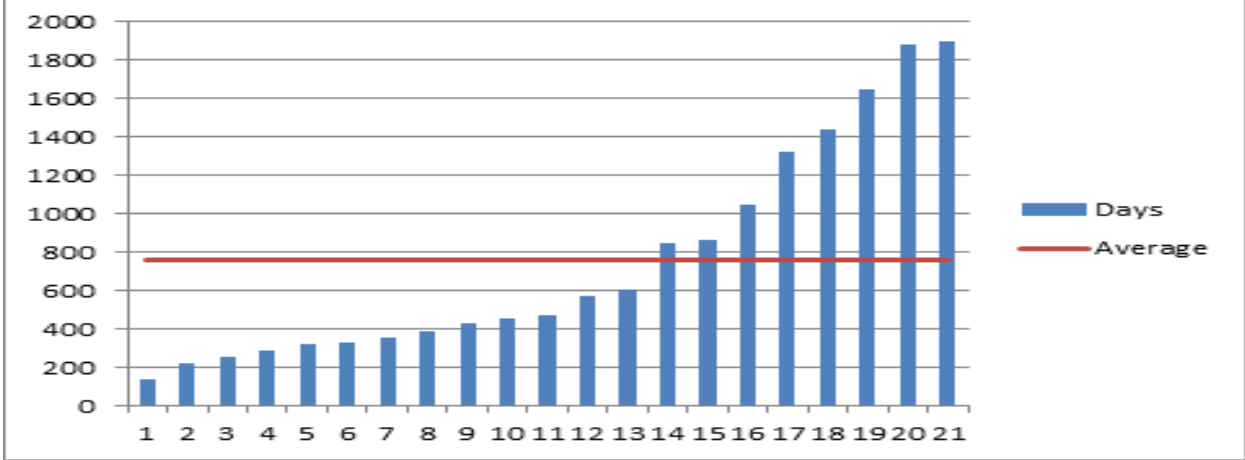


Chart- distribution of time to adopt

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Agenda Item 5.9 – Best Value Plans – Draft 6 Month Update Report

The Overview & Scrutiny Committee:

Committee asked the following:


1. The Best Value Plan (under organisational culture) should also consider policy and procedures for whistleblowing and should look to the report by Sir Robert Francis following the inquiry into Mid Staffordshire as a model for developing this.

Response

The Council is implementing the Best Value Plan which has been agreed with the Commissioners and submitted to the Secretary of State. As set out in the Best Value Plan, a Governance Working Group has been established to further constitutional issues. This cross-Party Group may choose to consider whistleblowing as its forms part of the Employees Code of Conduct (section 5.5 of the Constitution). In addition, following discussion at Overview and Scrutiny Committee (OSC) in July, the Service Head for Human Resources will be asked to attend OSC in September to discuss the Council’s approach to whistleblowing, including in the context of the Francis Inquiry.

Cabinet Report	Question / Comments

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<p>Non-Executive Report of the:</p> <p>Overview and Scrutiny Committee</p> <p>Monday 7th September 2015</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Louise Russell, Service Head, Strategy and Equality</p>	<p>Classification: Unrestricted</p>
<p>Transparency Commission Scope and Work Programme</p>	

<p>Originating Officer(s)</p>	<p>Kevin Kewin Strategy, Policy and Performance Service Manager</p>
<p>Wards affected</p>	<p>All</p>

Summary

This report presents the draft scope and schedule of the Overview and Scrutiny Committee's transparency work (the Transparency Commission).

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Approve the draft scope and work programme of the Overview and Scrutiny Transparency Commission (appendix 1).

1. REASONS FOR THE DECISIONS

- 1.1 It is important that the aims, scope and work programme of the Overview and Scrutiny Committee's Transparency Commission are clear and documented.

2. ALTERNATIVE OPTIONS

- 2.1 Overview and Scrutiny Committee could decide not to proceed with any further Transparency Commission work.
- 2.2 Overview and Scrutiny Committee could decide to amend the scope and programme of the Transparency Commission's work.

