

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.15 P.M. ON MONDAY, 4 JANUARY 2016

**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 Mahbub Alam	
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 Oliur Rahman	–
Councillor Helal Uddin	– Scrutiny Lead for Development and Renewal

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)
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Other Councillors Present:

Councillor David Edgar
Councillor Shiria Khatun

Apologies:

Councillor Amina Ali	– Scrutiny Lead for Adult Health and Wellbeing
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Officers Present:

Mark Cairns	– (Senior Strategy, Policy and Performance Officer)
Kevin Kewin	– (Acting Service Head, Corporate Strategy and Equality)
David Tolley	– (Head of Consumer and Business Regulations Service, Safer

Jackie Odunoye	– Communities, Communities Localities & Culture
Graham White	– (Service Head, Strategy, Regeneration & Sustainability, Development and Renewal)
Brian Snary	– (Interim Service Head, Legal Services, Law, Probity and Governance)
David Knight	– Financial Accountant - Resources
	– (Senior Democratic Services Officer)

1. APOLOGIES FOR ABSENCE

Councillor Amina Ali.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

There were not declarations of disclosable of 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 30th November, 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 Update on Audits of Leasehold Services & Charges

The Committee noted that at its meeting on 2nd November 2015, a further report on the two audits that had been undertaken on the leaseholder and leasehold service charges.

As a result of consideration on this submission the Committee agreed that it wished to receive a further report outlining all actions in relation to those audits within the next two to three months at a spotlight session that would involve the Chief Executive and Chair of the Tower Hamlets Homes. The Committee also indicated that they wanted to know the details of the proposals for establishing a monitoring group made up of leaseholders and tenants.

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

RESOLVED to receive:

1. A further report outlining all actions in relation to the audits that had been undertaken on the leaseholders and leasehold service charges within the next two to three months at a spotlight session that would involve the Chief Executive and Chair of the Tower Hamlets Homes; and
2. Details of the proposals for establishing a monitoring group made up of leaseholders and tenants.

7.2 Corporate Revenue and Capital Budget Monitoring Q2 2015/16 (Month 6)

The Committee received and noted the monitoring report that outlined the financial outturn position of the Council at the end of Quarter 2 for 2015/16 compared to budget, and service performance against targets. This included projected year-end position for the:

- General Fund Revenue, Housing Revenue Account and Capital Programme;
- Summary of the movement on Reserves

The discussions on this report may be summarised as follows:

The Committee:

- Heard that at present there are savings in Children's Services of £1.489m which are yet to be allocated across the Directorate - £500k of these relate to the review of administration, which leaves £0.989m as savings which need to be delivered, mitigated, or a case made for additional corporate resources via a target adjustment due to slippage/non-deliverability, these savings are being reviewed by the Directorate DMT – the achievability of mitigating savings remain a high risk for the Directorate and will continue to be closely monitored. It was noted that these savings would be achieved through recommended reductions submitted from the directorates;
- Heard that the overall projected Housing Revenue Account underspend is the net result of a number of variances. The high number of Right to Buy sales means service charges are projected to be higher than budgeted, although offsetting this, dwelling rental income is forecast to

be lower – in the first six months of 2015/16 there were 127 Right to Buy sales. Energy costs are forecast to be lower than budgeted, along with other utilities, although this is a volatile budget and will be closely monitored. The additional net income needs to be seen in the context of emerging pressures on future rents brought about by changes in government policy, and the need to support future investment in existing or new stock as part of a sustainable HRA business plan;

- Heard that whilst any ongoing revenue overspends during 2015/16 will have a negative impact on the Medium Term Financial Plan. At present a broadly break even position for Directorates is predicted for 2015/16, however there are cost pressures within social care that potentially require the use of earmarked reserves during the year;
- Heard that the capital budget for 2015/16 now totals £119.3m, decreased from the £211.1m reported to Cabinet in October 2015. The decrease primarily being due to the re-profiling of budgets into future years;
- Heard that there will be a report to a future meeting on the mechanism to replace Ward Forums;
- Stated that in future it would want to receive more information/narrative behind the rationale for each decision; and
- Asked to be provided with more details on the new locations mentioned in the Capital Control Budget (Housing Revenue Account, New Supply) to replace Christian Street; Brick Lane; Spelman Street and Mile End Road.

