

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.15 P.M. ON MONDAY, 9 MAY 2016

IDEA STORE WHITECHAPEL, 321 WHITECHAPEL ROAD, LONDON E1 1BU

Members Present:

Councillor John Pierce (Chair)	
Councillor Danny Hassell (Vice-Chair)	
Councillor Amina Ali	– Scrutiny Lead for Adult Health and Wellbeing
Councillor Peter Golds	– Scrutiny Lead for Law Probity and Governance
Councillor Denise Jones	– Scrutiny Lead for Communities, Localities & Culture
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)

Other Councillors Present:

Councillor Julia Dockerill
Councillor Rachael Saunders

Apologies:

Councillor Mahbub Alam	–
Councillor Md. Maium Miah	– Scrutiny Lead for Resources
Councillor Oliur Rahman	–

Officers Present:

Will Tuckley	– (Chief Executive)
Mark Cairns	– (Senior Strategy, Policy and Performance Officer)
Melanie Clay	– (Corporate Director, Law Probity and Governance)

Zena Cooke Afazul Hoque	– (Corporate Director, Resources) – (Senior Strategy Policy & Performance Officer, One Tower Hamlets, Chief Executive's)
Kevin Kewin	– (Interim Service Head, Corporate Strategy and Equality)
Jackie Odunoye	– (Service Head, Strategy, Regeneration & Sustainability, Development and Renewal)
Debbie Jones	– (Corporate Director, Children's Services)
Terry Parkin	– Interim Service Head, Learning & Achievement
Graham White	– (Interim Service Head, Legal Services, Law, Probity and Governance)
David Knight Theresa Berezcz	– (Senior Democratic Services Officer) –

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mahbub Alam; Md. Maium Miah and 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 4th April, 2016 were approved as a correct record of the proceedings.

4. OVERVIEW AND SCRUTINY ACTION NOTES 2016-17

The Committee noted that they would receive an update on the outstanding actions at the next meeting.

5. FUTURE DECISIONS

The Committee received and noted the current position regarding the forthcoming decisions.

6. REQUESTS TO SUBMIT PETITIONS

Nil items

7. UNRESTRICTED REPORTS 'CALLED IN'

Nil items

8. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

The Committee considered the Cabinet agenda for the 5th April, 2016 and noted that the Mayor, Councillors and the community have expressed concern that the development industry is increasingly seeing much of the Borough as an opportunity for “Tall Buildings”. This is resulting in planning applications being received for developments that the Council considers are inappropriate for their local context and as such fail to satisfy the planning policy requirements of London Borough of Tower Hamlets adopted Local Plan (Core Strategy 2010 and Managing Development Document DPD 2013).

It was noted that the Council is in the process of preparing a new Local Plan that will include a new policy on “Tall Buildings”. These policies are anticipated to be published in draft in autumn 2016 and adopted in 2017. In the interim however, more applications for “Tall Buildings” are likely to be received. Therefore, the Mayor has requested that an explanatory note is published to ensure that the Council’s policy on “Tall Buildings” is made clear to interested parties. The ‘Planning Policy Explanatory Note on Tall Buildings’.

9. SCRUTINY SPOTLIGHT

Nil items

10. UNRESTRICTED REPORTS FOR CONSIDERATION

10.1 Poplar Town Hall

The Committee received a report that outlined the observations and recommendations of the Overview and Scrutiny Committee (OSC) following its review of the investigation into the sale of the former Poplar Town Hall, undertaken pursuant to a referral from full Council on 22 January 2014. Then the publication by Pricewaterhouse Coopers (PwC) on 4 November 2014 their Best Value Inspection into the Council, including the sale of Poplar Town Hall. The main points of the discussion maybe be summarised as follows:

The Committee

- Noted that this matter has been a protracted and complex issue for the Council to progress. In particular, it has involved a number of detailed investigations undertaken by external financial and legal experts and it has been challenging for the Council to reach a consensus and understanding of the status and significance of those investigations. The report provided a summary overview of the detailed work to date and critically identified key outcomes for the Council to consider and implement. This being to improve (where not already implemented) the rigour of relevant procedures and provide for the ongoing scrutiny of relevant Council decisions;
- Was advised that the Council has made significant progress in addressing the concerns identified by Mazars and PwC. In particular a Property Best Value Action Plan (PBVAP) was agreed with the Commissioners and submitted to the Secretary of State in March 2015.

