

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 30 NOVEMBER 2010

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

Members Present:

Councillor Ann Jackson (Chair)
Jake Kemp
Rev James Olanipekun
Councillor Tim Archer
Councillor Rajib Ahmed
Councillor Lesley Pavitt
Councillor Zenith Rahman
Canon Michael Ainsworth
Councillor Stephanie Eaton
Councillor Rachael Saunders

Other Councillors Present:

Councillor Alibor Choudhury (Lead Member, Resources)
Mayor Lutfur Rahman

Co-opted Members Present:

Jake Kemp – (Parent Governor Representative)
Rev James Olanipekun – (Parent Governor Representative)
Canon Michael Ainsworth – (Church of England Representative)

Guests Present:

Officers Present:

Afazul Hoque – (Scrutiny Policy Manager, Scrutiny & Equalities,
Chief Executive's)
David Galpin – (Head of Legal Services (Community), Legal
Services, Chief Executive's)
Mohammed Ahad – (Scrutiny Policy Officer, Scrutiny & Equalities,
Chief Executive's)
Hafsha Ali – (Acting Joint Service Head Scrutiny & Equalities,
Chief Executive's)
Chris Naylor – (Corporate Director, Resources)
Margaret Cooper – (Head of Transportation & Highways)

Richard Finch	– (Team Leader, Strategic Transport Development)
Stephanie Ford	– (Interim Performance Manager, Strategy & Performance, Chief Executive's)
Chris Saunders	– (Political Advisor to the Labour Group)
Bryan Jones	– (Service Head, Environmental Control, Communities, Localities & Culture)
Alan Ingram	– (Democratic Services)

COUNCILLOR ANN JACKSON (CHAIR) – IN THE CHAIR

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

Councillor Stephanie Eaton declared a personal interest with regard to agenda item 7.1 – Local Implementation Plan 2. The declaration was made on the basis that Councillor Eaton served on the London Waterways Commission, which provided advice to the Mayor of London on transport related matters.

Scrutiny Lead Member for a Prosperous Community

At this point, the Chair indicated that she proposed to vary the order of business on the agenda to enable the appointment of a Scrutiny Member under the unrestricted urgent business section of the agenda and this was **agreed**. The Chair then requested nominations for the position.

Councillor Lesley Pavitt **proposed**, Councillor Rajib Ahmed **seconded** and the Committee –

RESOLVED

That Councillor Rachael Saunders be appointed Scrutiny Lead Member for a Prosperous Community

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

NOTE: Councillor Lesley Pavitt indicated that she would provide a paragraph at a later date amending the update she put forward at the meeting of the Committee held on 5 October 2010.

4. REQUESTS TO SUBMIT PETITIONS

None received.

5. REQUESTS FOR DEPUTATIONS

None received.

6. SECTION ONE REPORTS 'CALLED IN'

There were no reports called in from the meeting of the Cabinet held on 11 November 2010.

7. BUDGET AND POLICY FRAMEWORK ISSUES

7.1 Local Implementation Plan 2

Ms Margaret Cooper, Head of Transportation & Highways, presented the report that would be submitted to Cabinet on 1 December 2010 seeking approval to submit a draft of the Second Local Implementation Plan (LIP2) to Transport for London (TfL) and to agree a period of public consultation before finalising the document. There would be an opportunity for further scrutiny by the Committee before the final submission was made to TfL.

Ms Cooper indicated that the main elements of the LIP2 comprised:

- Borough transport objectives for the period 2011-2014, with a broader vision up to 2031.
- A costed and funded delivery plan of transport interventions and likely forms of related public consultations. This would also form the basis of bids for TfL funding, in the sum of around £3m per year.
- A performance monitoring plan to oversee performance indicators and local targets to ensure appropriate delivery of intended outcomes.
- A Health Impact Assessment of how the plan would impact on the health and well-being of the population and their ability to access health-related facilities and services.
- An Equality Impact Assessment to ensure that the proposals did not discriminate against equality groups.

Ms Cooper added that the Mayor of London had set six key priorities, namely:

- Supporting economic development and population growth.
- Enhancing the quality of life of all Londoners.
- Improving the safety and security of all Londoners.
- Reducing transport's contribution to climate change and improving resilience.
- Support delivery of the London 2012 Olympic and Paralympic Games and its legacy.