3. DETAILS OF REPORT

- 3.1 At Overview and Scrutiny Committee's (OSC's) first meeting on 7 July, the Chair of OSC announced the intention for the Committee to focus on transparency for its next three meetings.
- 3.2 At OSC's meeting on 27 July, the Committee discussed the initial aims, scope and work programme of the Transparency Commission. In addition, the Committee took evidence from journalists with a local interest, and considered transparency in relation to Freedom of Information, Licensing and Planning decisions.
- 3.3 The Committee's September meeting will consider transparency in relation to the Community Infrastructure Levy, Community Engagement, Democratic Engagement and Whistleblowing. In addition, the Committee will receive evidence from the Executive Mayor and Centre for Public Scrutiny.
- 3.4 In October, the Committee will receive evidence from authorities that are well regarded in particular aspects transparency. London Borough of Redbridge, for example, will be outlining their approach to open data.
- 3.5 The work of the OSC Transparency Commission has been widely publicised, including through East End Life and social media. A survey was launched in mid-August to provide local residents and organisations with an opportunity to give their views on how to improve transparency within the Council. The findings of the survey will be considered by the Committee at its October meeting.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There are no financial implications as a result of this report. The work of the Transparency Commission is being undertaken within existing resources.

5. LEGAL COMMENTS

- 5.1 The Council is required by Section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements which ensure the committee has specified powers. Consistent with that obligation Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full Council or the Executive, as appropriate, in connection with the discharge of any functions.
- 5.2 The legal framework for access to and re-use of public sector information is set out in the following:
- Local Government Act 1972, Part 5A, which governs access to meetings and documents at certain council meetings and committees
 - Freedom of Information Act 2000 (as amended by the Protection of Freedoms Act 2012)
 - Environmental Information Regulations 2004
 - Re-use of Public Sector Information Regulations 2005
 - Infrastructure for Spatial Information in the European Community (INSPIRE) Regulations 2009, and
 - Sections 25 and 26 of the Local Audit and Accountability Act 2014 which provide rights for persons to inspect a local authority's accounting records and supporting documentation, and to make copies of them.
- 5.3 Additionally, the Local Government Transparency Code 2015 ("the Code"), issued pursuant to section 2 of the Local Government, Planning and Land Act 1980, sets out the recommended practice as to the publication of information by local authorities about the discharge of their functions and other matters which he considers to be related.
- 5.4 The objects of the Overview and Scrutiny Panel Transparency Commission are consistent with the legal framework and the Code. Any recommendations of the Commission must be implemented in a manner which is consistent with the Council's duties under the Data Protection Act 1998 and other common law principles regarding confidentiality, or contractual obligations relating to commercially sensitive information. Additionally, the Council must not contravene the provisions of sections 100A, 100B or 100F of the Local Government Act 1972.
- 5.5 Where information would otherwise fall within one of the exemptions from disclosure, for instance, under the Freedom of Information Act 2000, the Environmental Information Regulations 2004, the Infrastructure for Spatial Information in the European Community (INSPIRE) Regulations 2009 or fall within Schedule 12A to the Local Government Act 1972 then it is at the

discretion of the local authority whether or not to rely on that exemption or publish the data.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The Commission may wish to consider whether there are any specific equality issues relating to transparency, such as whether some disabled residents, or those whose language or literacy skills are limited, experience particular access issues.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 Transparency can play a key role in supporting economy, efficiency and effectiveness. As such, the Transparency Commission's work is aligned with the Council's Best Value Duty.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT (SAGE)

- 8.1 There are no direct SAGE implications from this report.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The Council's Head of Risk Management will be providing evidence to the Committee on Whistleblowing which is within the draft scope of the Transparency Commission's work. There are no other direct risk management implications from this report.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no direct crime and disorder implications from this report.
-

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendix

- Appendix 1: Draft scope and work programme of the Overview and Scrutiny Transparency Commission.