The PBVAP is designed to provide greater clarity about the processes for property disposal, including.

- I. The limited circumstances in which it is possible to accept late offers and/or not to accept the highest offer.
 - II. The marketing approach period.
 - III. Documentation and maintaining records.
 - IV. Delegated powers and decision making.
 - V. Declaration of interests – and the need to require declarations from bidders.
 - VI. Briefing and training for staff.
- Stated that LBTH needed to be confident that there were systems now in place to ensure that the processes for property disposal are being followed;
 - Placed on record its particular thanks to Melanie Clay (Corporate Director, Law, Probity and Governance and Graham White (Interim Service Head - Legal Services) for their help and advice regarding this report; and
 - Wished to see the Chair of Overview and Scrutiny taking the lead in identifying any areas of future concern.

As a result of discussions on the report the Committee **agreed** to adopt the report and the recommendations contained within it.

10.2 Overview and Scrutiny Annual Report

The Committee received and noted the Annual Report which summarised the work of the Overview & Scrutiny Committee and the Health Scrutiny Panel in the 2015-16 municipal year, and is presented to the Committee for its approval prior to being presented to Council.

The report outlined the various elements of this work in 2015/16, arranged by the portfolios held by lead members. This included its scrutiny of the council and partners' services (including through dedicated "spotlights"), its contributions in reviewing budget proposals, and its work in leading improvement and policy development work, through reviews and challenge sessions. It also covered scrutiny of the executive's decision-making, through pre-decision questions, and call-ins by other members. The Committee also noted the comments of the Co-Opted Members who had welcomed the opportunity to be involve in the process at such an eventful and informative time in the Boroughs history.

As a result of discussions on the report Committee **agreed**:

1. That the report to be submitted to Council; and
2. To authorise the Corporate Director of Law, Probity and Governance to make any amendments to the report after consultation with the Chair of the Committee prior to submission to Council.

10.3 Establishment of Housing Scrutiny Panel

The Local Government Act 2000 and the Council's constitution allow the Overview and Scrutiny Committee to set up a sub-committee to discharge its scrutiny functions as appropriate.

It was noted that at present scrutiny of local housing provision is led by the Committee through its regular meetings. In addition, the Scrutiny Lead for Development and Renewal undertakes reviews and challenge sessions on particular housing-related topics.

However, in view of the priority given to housing within the Strategic Plan, and its importance to local people, there was a need to establish a dedicated Housing Scrutiny Sub-Committee. This Sub-Committee would support effective scrutiny across the spectrum of the Council's housing functions and local housing provision managed by social and private landlords. The report set out the draft terms of reference, composition and chairing arrangements for the Sub-Committee. Together with potential issues and topics that could be included in the Sub-Committee's annual work programme.

The Committee indicated that it would wish to see co-opted members being involved in this Sub-Committee as housing issues have a considerable impact upon educational provision and that the development of this Sub-Committee consideration needs to be given as to how to support and develop the role of the co-opted members.

As a result of discussions on this report the Committee **agreed** the.

1. establishment of a Housing Scrutiny Sub-Committee which will scrutinise housing functions within the borough, including through working closely with registered providers and other key stakeholders; and
2. terms of reference; composition; chairing arrangements; proposed dates of meetings and an outline work programme for such a sub-committee.

10.4 Challenge Session Report - Children's Social, Emotional and Mental Health (SEMH) provision in Tower Hamlets

The Committee received and noted a report that submitted the report and recommendations of the SEMH provision in Tower Hamlets Scrutiny Challenge Session. The main points of the discussion maybe summarised as follows:

The Committee:

Noted that the challenge session took place on 9th March, 2016 as a result of the concerns amongst some Members about perceived gaps in and pressures on, existing provision for children and young people with SEMH needs. The aim of the session was to achieve a better understanding of the full spectrum of SEMH needs in the borough, the range of specialist services available, the key partnerships with other providers and if provision was effectively aligned with need-especially in relation to services for girls.

