

Meeting of the

CABINET

Wednesday, 3 March 2021 at 5.30 p.m.

TABLED PAPERS

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5.1 Chair's Advice of Key Issues or Questions	
Chair of Overview and Scrutiny Committee (OSC) to report on any issues raised by the OSC in relation to unrestricted business to be considered.	3 - 20
Pre-decision scrutiny questions and officer responses and also the Overview and Scrutiny Committee consideration of the Community Safety Partnership Plan.	

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact:

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Community Safety partnership Plan 2021-24 Comments from Overview and Scrutiny Committee – 1st March 2021

The Committee welcomes the partnership Community Safety Plan for 2021-24 and the priorities set out in the plan.

Crime and Anti-social behaviour continues to be a key priority for residents as highlighted in the Annual Residents Survey. From the 2019 survey we know 48% of residents said that crime and ASB as their top concern. We also saw a number of indicators on concerns about ASB being problem had risen over the year including:

- People using or dealing drugs
- People being drunk or rowdy
- Noisy neighbours
- Vandalism and graffiti

As noted in the report the Covid-19 pandemic has had a significant impact on crime and ASB and as there was no Annual Residents Survey last year these indicators were also likely to rise. The Committee was pleased therefore that tackling neighbourhood crime and ASB is reflected as a priority in the Plan.

The Committee held a Scrutiny Spotlight Session with Borough Commander and Cabinet member for Community Safety and Equalities in January 21 and some of the issues that came out from that session are outlined below:

ASB spotlight

The Committee:

- enquired the rationale behind three different ASB reporting systems and the confusion this brings to their constituents (tenants and residents) for reporting ASB. They further enquired if there were plans to integrate or streamline the ASB reporting systems;
- noted that LBTH had the highest level of reported ASB in London and that Covid and lockdown measures were contributing to rise in demand. It also noted that substance misuse is one the key drivers for ASB. The Community Safety Partnership confirmed that it was managing ASB levels using engagement, support and enforcement model for people engaged in substance misuse;
- wanted to understand the efforts being made to address car ASB (transportation of people to different locations in the borough), use of nitrous oxide and Air BnB properties being used for large gatherings and breaching Covid regulations;
- enquired on the level of collaboration between enforcement team, council's highway department and others in dealing with Car ASB, nitrous oxides in estates, use of Public Space Protection Orders (PSPO) in the context of ASB and the number of officers available for community policing;
- recommended ASB levels are compared with local populations when prioritising areas for action rather than a ward by ward basis; and
- requested the Community Safety Service to report back to O&S Committee in March 2021 on the consultation results and approach for ASB linked to nitrous oxide.

Borough Commander Spotlight

The Committee:

- raised concerns about the prolonged absences of Designated Ward Officers (DWO) and the impact this has on responding to ASB;
- questioned the recurrent use of Section 60 powers (stop and search) and wanted to understand how this impacted the relationship between the Borough Commander Unit (BCU) and community;
- heard how the BCU's partnership approach to 'Operation Continuum' benefited in tackling crime, disorder and violence linked to street-based drug markets and how the partnership approach benefited the Council and partners to use local intelligence and resources to support the BCU in disrupting perpetrators of crime and ASB linked to drug dealing;
- wanted to understand what happens to recovered money from illegal activities and they were informed that the Home Office makes allocations of seized assets according to formulas based on productivity to different BCUs;
- questioned the Borough Commander (BC) about the level of progress made to improve diversity and make the Safer Neighbourhood Ward Panels more representative. The BC responded that the pandemic had impacted the ability to adequately assess the progress on ward panels being more representative; and
- questioned the BC about the volume of Fixed Penalty Notices (FPNs) being issued to residents for breach Covid regulations and wanted further understanding as to which demography was most impacted and what happens the fines being collected.

