

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 6 APRIL 2010

**M71, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Councillor Sirajul Islam (Chair)
Councillor Tim Archer
Councillor Stephanie Eaton
Councillor Alexander Heslop
Councillor Ann Jackson
Councillor Denise Jones
Councillor A A Sardar

Other Councillors Present:

Councillor Marc Francis
Councillor Lutfur Rahman

Co-opted Members Present:

Nil

Guests Present:

Nil

Officers Present:

Afazul Hoque	– (Scrutiny Policy Manager, Scrutiny & Equalities, Chief Executive's)
David Galpin	– (Head of Legal Services (Community))
Aman Dalvi	– (Corporate Director, Development & Renewal)
David Williams	– (Development Manager, Development & Renewal)
Bryan Jones	– (Service Head, Environmental Control, Communities, Localities & Culture)
Richard Finch	– (Team Leader, Strategic Transport Development)
Sarah Gullo	– (Communications Officer, Corporate Communications)
Mohammed Ahad	– (Scrutiny Policy Officer)
Hafsha Ali	– (Acting Joint Service Head Scrutiny & Equalities)
Farhana Khan	– (Scrutiny & Equalities Admin Officer)
James Walsh	– (Housing Regeneration Officer)
John Williams	– (Service Head, Democratic Services)
Alan Ingram	– (Democratic Services)

COUNCILLOR SIRAJUL ISLAM (CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Bill Turner, who was attending a local event in his Ward, Mr Kevan Collins (Chief Executive) and Ms Isabella Freeman (Assistant Chief Executive, Legal Services).

2. DECLARATIONS OF INTEREST

Councillor A.A. Sardar declared a personal interest in agenda item 9.1 "Report of the Scrutiny Review Working Group on the Private Rented Sector" on the basis that he was a housing leaseholder and in agenda item 9.4 "Scrutiny Challenge Session: Anti-Bullying Initiatives in Schools" on the basis that he was a school governor.

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 9 March 2010 be approved and signed by the Chair as a correct record of the proceedings.

4. REQUESTS TO SUBMIT PETITIONS

Nil items.

5. REQUESTS FOR DEPUTATIONS

The Chair indicated that a deputation would be received from residents of Gaverick Mews, on the matter of removal of LBTH parking permits. The deputation was linked to agenda item 7.1 "Car-Free Development Schemes and Parking Permit Arrangements".

Mr Abdul Kamal, a resident of Gaverick Mews, stated that he was speaking on behalf of all parking permit holders in that location, who were complaining of injustice and maladministration due to failures of communications by the Parking Service. Some residents had been issued parking permits for up to 8 years and were now being told they could not have permits in future as the street had been designated a car-free zone under the original S106 planning agreement. Residents had not been informed of this by their Housing Association, East Thames Homes. The contract between the Housing

Association and the residents confirmed that they could park on the street and LBTH had issued parking permits accordingly. It was felt that this decision had been taken as the development was social housing and residents had received a letter effectively requiring them to give up their parking rights after one final year.

In response to queries from Members, Mr Kamal indicated that:

- The residents were tenants of East Thames Homes and the contract signed by them confirmed that parking was permitted in on-street bays.
- The matter had been raised with the appropriate Housing Association officer who supported them strongly. All LBTH Members had been approached but only Councillor Tim Archer had replied.
- There would be a significant impact on residents if permits were withdrawn. There were 6-bed properties with large families on the development and none had been informed that it was a car-free zone. They would be severely affected socially and for shopping, dropping off children for school and other pursuits. One resident was a mini-cab driver who earned a living with his car. Several residents had recently bought new cars and the car-free ruling appeared to have been brought in overnight.

Councillor Marc Francis, Lead Member Housing & Development, stated that the residents' case had been made well and he sympathised with them. He added that it was important to remind people of the reasons for the introduction of car-free zones, which had been introduced as there were now almost as many parking permits as the 20,000 parking spaces in the Borough. Issuing more permits than spaces would only lead to problems and disagreements between permit holders. At the last Council meeting the car-free policy had been refined subject to further legal advice. It would not be legally possible to ignore the S106 agreement. Responsibility for informing residents of the agreement lay with the site developers and the Housing Association, not principally with the Council. The development of Gaverick Mews had been advertised in East End Life and, if there had not been any reference to a car-free zone, the Council might also have some responsibilities. Councillor Francis had requested copies of all relevant advertisements and, if any fault was found on behalf of the Council, East Thames Homes could be invited to apply for a variation of the S106 agreement, although no guarantee on the outcome of the application could be given.