Local Government Act, 1972 Section 100D (As amended)

List of "Background Papers" used in the preparation of this report

- None

Officer contact details for documents:

- N/A

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Overview and Scrutiny Transparency Commission – Draft Scope and Work Programme

Councillor(s) submitting proposal	Cllr John Pierce, Chair
Title Reason for Commission	<p>Overview and Scrutiny Committee (OSC) Transparency Commission</p> <p>The Commission seeks to identify what actions the Council should take to improve transparency.</p> <p>Transparency was an issue identified in the Best Value Inspection of the Council, including in relation to some decision making processes. The specific problems highlighted in the inspection are being addressed through the Council's Best Value Action Plan.</p> <p>More generally, transparency in local authorities has been a central government priority, encouraging councils to provide more information on how they are spending public money and about the decisions they make.</p> <p>Transparency was also a key theme of the recent local Mayoral election.</p> <p>The OSC Transparency Commission is an opportunity for Members, from all political parties, to work together to identify how the Council could be more transparent.</p>
Proposed completion date	It is proposed that the Commission will report by November 2015.
Core Questions	<p>The core question is how can the Council be more transparent?</p> <p>In addressing this question, Members may seek answers to a range of related questions, such as:</p> <ul style="list-style-type: none"> • How could residents be better informed about Council activity, processes and decisions? • How could Members be supported to make more transparent decisions? • How can decision makers be held to account transparently? <p>In seeking to address the core question, the Chair of Overview and Scrutiny has identified a number of particular areas where he would wish the Committee to focus.</p> <p>These include:</p> <ul style="list-style-type: none"> • Freedom of Information requests • Open Data and Access to Information • Transparency and community engagement in decision making, including public notices, consultation and decision making on Licensing and Development Committees • Planning Contributions / Community Infrastructure Levy <p>At Overview and Scrutiny on 27th July, the Committee agreed to add Whistleblowing to the scope of the Commission.</p>
Desired outcome	Recommendations to improve transparency within the Council.

What will not be included	Specific issues identified within the Best Value Inspection; these are being addressed through the Best Value Action Plan.
Risks (mitigation)	<p>Transparency is a broad topic. There is a risk that the scope of this work exceeds the time available, including the intention to report by November 2015. Following discussion by Overview and Scrutiny on 27th July, this scoping document has been submitted for OSC's approval to help mitigate this.</p> <p>There is also a risk that some identified witnesses, including other local authorities, will not be available to attend OSC meetings. Where witnesses are not available to attend OSC, other evidence gathering methods will be used, such as written questions and submissions.</p>
Equality & Diversity considerations	The Commission may wish to consider whether there are any specific equality issues relating to transparency, such as whether some disabled residents, or those whose language or literacy skills are limited, experience particular access issues.
Possible co-options	Commission consists of full OSC, including co-opted members.
Key stakeholders/ consultees	<p>Potential witnesses are identified below.</p> <p>In addition, a survey of local residents and organisations is taking place to ascertain their views on transparency.</p>
Cabinet member(s)	Mayor
Witnesses	<p>John Biggs, Executive Mayor</p> <p>Aman Dalvi, Corporate Director of Development & Renewal Anna Finch-Smith, Employee Relations and Policy Manager David Galpin, Service Head for Legal Services Ruth Dowden, Complaints and Information Manager Minesh Jani, Head of Risk Management Louise Russell, Service Head for Corporate Strategy and Equality David Tolley, Head of Consumer and Business Regulation Owen Whalley, Service Head for Planning and Building Control John Williams, Service Head for Democratic Services</p> <p>Other local authorities that are well regarded in particular aspects of transparency. These authorities are to be confirmed but will include London Borough of Redbridge.</p> <p>National organisations with an interest or focus on transparency. These organisations are to be confirmed but will include the Centre for Public Scrutiny.</p> <p>Journalists with a local interest e.g. Mark Baynes, "Love Wapping" blog Ted Jeory, "Trial By Jeory" blog</p>
Research/Evidence required	<p>A public consultation exercise on transparency is being undertaken. This survey is being publicised to residents and local groups.</p> <p>The remainder of evidence will be taken orally and in writing from the range of witnesses identified.</p>