On the Plan itself the Committee made the following comments:

- Ensure partnership work with RSLs is reflected in the plan. Many larger ones are focused on addressing ASB with patrol services like Parkguard. It is particularly key LBTH ensures THH are achieving value for money from their ASB services now patrol services have been passed directly to tenants and leaseholders.
- Questioned whether increase reporting of ASB is a good sign of people's confidence in systems for reporting or whether it was as a result of people seeing more ASB;
- The need to have performance indicators against the outcomes the partnership is seeking to achieve to enable the partnership to measure progress and also for the public to be able to hold agencies to account;
- The Committee would be keen to see the delivery plan on tackling neighbourhood crime and ASB and have an opportunity to feed into this;
- Given the on-going discussion about the Chinese Embassy and the need for visible and protective security this needs to be a key priority;
- As previously highlighted by scrutiny need for clear communication to residents about how to report ASB and who is responsible for addressing as there is still confusion amongst residents as they are passed on by agencies;
- That engaging, empowering and hearing the voice and concerns of local residents needs to be at the forefront of the delivery and annual review of this plan.

The Committee hopes our comments are considered by Cabinet before the report is submitted to Full Council. Finally, as part of the Committee's work programme for 2021-2022 it will be important to review progress against this plan and we will welcome the engagement of partners in the scrutiny process.

Cllr James King
Chair of Overview and Scrutiny Committee

PRE-DECISION SCRUTINY QUESTIONS (PDSQ) FOR CABINET

Wednesday, 3 March 2021 at 5.30 p.m.

Item 6.1 Idea Stores Post Consultation Report	
Questions	Response
1. It is recommended that Watney Market Ideas Store operates with only a single floor. However, the ground floor has a significantly smaller footprint for users than the upper floors due to it being the location of the various meeting, interview and staff rooms and the back office. If it is planned to use the ground floor as the single floor in operation and there are no plans to reconfigure the layout, the space available - particularly for bookshelves - will be extremely small. What is the expected impact in terms of loss of desk and shelf space as a percentage of the current capacity?	Our current plans, once the building is released as a Covid testing site, are to reconfigure the ground floor to maximise the space available and deliver the Library service from this space. However, options for the best use of the full space in the building are to be developed and as other services move into the building we may wish to explore better solutions. The advantage of using the ground floor is that ISWM is very popular with families and children and those with buggies would not have to negotiate the lift.
2. When does LBTH think the new Crossharbour Idea Stores would be open?	We are dependent on the planning application which is still in process as well as on the developers. We therefore can't give a firm timescale at this point. We believe it is likely to be approx. 5 years away.

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6.2 Outcome of consultation on revised approach to day support in adult social care

Questions	Response
<p>1. The timetable to close the Physical Disability Day Opportunities, Riverside day centre and Pritchard's Road day centre with effect from 4 May 2021 seems very tight. Is there any mitigation so that this could be delayed until after September to allow for a transition to alternative provision?</p>	<p>The three centres are currently closed due to the pandemic and support is being provided by staff through alternative means. We are proposing discussions to agree plans with service users and their families at review meetings over March and April. Transition to new arrangements would then start and each plan will be individual to the person concerned. Section 3.7.4 of the report describes the transitional support available to people including a proposed transitions support worker for Pritchard's Road service users.</p> <p>It should also be noted that the staff redeployment period is until 27 July 2021 and the expectation is that whilst staff are redeployees, they will continue to provide support to service users as and when needed. Support could be via home visits or phone calls, mirroring the way support has been provided through lockdown.</p> <p>The three centres would not reopen following the easing of lockdown restrictions. Any change to the timescales would have a significant adverse impact on the budgetary position for adult social care and cause a prolonged period of uncertainty for service users following lockdown.</p>
<p>2. What research has been undertaken that breaks down of Physical Disability Day Opportunities users' ability to organise their own day support through a direct payment?</p>	<p>Direct payments (established in adult social care since 1997) can be made accessible to the vast majority of adult social care users with the right support. Experience has shown that this option can increase choice and control for individuals who need care and</p>