The Chair thanked Mr Kamal and 16 other residents for attending the meeting and stated that their views would be taken into account when agenda item 7.1 was being considered.

6. UNRESTRICTED REPORTS 'CALLED IN'

Nil items.

7. ITEMS OF BUSINESS REQUESTED BY MEMBERS OF THE OVERVIEW AND SCRUTINY COMMITTEE

7.1 Car-Free Development Schemes and Parking Permit Arrangements

The Chair asked Councillor Tim Archer to outline the reasons for his request for a review of car-free development schemes and related permit arrangements.

Councillor Archer stated that the Committee had heard from the residents of Gaverick Mews and he was not requesting a review of all car-free agreements. However, there were other examples in the Borough of such arrangements not being properly implemented. The way the Council responded to such issues was what needed to be addressed. It was not right to expect residents to come to Council or Overview and Scrutiny Committee meetings to have complaints considered piecemeal. Now that the problems were understood, it was likely that other similar situations would emerge. The matter should be examined proactively across the Borough and the Committee could undertake a piece of work to look at what had gone wrong and how the position could be remedied. He was not looking to unpick all car-free agreements in the Borough but social housing tenants had been misled. All Gaverick Mews households were social tenants and had held Council parking permits for up to eight years. It was not now right to say that permits would be refused after one final year and was not a mature or sensible way to proceed. He had much sympathy for the tenants, who felt annoyed and let down.

Councillor Archer expressed suggestions to correct the problem by stating that there should be a holistic review of the car-free policy, together with arrangements for correcting any errors. Where residents had held parking permits for years this should be acknowledged and honoured, although any new tenants entering the development would not be allowed to have parking permits – this could be undertaken proactively across the Borough. He added that he was aware of the problems of over-supply of permits but was not asking for any additions, just for the error to be admitted and a resolution found. Some people based their livelihoods on owning a car and it was not right to effectively put them out of work.

The Chair then invited questions from Members to which Councillor Archer replied that:

- There was a high likelihood of similar cases across the Borough and a piece of work was necessary to identify and address the situation.
- The position regarding communications with East Thames Housing Association eight years ago was unclear but the Council had been at fault since then for issuing permits to residents, who were now effectively caught between the two agencies.
- There did not seem to be parking problems in the area around Gaverick Mews but there was always competition for parking spaces

in the Borough. However, allowing residents of the Mews to retain their permits would not cause any additional problems.

Councillor Francis referred to his earlier statement and added that any legal agreement that existed could not simply be ignored and had to be enforced. The solution, if the Council was at fault would be to invite the Housing Association to apply for a variation to the S106 agreement. Other similar cases were known and steps would be taken to address the problems but responsibility lay principally with the relevant housing associations and developers.

Mr B. Jones, Service Head Environmental Control, stated that residents claimed not to have been informed of the car free agreement by their landlord but the agreement had been signed by Ballymore, the Council, Toynbee Housing Association and other agencies. The document made it clear that the housing association had responsibility to inform its tenants. S106 funding had been provided to pay for a traffic management order to create the car free zone and there would be legal problems if attempts were made to undo this.

Further discussion ensued during which Members made points relating to the rights of residents who had been issued with parking permits for several years; the likely timescale for the procedure for varying a S106 order; the position of the Council in taking a degree of responsibility to remedy the Gaverick Mews situation.

Councillor Francis added that he had requested Officers over the next month to locate advertisements showing how the car free zone had been originally publicised, to determine any degree of fault that might have occurred on the Council's part and possible remedies would be considered. Updates would be sent to all affected residents after the matter was investigated.

The Chair **Moved** and it was:

RESOLVED

That the Overview and Scrutiny Committee in the Municipal Year 2010/11 be recommended to undertake a review of Car Free Developments and Parking Arrangements, to look at the issue on a Borough-wide basis.

7.2 Section 106 Funding 3 Limeharbour (former Jaguar showroom)

The Chair indicated that this item had been withdrawn.

8. SCRUTINY SPOTLIGHT

The Chair invited Councillor Lutfur Rahman, Leader of the Council, to address the Committee in the final Scrutiny Spotlight session for the current Municipal Year.