<p>Work Programme</p>	<p>July OSC meeting</p> <ul style="list-style-type: none"> • Introduction, Scope and Work Programme (Cllr John Pierce, Chair) • Journalists' perspective (Mark Baynes, "Love Wapping" blog Ted Jeory, "Trial By Jeory" blog) • Responding to Freedom of Information requests (David Galpin, Service Head for Legal Services and Ruth Dowden, Complaints and Information Manager) • Public notice, consultation and decision making on Licensing and Development Committees (David Tolley, Head of Consumer and Business Regulation; Owen Whalley, Service Head for Planning and Building Control) <p>September OSC meeting</p> <ul style="list-style-type: none"> • Executive Mayor's perspective (Mayor John Biggs) • Decisions on use of planning contributions (Aman Dalvi, Corporate Director of Development & Renewal and Owen Whalley, Service Head for Planning and Building Control) • Community Engagement (Louise Russell, Service Head for Corporate Strategy & Equality) • Democratic Engagement (John Williams, Service Head for Democratic Services) • Whistleblowing (Minesh Jani, Head of Risk Management and Anna Finch-Smith, Employee Relations and Policy Manager) • Transparency and Scrutiny – A National Perspective (Ed Hammond, Head of Programmes, Local Accountability, Centre for Public Scrutiny) <p>October OSC meeting</p> <ul style="list-style-type: none"> • Results from public consultation on transparency (Louise Russell, Service Head for Corporate Strategy & Equality) • Learning from other authorities (Representatives to be confirmed but will include London Borough of Redbridge) <p>November OSC meeting</p> <ul style="list-style-type: none"> • Draft Transparency Commission report
<p>Publicity</p>	<p>There will be regular press releases updating on the Commission's work,</p>

	<p>articles in East End Life and use of social media.</p> <p>All sessions will be held in public.</p>
<p>Links to Strategic / Mayoral Priorities</p>	<p>The Mayor indicated in his election commitments a focus on transparency and accountability, including answering questions at full Council and OSC. The development of a Transparency Protocol by the Executive is an action in the Strategic Plan, and the work of the Transparency Commission can directly inform this protocol.</p>



2008 - 2009
Reducing Re-offending
2003 - 2008
Winner of 6 previous
Beacon Awards



INVESTOR IN PEOPLE



Decisions on the use of Planning Contributions

Overview and Scrutiny Committee Transparency Commission

September 2015

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Agenda Item 7.3



2008 - 2009
Reducing Re-offending
2003 - 2008
Winner of 6 previous
Beacon Awards



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Purpose of Seminar/Desired Outcomes

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To set out: -

- S106 policy and guidance
- Role of Development Committees
- Planning Contributions Overview Panel (PCOP)
- Decision Making Process
- Information on S106 agreements and decisions
- The Community Infrastructure Levy (CIL)



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S106 Policy and Guidance

- Planning Act 1990
- National Planning Policy Framework
- LBTH Core Strategy
- Planning Obligations SPD
- The three legal tests



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Role of Development Committees

Page 40

- To decide on the acceptability of planning applications
- Planning Obligations are set out as Heads of Terms in the Committee Report
- Planning Officers and Legal Team draft S106 Agreement with the applicant in accordance with the approved Heads of Terms



2008 - 2009
Reducing Re-offending
2003 - 2008
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Planning Contributions Overview Panel (PCOP)

- Established through a Cabinet decision in December 2004
- Chaired by the Director of Development and Renewal
- Internal, cross-directorate, officer-led panel
- Corporately evaluate and agree the Heads of Terms proposed on applications
- Monitor the implementation and expenditure of S106 obligations and monies, in accordance with legal agreements

Process for Making Decisions

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- S106 Legal Agreement identifies what the money is for, e.g.:
“The Health Contribution will be used for the delivery or improvement of Health Facilities in the vicinity of the development”
- Must be spent in accordance with the legal agreement
- Projects are presented by Service Area reflecting current Council priorities and in line with existing strategies.
- Project Initiation Document provides detail of justification, governance, programming, match-funding, risks, etc.