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	<p>support and be a very positive option in maximising independence. Support is available for anyone who is interested in pursuing this option. Around 20% of people who use adult social care in Tower Hamlets currently use direct payments.</p> <p>Review meetings with Physical Disability Day Opportunities service users are due to start in March. Part of the purpose of these will be to discuss who is interested in a direct payment and what support they might need. Section 3.7.21-4 of the report provides more information on direct payment take-up levels and the support available with this.</p>
<p>3. Have government grants been investigated as a funding stream for Physical Disability Day Opportunities provision and if so, please could you provide a list of which grants have been reviewed?</p>	<p>Day centres are non-statutory provision and there are no specific grants that can be separately applied for to fund this type of provision – the services are funded by General Fund.</p> <p>Should appropriate grants become available in the future, a bid could be made to enhance the model of day support and the hub provision.</p>
<p>4. Considering we are currently in a mental health crisis, has the impact of closing Pritchard’s Road day centre been assessed for users with mental health needs?</p>	<p>Yes, the report describes what service users say the impact of the pandemic has been on their mental health and wellbeing (see section 3.6.34-8 of the report), how we have supported Pritchard’s Road service users to date through this time (see section 3.1.15) and how we intend to support service users going forward. This includes how we plan to mitigate any potential negative impacts on mental health.</p>
<p>5. 3.7.15 states: “To start to transform services into community support hubs, we will initially run three projects from the community support hub starting from May 2021 at the latest10. These are based on the consultation results and Toynbee Hall co</p>	<p>Yes. The report has been developed with an awareness of changes to wider provision. The report doesn’t go into detail on what the community access project will involve (e.g. what Idea Stores or leisure centres, what activities, what days and times) as</p>

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<p>production work. These projects will be: 1. Community access: Facilitating visits to local Idea Stores, leisure centres and Linkage Plus centres to take part in activities” Has the full impact of reduced hours on the library & Ideas Stores and leisure centres been factored into the risk for the above provision.</p>	<p>the detail will be developed in partnership with service users and carers.</p>
<p>6. What agreements are in place to confirm that Independent Living Services – London, are London Living Wage employers?</p>	<p>People Plus run the Independent Living Service in Tower Hamlets for people with a direct payment. People Plus do not directly employ Personal Assistants or care workers, but rather support service users to do this directly.</p> <p>Direct payments to employ Personal Assistants cover London Living Wage to encourage pay at this level. A homecare agency that is not commissioned by the Council and purchased via a direct payment may not pay their care workers London Living Wage, though direct payment recipients are advised to consider this when choosing a home care agency. London Living Wage is a requirement in all our contracts, so this includes support staff directly employed by People Plus.</p>

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6.3 Bow bus gateway and timed closures exemptions considerations

1. Given that the High Court ruled that Transport for London's "Streetspace" plan treated London's taxi drivers unlawfully why do they remain excluded from bus gates (only allowed through if carrying a Bow based taxi card holder)?

There are numerous differences between the Streetspace scheme implemented by TfL and that which is presented within the Bow report, which it is important to understand. These are two very different traffic schemes. Differences include but not limited to the fact that all areas are accessible to taxis and other motor vehicles in Bow (in contrast in the "Streetspace" plan no taxis were permitted on a 0.4Km stretch of road); Tredegar Road and Old Ford Road are not key arterial A-roads unlike the A10 in the streetspace scheme ; and consideration has been given in the Bow scheme to the status of Taxis for accessible transport, with an exemption for Taxicard users. We also note that the "Streetspace" decision is under appeal.

The Bow scheme is being put forward in the shadow of a climate emergency and where children walk to and from school along Tredegar Road where levels of pollution are consistently higher than the national objective level of 40 µg m-3. This level of pollution is harmful and we know from other studies that children's lungs in Tower Hamlets are up to 10% smaller than average.

We have assessed our public sector equality duty in relation to proposals. As part of this we have recognised that licensed taxis do play a pivotal role in the transport system, especially given that it is obligatory for all vehicles to be fully accessible for wheelchair users.

In the Bow public consultation, a bus gate with 24/7 hours of operation was supported by the majority of respondents, and despite this, we have made amendments to the scheme in order

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	<p>to satisfy the needs of other members of the community, for example, those who need to use a vehicle or taxi to get around. Through our review and identification of groups likely to be impacted we have still further provided exemptions to the scheme such as for those with Taxicards limiting the impact on those using taxis as a form of accessible transport.</p>
<p>2. What will the air quality impact be on surrounding areas from diverted traffic?</p>	<p>Motor vehicle traffic that use an alternative route will be diverted on the main distributor routes such as the A11 and A12. These are designed to carry through traffic to reach longer distance destinations with greater capacity. These roads very often include wider footways and space between other road users and motor vehicles such as cycle lanes. In contrast, roads such as Tredegar Road have very narrow pavements and limited protection from vehicles both in terms of road safety and pollution levels.</p> <p>As part of the liveable streets proposals to be put to Cabinet today is a review of the scheme and air quality is a key factor that will be reviewed both internally and externally to the scheme area.</p>
<p>3. Given that the EqIA does now make clear that LTNs have a negative impact on the elderly why did we not allow a blanket exemption for the elderly to use the bus gates rather than restrict it only to those with carers and blue badges?</p>	<p>The EqIA identifies that those that have mobility issues and must use a motor vehicle will be negatively impacted. It is likely that this would be seen more in the elderly as a group but is not limited to this group. Therefore, the exemptions have been developed to meet the needs of those that would be more likely to</p>