Councillor Rahman thanked the Members of the Committee for their excellent work over the past year, which had been a very challenging period due to the economic recession. He made particular points regarding the Council's performance in that:

- The Care Quality Commission had rated the Council as excellent in some areas and capable of improving in others.
- OFSTED had given the Children's Service an excellent rating, with services for vulnerable children being rated as outstanding quality.
- There had been an 11% improvement in GCSE results of 5 A – C passes. Significant performance improvements had been achieved at Bethnal Green College of Technology, George Green's School and Bishop Challoner School, and the Building Schools for the Future programme and work around Youth Services would make a huge difference over the next few years.
- Beacon awards had been given for Older People's Services and our work on reducing Child Poverty.
- Work had started on the Ocean Estate, with £42m having been made available for the refurbishment of 1200 homes and building of 800 more homes, half of which would be affordable. At Robin Hood Gardens, 1600 new homes would be built, 35% of which would be affordable social housing. 10,000 homes had been brought up to Decent Homes standards.
- £25m had been set aside to enable the buy-back of 3 and 4 bed ex-Council properties in connection with the Council's overcrowding strategy.
- Redressing youth unemployment was very important and there had been great achievements in reducing the number categorised as NEETs. Skillsmatch had helped some 600 young persons into sustained employment and 100 new jobs had been created at the Olympics site.
- Supporting older residents was now a priority, with funds having been made available for luncheon clubs and other events. In home care, the charges had been removed for the Telecare service and a Council Tax rebate for households with a member over 60 years old had helped people cope with the coldest winter for 30 years.
- Challenges still remained in tackling crime, in view of a recent spate of stabbings and homophobic attacks but overall, reduction in crime and anti-social behaviour in the Borough was the biggest in London. 20 new Police Officers had been funded and were now on the streets and more had been agreed by individual LAPs. £500,000 had been allocated to improve the CCTV network and £200,000 was to be spent on new street lighting.
- £9m of S106 funding from the Bishop's Square project would help with improvements in the LAP 2 area building the cultural trail; £1m match funding was being provided by English Heritage to enhance the Olympic route and £4m was made available for the Victoria Park Masterplan.

Councillor Rahman added that work on services was proceeding on the assumption of future reduction in Government grants owing to the financial climate and this was being addressed in association with the Institute of Fiscal Studies. He was confident that front line services could be maintained by streamlining back of house arrangements, better use of resources and efficiency savings. Overall, he considered that the Council's position was strong.

In response to questions from Members, Councillor Rahman indicated that:

- He was fully supportive of transparent processes for recruitment of top staff. He was prepared to look into any concerns expressed but was confident that the process in place was good.
- He was satisfied that the governance structure in place linking Tower Hamlets Homes and the Council was sound but would investigate any issues brought to his attention.
- The 2012 Olympics comprised a unique opportunity to reap legacy benefits for the surrounding area and he was proud that Tower Hamlets was one of the host Boroughs.
- The CAA results showed how much progress had been made as the new regime was tougher, with more robust assessments and showed that the Council was on the right path although there was always room for improvement in service delivery.
- The Council was committed to keeping the Mudchute Farm operational although any discussion on its funding would need discussion at a separate forum.
- Despite disparities of data, crime figures were demonstrably down and the Borough had improved as a place to live over the last 10-15 years. However, the community as a whole needed to make all efforts towards further reductions in view of incidents of knife crime over the past few months.
- Tower Hamlets was at the forefront of new home building and was ahead of any other borough with 9,000 homes built over the last few years, a substantial number of such properties being affordable. Construction targets were ambitious but realistic, with 1,500 new homes to be provided next year. The Ocean Estate and Robin Hood Gardens would provide a great environment with better homes for residents.
- To improve the lives of young people he was prepared to work on literacy rates and investigate the causes of crime, so as to improve life chances. The direction of youth facilities, particularly for girls, would also receive further consideration.
- He confirmed that Councillor Heslop's comments regarding the new telephony system, possible alternative arrangements arising from top level staff vacancies and the use of premises other than Mulberry Place as an administrative headquarters would be taken up with appropriate Directors.
- He was satisfied that services were now being delivered well over the whole spectrum of Council activities, although it was essential not to be

complacent. He further supported the preference for new governance arrangements as agreed recently at full Council.

The Chair thanked the Leader and Mr A. Dalvi, Corporate Director Development & Renewal, for their attendance and comprehensive presentation.

9. SCRUTINY MANAGEMENT

9.1 Report of the Scrutiny Review Working Group on The Private Rented Sector

The report was introduced by Councillor Heslop, who had chaired the working group. He indicated that this had met over a six month period with cross party involvement. The main purposes of the review had been to address the previously ambivalent attitude to the private rented sector, identify gaps and issues that existed therein and recommend potential initiatives that could improve service delivery. Councillor Heslop referred to recommendations made by the working group, along with detailing tools now available for monitoring private landlords and other options for offering them a management service.

The Chair thanked Councillor Heslop for leading the group. He **Moved** and it was:

RESOLVED

- (1) That the report be agreed.
- (2) That the Service Head for Scrutiny and Equalities be authorised to amend the final report for submission to Cabinet, after consultation with the Scrutiny Lead for A Great Place to Live.