2008 - 2009
Reducing Re-offending
2003 - 2008
Winner of 6 previous
Beacon Awards



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Information on S106 agreements and decisions

- All S106 Agreements are required to be made publicly available - located on Planning Application Search website
- All PCOP decisions are published on the Council website
- Project factsheets are published on the website at least annually
- Officers are working on making S106 agreements and spending more accessible on the website

The Community Infrastructure Levy (CIL)

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- CIL is a new approach to collecting funding from developers to support the delivery of infrastructure
- Council adopted a CIL Charging Schedule in April 2015
- No funds yet received, no volume expected until 2016/17
- Expenditure of CIL is an Executive Decision – dialogue with the Mayor has commenced
- It is appropriate to review the PCOP process for S106 funding at the same time



Owen Whalley

Service Head – Planning and Building Control

Matthew Pullen

Team Leader – Infrastructure Planning

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Democratic Transparency & Engagement

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John Williams – Service Head, Democratic Services

Overview and Scrutiny Committee - Transparency Commission

7th September 2015

Agenda Item 7.5

TRANSPARENCY

- **A wide topic. See range of areas covered in DCLG Local Government Transparency Code**
- **These slides focus on the democratic decision-making & scrutiny processes and the extent to which the law, the Council's Constitution and/or practice promotes transparency and accountability**
- **Transparency = openness in decision making so that residents can:-**
 - 1. Easily know who is taking decisions that affect them, when, what those decisions are and the reasons for them**
 - 2. Witness the process if they wish; and**
 - 3. Hold the decision-makers to account.**
- **But also engagement – are local people engaged in the process?**
- **And participation – what opportunities do residents have to participate and influence decision-making & scrutiny and do they take them up?**

TRANSPARENCY & PARTICIPATION MEASURES IN PLACE AT LBTH (1)

In Law

- Agendas, minutes and reports published for all formal meetings
- Meetings open to the public (except part 2)
- Individual executive decisions published (inc reasons/alternatives)
- Key decisions 28 days in advance (subject to urgency procedure)
- Planning and Licensing consultation
- Council Tax consultation (statutory)
- Co-opted members – O&S etc
- Information published on Mayor and all Councillors - name, contact details, membership of committees, Register of Interests.
- Constitution is published and on line

TRANSPARENCY & PARTICIPATION MEASURES IN PLACE IN LBTH

Page 50 Council's Constitution/practice

- Publicise meetings in EEL/on website; and use modern.gov tablet app
- Petition Scheme/Petitions and public questions at meetings
- Webcasting (Council & Cabinet) pilot, procurement under way
- More member information online:- Timesheets, outside bodies, surgeries
- Consultations/Scrutiny Panels/co-opted members
- Planning/Licensing speakers, protocols in place
- Young Mayor – election every 2 years plus 2 deputies.
Turnout Jan 2015 = 71.95%. Supported by Youth Services. Oversee projects & represent TH nationally.
- Young Council and Local Democracy Week events
- Localisation - Ward Forums, Community Champion Co-ordinators
- Elections – outreach work in communities and with women, students

HOW ARE WE DOING?

- **Most executive decisions taken in public**
- **Low % of exempt/Part 2 items**
- **Relatively high public attendance esp. at Council meetings**
- **50 public questions to Council in year to July 2015 (& informal Cabinet sessions)**
- **19 petitions to Council in year to July 2015 (inc. 1 x petition debate)**
- **Webcasting viewing figures**
- **Scrutiny panels/task and finish reviews**
- **Co-opted positions filled on O&SC, SAC, Pensions Committee**
- **Relatively high level of delegated powers in some areas**
- **Electoral participation high – e.g. 2014 turnout**
- **FoI responses, Members' access to information provision.**