She then detailed the mandatory core targets set by the Mayor of London and the local targets set by the Borough, as set out in the circulated report.

The Chair invited questions from Members, to which Ms Cooper responded, including:

- A proposed joint initiative with the Police for an Automated Number Plate Recognition scheme.
- The desirability of continued lobbying for an upgrade of Whitechapel Underground Station to be brought forward so as to accord with the new Whitechapel Hospital opening date.
- Details of the budgets encompassed by LIP2 and proposed reductions in Area Based Schemes grant, possibly affecting the St Paul's Way Transformation Scheme and Shoreditch Station works at Braithwaite Street.
- Progress of a scheme for providing zig-zag road markings outside schools.
- The desirability for lobbying against proposals to stop the Thames Clipper service at 8 p.m. daily.
- Measures that could be taken to improve bus service reliability.
- The promotion of pedestrian walkway routes through the Borough.

Following further discussion, it was –

RESOLVED

- (1) That the report be noted.
- (2) That Transport for London be invited to be represented at the meeting of the Committee to be held on 11 January 2011, to discuss traffic problems at particular points such as the Blackwall Tunnel and Limehouse Link.

8. PERFORMANCE MONITORING

8.1 Performance and Corporate Budget Monitoring Quarter 2

The Chair welcomed Councillor Alibor Choudhury, Lead Member Resources and Mr Chris Naylor, Corporate Director Resources to present the monitoring report that was to be submitted to Cabinet on 1 December 2010.

Mr Naylor commented that the current expected outturn position for the General Fund was an overspend of just over £1m to the end of September on a budget total of £320m. However, the overspend to the end of October had been reduced by £200,000.

Councillor Rachael Saunders declared a personal interest when putting questions, on the basis that she had formerly been Lead Member for Adults' Health & Wellbeing.

Members then put questions on budgetary issues, including Older People Commissioning costs; Homelessness overspend; transfer of homecare packages; rent collected as a percentage of rent due (Tower Hamlets Homes); Housing Revenue Account overspend; any costed impact of the current leaseholder audit; service sharing with neighbouring boroughs and joint posts; workforce reflecting the community and the matter of job reductions in the current economic climate. Mr Naylor responded in detail to the queries, making particular points that:

- He would contact the Corporate Director Adults' Health & Wellbeing to provide additional information for Members on Older People Commissioning, the quality of homecare packages and associated costs.
- Transforming Older People could be an agenda item for a future meeting of the Committee.
- Grant funding for the Homelessness Service had been reduced owing to the low number of homeless families currently but numbers could well increase in future.
- He would ask the Corporate Director Development & Renewal to provide Members with regard to the shortfall of income from estate parking and leaseholder service charges, together with details of any costed impact arising from the leaseholder audit. Mr Naylor added that information was still awaited from the ALMO following the most recent quarterly meeting with them.
- Consideration was being given to possible service sharing with neighbouring boroughs but this would be subject to establishing which areas could result in absolutely certain savings as setting up joint staff posts was complex.

Members expressed the view that the elected Mayor would need to make difficult decisions regarding Council staffing levels and should concurrently publish reasons for the decisions to ensure transparency.

Councillor Alibor Choudhury, Lead Member Resources stated that there would be a strategy of achieving financial savings while minimising job losses. Members would be working with the Trades Unions and Directorates to that end. Concentrating on reducing agency posts and not filling vacancies would aim at 200 permanent posts being lost out of 500 projected job cuts and the

process would be managed to reduce the impact on individual staff as far as possible. He added that he had asked for more emphasis on equalities impacts in future reports to Cabinet on the matter. Efforts were still ongoing to diversify the workforce and create more opportunities.

The Chair suggested that any queries relating to Appendix 3 of the report – a summary for You Decide! Participatory budgeting projects – be referred by email to Ms Stephanie Ford, Interim Performance Manager.

After further discussion, the Committee –

RESOLVED

- (1) That the report, together with actions being taken to address reported overspends, be noted.
- (2) That Transforming Older People be included on the agenda of a future meeting of the Committee.

8.2 The Single Equality Framework - 6 Month Report

Ms Hafsha Ali, Acting Joint Service Head, Scrutiny and Equalities, presented the report which provided details of the Council's progress in implementing its Single Equality Framework (SEF) for 2010/11.