7.3 Six Month Strategic Performance Monitoring Report

The Committee received and noted a monitoring report that outlined the Council's progress in delivering activities within the Strategic Plan and performance for Strategic Measures at the six month stage.

The summary of the Committees discussions is outlined below:

1. Heard that the percentage of council tax collected performance is 49.3 percent; the target has been exceeded by 0.8 percentage points;
2. Heard that 4.9 per cent of 16-19 year olds were not in education, employment or training (NEET) in August (most up to date data); better than target;
3. Noted that recent changes to regulations have placed a requirement on Materials Recovery Facilities (MRFs) to adopt a specific sampling methodology and to make public (via Environment Agency reporting) their throughput volumes of the various types of recyclates. This requires each MRF to establish the quality of materials that they receive and process. In addition the recyclates market has been impacted by economic conditions which mean that the value of materials in the recyclable stream has dropped significantly, affecting prices and demand, especially for low grade materials. This has made the MRF contractors more vigilant in terms of what they accept from councils, so more of the waste sent for recycling has been rejected as being contaminated; this rejected waste is sent for processing to

generate energy and does not contribute towards recycling targets. Accordingly, Clean, Green & Highways, alongside the Veolia Outreach and Education Team, are currently working closely with registered providers to tackle and prevent contamination and increase the quality and quantity of recycling collected from estates. A new communications campaign to compliment this work and increase participation is being rolled out during November/December. In addition, work is being carried out to encourage households to take part in the food waste collection scheme in houses. Early indications show the recycling rate is improving and it is expected that targets will be met by the end of the year and that further improvement will be achievable next year. It was noted that there would be a scrutiny challenge session to look at recycling on the 19th January, 2016;

4. Asked if there be consistency between recycling provision in the town hall and for residents in the future. (**Subsequent** to the meeting it was noted that Facilities Management has implemented and manage the system at Mulberry Place. The waste is generally office waste somewhat different to household waste. The scheme implemented is essential to prevent contamination, and it has helped providing the segregated bins. The waste at the Town Hall is classified as Commercial Waste; the recycling is collected by Veolia, the residual waste by East India Dock management. Moving to the future LBTH needs to think more collaboratively to implement an effective waste management system for the New Civic Centre, and Clean, Green and Highways are more than willing to provide advice on the options and best practice);
5. Heard that in overall terms Tower Hamlets is considered to perform well for cleanliness and is a top performing. However, everybody has a role to play in making Tower Hamlets clean, green and litter-free. It will be through the combined efforts of residents and community groups working alongside Council to keep the borough clean, whilst those persistent offenders will be pursued;
6. Asked that as the milestone “commence Year 5 Decent Homes (DH) Programme using DHs contractors” is shown in the report as 100% completed due to the contractors having started on site. How is the year 5 programme itself progressing? (**Subsequent** to the meeting it was noted that the 2015/16 DHs programme is projected to cost circa £51million of which £13.2m is GLA funded as part of the additional funding secured for Y5. The Council is contracted with GLA to make 917 DHs but the total for the programme will be 1,650 which will reduce backlog non-decency to 5.8%.and 11.82% globally by the end of the financial year. A total of 7,226 homes have been made decent since the programme started in 2011/12. Whilst at the end of Q3, a total of 295 homes have been made decent this year. The forecast against the borough-wide target has been reprofiled to 1,150 properties against the original target of 1,650. The framework contractors have carried out a series of onsite surveys, which have been validated by the THH in-house delivery team and consultants. This work has determined that some blocks require little or no works at the current time. This has led to a position where some blocks that have been programmed to return

yield are already Decent against the re-profiled target, THH are confident in meeting the year end figure at March 2016. 70% of the local community benefits targets have also been achieved ending).

7. What does the Community Speed Enforcement arrangement entail? (**Subsequent** to the meeting it was noted that the Community Speed Enforcement concept is where members of the public operate a speed gun to monitor traffic speed and anyone travelling over the speed limit is written to by the Police, to advise them to observe the speed limit – although no tickets can be issued this way. The Police have advised the Council of a lack of equipment and LBTH has purchased a speed gun for their use which it has been agreed will be used in 20 targeted enforcement initiatives to spread awareness of the 20 mph limit and address anti-social driving behaviour).