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	benefit significantly from an exemption rather than a blanket across one group.
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6.7 Report on the outcome of the statutory consultation on the proposal to close The Cherry Trees Special School	
1. Proposal to close Cherry Trees School - this is the second recent closure that has been precipitated by a decline in quality and falling rolls (Rainey being the other). What assurances can be given that the Authority is acting quickly to support struggling schools.	The Local Authority is developing its plan to bring strategic clarity and coherence to the local education system, building on the earlier school organisation work of the primary review and working closely with school leaders and its school improvement partner (THEP) to facilitate and foster a shared, system-level approach to school improvement and sustainability. This includes providing earlier and targeted support to schools that are underperforming and/or planning for reductions in funding caused by falling pupil rolls.
2. Cherry Trees site - is there any update on proposed uses of the Cherry Trees site?	The decision to close Cherry Trees has not yet been taken and so it would be too early to set out any plans for proposed use of the site. If the council does decide to close the school, then officers are ready to progress a review to determine the options for the short and long term use of the Cherry Trees accommodation. An update will be provided later this year.
3. Bowden House/Ben Jonson - assuming the closure of Cherry Trees goes ahead, what are the contingencies if the necessary works are delayed at Bowden House? Given the ongoing pandemic situation, it's not infeasible that works might be delayed.	Any delay to the building improvement works being undertaken at Ben Jonson will not prevent the new provision operating from September. With the small number of pupils moving from Cherry Trees and the existing facilities on site, these children can still be accommodated safely with their Education and Health Care needs being fully met.
Page 15 General question regarding school closure consultations - where responses to statutory consultations are very low or non-existent, does this give rise to any requirement to reopen the consultation. What assurances can be given that the low response rates are because of the pandemic? Were all respondents to the first consultations targeted for the second, statutory consultation?	Stakeholder engagement on these proposals has been carefully undertaken over an extended timeframe and adopting a proportionate and targeted approach, in line with central government consultation principles and in recognition of the 'socially distanced' requirements of the pandemic. Although the formal public response has been very low it is evident that the variety of consultation methods used has enabled a high level of engagement with key stakeholders, particularly with the families and staff. It is also evident that the school and its wider community understood the full nature and possible outcomes from these proposals. Given these circumstances it was not necessary to extend or reopen the public consultation to illicit formal responses to the statutory notices.
6.9 Report on the outcome of public representations received in response to the statutory proposal to close St Matthias Primary School: Decision on Closure of St Matthias Primary School.	
1. This will mean Christ Church C of E Primary School, Brick Lane will be the nearest CoE primary school but in a small constrained site and part of whose playground is in dispute, would it not be better to keep the St Matthias site and move the Christchurch school as that has more space if the school does ever needs to expand again, that would open up Christ Church for other public use?	The St Matthias School site is owned by the London Diocesan Board for Schools, so suggestions for its future use is a matter for the Diocese. At present the DfE requirements are that the site must continue to be used for education and community purposes. The Diocese will therefore have the option to consider whether the vacant site should be taken over by an existing school(s).

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6.12 Budget Monitoring Report 2020-21 as at 31 December 2020 (Period 9)

1. Regarding the Council Budget Monitoring Report as at 31st December 2020-21: could a full breakdown of the additional staffing costs relating to the Tower Rewards implementation be provided?

The 2020-21 part year effect forecast costs of the terms and conditions changes for each directorate are Children & Culture (£171k), Governance (£98k), Health, Adults & Community (£124k), Place (£327k) and Resources (£134k). This is based on current permanent and fixed term contract staff and is a part year effect in 2020-21 due to implementation during the year. Future years will be impacted by the full year effect and further incremental increases for staff not currently at the top spinal point of their grade.

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