Ms Ali pointed out that the SEF replaced the former Diversity and Equality Action Plan and the way the Council was tackling inequality had changed greatly. Changes in legislation and national policy would also have an impact on inequality locally. Priorities for the current year were:

- Economic inactivity amongst Bangladeshi and Somali women.
- Independence and dignity for older people and vulnerable adults.

Members welcomed the work that had been undertaken but expressed concern that a Lead Member for Equalities had not yet been appointed. The Chair indicated that she would raise the matter with the Mayor at the Cabinet meeting on 1 December 2010.

Members then put questions on a number of related issues including the evaluation of the present equalities programme; disaggregation of national and other indicators; suitability of the momentum measures categories; religion within the workplace; employment problems experienced by women who started families after graduating; possibility of freeschools being established. Ms Ali responded in detail, commenting that:

- Evaluation of the equalities programme was underway and results were expected to be available for the Committee by February 2011.
- A wider set of performance indicators was being developed to measure inequalities across all Council services and obtain more than superficial information.
- The momentum measures graph would be amended appropriately.

- Women should be given employment advice while attending higher education facilities.
- Progress had been made on the culture of the organisation for inclusivity as regards faith groups.
- It was not yet known if establishing freeschools would result in increased segregation of pupils.

The Chair then **Moved** and it was –

RESOLVED

That the report be noted.

8.3 Car Free Development Schemes and Parking Permit Arrangements - Update Report

Mr Richard Finch, Team Leader Strategic Transport Development, introduced the report that updated progress made with the resolution of the erroneous issue of on-street car parking permits at Gaverick Mews, as highlighted at the meeting on 6 April 2010. The report detailed work on the creation of an improved and more robust administration system for car free homes through the planning application determination process. A Car Free Review Group had also been established to resolve the issues involved. In addition, work was underway with car club providers and the Tower Hamlets cycle scheme to develop other options.

Members then put questions on related issues, including a definitive number of instances of similar errors and the properties/individuals affected; the consistency of approach to resolving such errors; clarification of the term “car free” development; notification of prospective tenants/buyers of any restrictions on parking permits. Mr Finch and Mr Bryan Jones, Service Head Environmental Control, responded in detail and commented that:

- Specific numbers of people and properties were not yet available but this year three schemes affecting some 30 households had been identified. There had been problems as some cases extended back over six years but work was continuing on the backlog.
- The position regarding permits at Gaverick Mews had been handled in a particular manner as the wording of the legal agreement regarding parking permits had been unclear. However, the current approach had been considered appropriate by the Local Government Ombudsman.
- A much more proactive approach was now taken to ensure that developers informed prospective clients of parking permit restrictions.

The Chair stated that the situation would continue to be monitored and it was

RESOLVED

That the report be noted.

8.4 Covert Investigation under the Regulation of Investigatory Powers Act 2000

Mr D. Galpin, Head of Legal Services – Community, introduced the report detailing the use of the Regulation of Investigatory Powers Act 2000 (RIPA) by the Council and setting out instances where covert investigations had been authorised. He added that three cases had been authorised out of nine applications, which indicated that the gatekeeping and authorising arrangements in place were working.

Following questions from Members, Mr Galpin indicated that:

- Registered Social Landlords (RSLs) were not subject to RIPA but could ask the Council to investigate anti-social behaviour, etc. If agreed, this became the Council's investigation but would only be undertaken if it fit in with Council objectives. Any information sharing with RSLs would also be subject to Council policies.
- Information in the report had been sanitised so it was suitable for the public domain.
- The Standards Committee had also received the report and had asked for details of withdrawn RIPA applications. This information would also be provided in further reports to the Overview and Scrutiny Committee.
- All prosecutions following covert investigations at Petticoat Lane related to fly tipping.
- Any collateral information collected would be destroyed unless severe behaviour was observed.

The Chair **Moved** and it was –

RESOLVED

That the report be noted and further reports be submitted containing details of withdrawn RIPA applications.

9. OVERVIEW AND SCRUTINY MANAGEMENT

9.1 Scrutiny Challenge Session - Polyclinics: What do they mean for local residents?

Councillor Tim Archer, Health Scrutiny Panel Chair, provided an update on the report on the Scrutiny Challenge Session that had been held on 29 September 2010 in conjunction with NHS Tower Hamlets, the Partnership Team, LAP and THINK members and local residents. 32 people had attended in total.