9.2 Report of the Scrutiny Review Working Group on Strengthening Local Community Leadership

The report was introduced by Councillor Jackson, Chair of the working group. The need for empowerment of back bench Members was a matter that required attention. A number of evidence gathering sessions had been held, including local people and younger members of the community. Councillor Jackson pointed out particular recommendations made by the working group, relating to the development of the Performance Digest report; development of local scrutiny arrangements; Member Champion roles for all equality strands; Member involvement with LAP structures; local focusing of LAP agendas and work programmes.

She then answered questions put by Members regarding holding committee meetings in the community when specific local issues are raised and further measures to address homophobic hate crime.

The Chair **Moved** and it was:

RESOLVED

- (1) That the draft report be agreed.
- (2) That the Service Head for Scrutiny and Equalities be authorised to amend the final report before submission to Cabinet, after consultation with the Scrutiny Lead for One Tower Hamlets.

9.3 Report of the Scrutiny Review Working Group on Reducing Youth Offending - Supporting Our Most Vulnerable Young People

The report was presented by Councillor Jones, who had acted as Chair of the working group. Councillor Jones indicated that much had been learned through the review and she thanked Officers for their work in sometimes difficult circumstances. The group had worked with the YOT regarding the national and local situation and had ensured that young people, including offenders, and persons from other age groups had been interviewed. A pattern had emerged showing that disengagement with education was a major factor that affected offending and it was necessary to examine when and why it happened. To this end, the need for agencies to work closer together had emerged.

Councillor Jones referred to particular recommendations made by the group, concerning the desirability of signing up to the London Youth Resettlement Pledge and the possibility of working with neighbouring boroughs to establish a young offenders' academy.

After further discussion, the Chair **Moved** and it was:

RESOLVED

- (1) That the report be agreed.
- (2) That the Service Head for Scrutiny and Equalities be authorised to amend the final report before submission to Cabinet, after consultation with the Scrutiny Lead for Safe and Supportive Communities.

9.4 Scrutiny Challenge Session: Anti-Bullying Initiatives in Schools

The report was introduced by Councillor Jones, who had chaired the challenge session in January 2010.

In response to queries, Councillor Jones confirmed that cyber-bullying had been one of the topics under discussion. A Member's suggestion that recommendation 5 should include a reference to children with special educational needs was noted.

The Chair **Moved** and it was:

RESOLVED

That the outcome of the Scrutiny Challenge Session be noted and agreed.

9.5 Overview and Scrutiny Committee Annual Report 2009/ 2010

The Chair introduced the report which provided a summary of the work undertaken by the Committee and Scrutiny Lead Members during the municipal year 2009/10. It formed the basis of the Overview and Scrutiny Annual report that would be reported to a future Council meeting.

The Chair **Moved** and it was:

RESOLVED

- (1) That the report be submitted to Full Council.
- (2) That the Service Head, Scrutiny and Equalities be authorised to amend the final report before its submission to Council, after consultation with the Chair and relevant Scrutiny Leads.

9.5A Childhood Obesity Report

The Chair commented that he had agreed to receive an update from Councillor Archer on the progress of his review into Childhood Obesity. The document was tabled for information.

Councillor Archer indicated that it had not yet been possible to put together a complete report, however the tabled document summarised recommendations that would be made. Much good work was underway and the principles were supported by NHS Tower Hamlets. One major conclusion was that there should be a push for free school meals for all Tower Hamlets children and this was considered a step-change to address obesity. Consideration also needed to be given to restricting the provision of fast food outlets near schools.

The tabled document was noted.

10. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET AGENDA

Nil items.

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

Nil items.

12. EXCLUSION OF THE PRESS AND PUBLIC

The agenda circulated contained no Section Two business (business containing information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972, nor were any such items of business tabled or considered to be urgent. There was therefore no requirement to adopt the standard recommended motion to exclude the press and public, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, to allow for consideration of such business prior to the conclusion of the meeting.

13. EXEMPT/ CONFIDENTIAL MINUTES

Nil items.

14. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items.

15. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL CABINET AGENDA

Nil items.

16. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT

Nil items.

The Chair stated that this was the final meeting of the Committee in the current Municipal Year and thanked all Members, Mr Afazul Hoque and other officers, for their hard work in facilitating the functions and responsibilities of the Committee. He further thanked Councillors Heslop and A.A. Sardar, who would not be standing at the local elections to be held in May.

The meeting ended at 9.25 p.m.

Chair, Councillor Sirajul Islam
Overview & Scrutiny Committee