7.4 Gambling Policy Review 2012 -2016

The Committee noted that all Local Authorities have to review and adopt a policy every three years which defines how they will administer and exercise their responsibilities under the Gambling Act 2005. A statutory consultation process had therefore commenced on the 19th October 2015 which will continue until the 15th January 2016. The policy it was noted had also been to the Licensing Committee on the 8th December 2015. All comments received will be analysed and incorporated into the policy where necessary. Then the policy will finally be agreed by full Council upon the recommendation of the Cabinet.

The main points of the discussion may be summarised as follows.

The Committee:

- Expressed concern regarding the increase in the number of fixed odds betting terminals (FOBT) and wanted to know how this might be addressed;
- Indicated that it wanted to consider this issue again after the consultation. In particular they wanted to consider the impact of the FOBTs upon the quality of life of those poorer residents who gamble; to know what can be done to reach out effectively those individuals with addictive behaviour and how community leaders can be involved; to see what other Councils are doing to address the increase in fixed betting terminals; encourage schools to address the negative impact of gambling through their Personal, Social and Health Education (PHSE) programmes and accepted that there was an need to have properly evidenced cases to be put forwarded to address these concerns with the relevant bodies;
- Wanted the current consultation exercise to reach out to the greatest number of individuals and organisations within the community;
- Wanted LBTH to lobby central government to make a legislative changes for the future; and
- Accepted whilst gambling cannot be stopped it can be minimised through policies on when and how companies can advertise.

8. VERBAL UPDATES FROM SCRUTINY LEADS

Committee Members were asked to email their updates to Mark Cairns Senior Strategy Policy & Performance Officer.

9. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

The following questions were submitted:

Agenda Item 5.5 – Housing Revenue Account Rent Setting Report

Page 119 - Rents

Question: What mechanism will be in place for tenants should they wish appeal against any increase in their rent?

Subsequent to the meeting the following was received:

Response: There is no formal mechanism for tenants to appeal against any increase in their rents. However, the report sets out a **1%** reduction in rents, not an increase.

Agenda Item 5.7 - Six Month Strategic Performance Monitoring Report

Committee asked for details on the following:

Page 229 – Create 800 additional places to offer disadvantaged 2 year olds?

Questions –

- 1. Are we now on track for the delivery of all 800 places for 2 year olds:**

Subsequent to the meeting the following was received:

Response:

- From the project spreadsheet, we are on track to deliver the 800 places through the capital programme. This is a mixture of small and larger projects.
- For example, two large capital projects will be the Commodore Street site (approx. 100 places), and the Bethnal Green Rangers site (approx. 60 places)
- There are also additional places being created through child minders.

2. What have been the reasons for the delay regarding the Commissioners?

Subsequent to the meeting the following was received:

Response:

- Commissioners put in place that all grant funding approvals had to go through them
- This held up approvals for capital works and payments to providers of grant funded places and we had challenges in meeting Commissioners' expectations at times.
- Approval processes now in place and capital works are going ahead.

Page 235 – Convert SEN statements into Education Health and Care (EHC) Plans

Questions –

- 1. Has there been bench marking against other Boroughs?**
- 2. Is the delay related to any contracting out of the conversations and quality of these?**
- 3. Quality of Plans – Is the SEN Review about the delivery of statements and not the quality of the plans at present?**

Subsequent to the meeting the following was received:

Response:

- LBTH are performing well – many LAs are falling behind the government's expected rate of transfer and as a consequence the deadline was extended last autumn. However, there is no doubt that the conversion process is placing great strain on the system locally.
- There is no evidence that quality issues or contracting-out any of the work are particularly hindering progress in converting statements to single integrated plans. It would be fair to say that the workload has been underestimated by central government.

Page 251 – Undertake a campaign to ensure children are registered with a GP and Dentist

Question

Why has there has been no report yet to HWBB?

Subsequent to the meeting the following was received:

Response:

- The January HWBB agenda has been changed to accommodate a workshop on the new Health and Wellbeing Strategy
- A paper on this that is written jointly with the CCG will come to the March Board

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

Nil items

11. 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

12. EXEMPT/ CONFIDENTIAL MINUTES

Nil items

13. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items

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

Nil items

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

Nil items

The meeting ended at 10.15 p.m.

Chair, Councillor John Pierce
Overview & Scrutiny Committee