ISSUES FOR CONSIDERATION

- Page 52
- **Need for comprehensive approach**
 - **Statutory (compliance with law) vs. discretionary measures**
 - **Individual decision-making vs. collective/meetings**
 - **Level of delegated powers (officer decisions)**
 - **Shift of emphasis Council meeting to Executive**
 - **O&S role in policy development/consultation and advance scrutiny before decision-making**
 - **Even where participation is high, are all communities represented?**
 - **However open, formal council proceedings may not attract people**
 - **Move from transparency to interactivity**
 - **Opportunities offered by technology, social media**
 - **Members' role, access to information, outside organisations**
 - **Best practice elsewhere**

POSSIBLE IMPROVEMENTS

- Review of information to residents – wider range of channels
- Plain English reports, decisions, constitution
- Social media strategy – inc FB/Twitter pages for decisions, consultations. Virtual surgeries/Q&A chat (RO hour May 2015)
- Webcasting – increase scope, more meetings, live webcasts? Also interactive features, surveys/votes
- E-petitions, review of requirements
- Meetings in outside venues/at different times?
- Governance review (& LGA) to have transparency strand – constitution, delegations etc. Meetings from September 2015
- Guidance on exempt items - split reports with minimum in Part 2
- Outside bodies – review arrangements for nominees reporting back
- Targeted outreach (electoral registration, localisation, participation)

Democratic Transparency & Engagement

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Questions/Comments?

7th September 2015

Whistleblowing Overview and Scrutiny - Transparency Commission

Council arrangements – whistleblowing

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- Part of the Anti Fraud and Corruption Strategy
- Refreshed annually and reported to the Corporate Management Team and Audit Committee
- Sets out the duty of the Council under Public Interest Disclosure Act

Anti fraud and corruption strategy – whistleblowing

- Types of disclosures
- What can be disclosed
- To whom
- How the Council deals with disclosures
- Safeguards for whistle-blower
- Step by step guide and next steps

Anti fraud and corruption strategy – whistleblowing

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- Investigation based on risk assessment of:-
 - Whether council business
 - Credibility of concerns
 - Seriousness of disclosure
 - Experience / previous disclosure
 - Likelihood of securing additional information

Other ways of raising concerns

- Whistleblowing process is a supplement, and not substitute, for the usual channels for complaints. These channels are: -
 - Complaints procedure
 - Grievance and combatting harassment and discrimination procedure (CHAD)
 - Line management
 - Housing benefit fraud hotline
 - Council general enquiry hotline
 - External audit (KPMG)
 - Public concern at work

Staff Concerns

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Employees code of conduct references whistleblowing and sets out expectations on staff to report concerns

Alternative routes for staff and others to raise concerns

Who raising concern	Type of concern	Procedure(s) to use
Member of staff	Issue about their own employment	Grievance, CHAD, Line Management
Member of staff	Concern over conduct of another staff member	Grievance, CHAD, Line Management, Whistleblowing (depending on nature of concern)
Member of public	Concern regarding a Council employee(s)	Complaints procedure, Whistleblowing, Freedom of Information request
Elected Member	Concern regarding a Council employee(s)	Whistleblowing, Members Enquiry
Council's Partners	Concerns regarding a Council employee(s)	Whistleblowing, Complaints procedure

Areas for Improvement

- Visibility of the whistleblowing process
- Clarity of routes for raising concerns
- Support for whistleblowers
- Improve culture of encouraging concerns to be raised

Proposed and Current Actions

- Review of the whistleblowing process – to include support available for those raising concerns and possible procedure/whistleblowing charter
- Publicise amended process – including different routes available to raise concerns
- Consider e-learning module
- Evaluate the procedures for staff concerns regarding actions of Elected Members
- Member Officer Protocol being reviewed

Further information:

- Anti Fraud and Corruption Strategy -
http://www.towerhamlets.gov.uk/lgs/800001-800100/800011_national_fraud_initiati/anti-fraud_and_corruption_stra.aspx
- ACAS Whistle-blowing in the work place guidance –
<http://www.acas.org.uk/index.aspx?articleid=1919>