Was advised that the SEMH is an umbrella term to describe a range of complex and chronic difficulties experienced by some children and young people. SEMH services form part of broader Special Educational Needs (SEN) provision in the borough. The Council has overall responsibility for supporting children with SEN needs (including SEMH) and to review the special educational and social care provision made for young people up to the age of 25. The Council is required to publish information about the SEN services available in the area for young people known as the "local offer". At present SEN statements are being replaced with Education, Health and Care (EHC) plans for individual students with complex and acute needs. These plans identify specific needs and the inputs and interventions required from a range of professionals across the spectrum of specialist services to address these and improve individual outcomes.

As a result of discussions on this report the Committee:

Agreed the draft report and the recommendations; and

Authorised the Interim Service Head Corporate Strategy and Equality to amend the draft report before submission to Cabinet, after consultation with the Scrutiny Lead.

10.5 Review of Special Educational Need (SEN) and associated services in the London Borough of Tower Hamlets

The Committee received and commented on the report that outlined a review into the Special Educational Needs (SEN) services in the Borough, detailing the consultation process which will underpin the review and inviting the Scrutiny Panel to comment on and add to this process. A summary of the comments made by the Committee is set out below:

The Committee **noted** that:

- A review of the SEN services in the Borough (along with relevant associated services, such as children with disabilities social care services) has been commissioned by the Director of Children's Services. The reasons for conducting this review at this time are:
 - Part 3 of the Children and Families Act 2014 came into force in September 2014 and introduced new ways of assessing children with special educational needs. The review will help

- to assess the impact of and the compliance with this important new legislation;
 - Increasing levels of demand for SEN services in the Borough. There has been a significant increase in the numbers of children and young people assessed as having special educational needs in the Borough;
 - Changes in the demographic make-up of the Borough which are leading to changes in both the size of the demand, as well as the nature of that demand;
 - The impact that this additional demand is having on budgets, both in absolute terms and also in terms of the challenges which are projected in the immediate future, including the reassessment of schools funding by the Department for Education (DfE) and the reductions in Local Government and other public sector central Government grant funding; and
 - The fact that there has not been a comprehensive review of the SEN services within the Borough in the last 15 years.
- A key guiding principle for this review is that the views, experiences and expectations of families, children and young people of and for SEN services is paramount and the reviewer will be constructing a programme of interviews and meetings with service users in order to put them at the centre of the review;
 - The review will consider all aspects of the commissioning and the delivery of SEN services in the Borough and will embrace all partners, including the Health economy, independent sector providers, Council services, school services (both in and out Borough) and, very importantly, families, children and young people involved with these services;
 - The review is intended as a broad scoping exercise which is timed to help influence planning for the 2017/18 financial year and beyond;
 - Recommendations will be made for any further work which may need to be conducted in order to reach decisions about future services and to implement changes. This may include the outline plan for a further commissioned period of study/review/implementation/coordination;
 - There are three major transitional points in the education system: when pupils move from nursery to primary school, from primary school to secondary school, and from secondary school to college. These three “major” transition points are a particular focus because transitioning students often experience significant academic, social, emotional, physical, or developmental changes that may adversely affect their educational performance. During these transitions, for example, students may move from a familiar school to an unfamiliar school, where they encounter new teachers, peers, academic expectations, social issues, and school configurations that increase the likelihood they will feel overwhelmed, anxious, frustrated, or insecure. Therefore,

consideration needs to be given to ensure that the transition is as seamless as it can be;

- There is a need to look at how inconclusive education is developed and how children are supported;
- Not every family finds local schools to be culturally receptive to their needs for example those children who have mental; physical and emotional needs;
- How services are being developed to address these specific needs **e.g.** The physical and mental trauma of Female Genital Mutilation;
- That LBTH has a highly regarded Parents Support Service and that the Service is constantly looking at ways to support local families; and
- There would be a future report on the development of support with particular reference to the provision for Early Years.

11. VERBAL UPDATES FROM SCRUTINY LEADS

The Committee was advised that the scrutiny of reviews on Prevent Strategy and Maternity Services were shortly to be signed off and that they would be considered at a future meeting in the new Municipal Year.

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

Nil items

13. 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.

14. EXEMPT/ CONFIDENTIAL MINUTES

Nil items

15. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items

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

Nil items

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

Nil items

The meeting ended at 8.45 p.m.

Chair, Councillor John Pierce
Overview & Scrutiny Committee