The session had sought:

- To examine the local health picture and what the reconfiguration of local primary and social care services would mean for the residents of Tower Hamlets.
- To increase Members' understanding around key issues to enable them to use their community leadership role to communicate change to residents.
- To listen to local GPs and hear their opinions on the re-provision of local healthcare services.

Five recommendations had been developed, focusing on:

- The development of a clear communication strategy for residents and patients regarding changes to services, availability of facilities and patient involvement in care provision.
- The development of a strategy to engage Members further in the Joint Needs Assessment.
- The use of existing structures to communicate change, with a specific page on Tower Hamlets website, and creating a dialogue with partners and the third sector in developing a structure to involve residents in the decision making process.
- The use of GP surgeries for Ward Members to hold their own surgeries, with possible relocation to Polyclinics when available, for cost saving.
- A proactive approach by Councillors to communicate changes in healthcare provision and advocate resident issues to the Council and the NHS.

Following discussion, the Chair indicated that Members forward any further suggestions to Mr Afazul Hoque, Scrutiny Policy Manager. She then **Moved** and it was –

RESOLVED

That the recommendations proposed in the report be agreed.

9.2 Scrutiny Review - Citizen Engagement Strategy

Councillor Rajib Ahmed, Chair of the review, presented the report summarising the scrutiny review which had examined the Citizen Engagement Strategy in its development process to feed into the development of the Strategy and help ensure that the Strategy was robust. The review had comprised three activities sessions held between September and November 2010.

The objectives of this scrutiny review were to:

- Develop understanding of government policy, its implications and requirements of the Council;
- Consider the overall principles of engagement between the Council and residents;
- Consider the barriers to engagement between the Council and

residents and to find solutions;

- Examine the pilot models of citizen engagement and help develop feasible and effective models;
- Consider how the Citizen Engagement Strategy helps the Council's efficiency agenda;
- Consider how the Strategy can help deliver One Tower Hamlets;
- Consider the role of members within the Citizen Engagement Strategy.

Councillor Ahmed referred to the process by which the review had been conducted, as contained in the circulated report, and commented that seven recommendations had emerged, namely;

1 – That the Council and the Partnership clearly outline the purpose, vision of a Powerful Public, scope, pathways to the goal of the Citizen Engagement Strategy, and the relationship between the Strategy and other key strategies including the Community Plan and Third Sector Strategy.

2 – That the Council and the Partnership consider the impact of the current financial climate and employ cost-effective, creative and innovative ways of engagement in the Strategy.

3 – That the Council and the Partnership consider communities of interest and 'hard to reach' communities in the Strategy, aiming to achieve cohesion in the borough.

4 – That the Council and the Partnership continue developing effective communication with the public, promote the importance of the citizen engagement in a Powerful Public and encourage stakeholders to get involved actively and to interact with other communities.

5 – That the Citizen Engagement Strategy clearly outline the role of the Council in supporting a Powerful Public; in particular, consider its capacity building, coordinating and Community leadership roles.

6 – That the Citizen Engagement Strategy clearly outline the role of elected members particularly focusing on their local community leadership role in connection with the development of the localisation agenda.

7 – That the Council and the Partnership clearly identify key stakeholders, specifically including residents, the Council, Councillors, Third Sector organisations and the business community and clarify in the strategy their roles and develop the Strategy further in consultation with the key stakeholders.

Members commented that there could be difficulties in engaging the public, who could be reluctant to give up their time.

Mr Afazul Haque, Scrutiny Policy Manager, added that the scrutiny review would be referred back to the Committee as a final stage before submission to Cabinet.

The Chair **Moved** and it was

RESOLVED

That the recommendations as set out in the report be agreed.

**10. PRE-DECISION SCRUTINY OF SECTION ONE (UNRESTRICTED)
CABINET PAPERS**

The Chair **Moved** and it was –

RESOLVED

That the following Section 1 pre-decision questions be submitted to Cabinet on 1 December 2010 for consideration:

6.1 Local Development Framework Annual Monitoring Report 2009-10 / Local Development Scheme (LDS) (CAB 055/101)

1. Under the sub-headings in paragraph 6.2:

Strengthening Neighbourhood well being

The quantity of public space is reported as again going down versus population, is there a plan in place to redress this in future, We have plans for most things in lieu of the increasing population, have we considered green spaces in this?

Enabling Prosperous Communities

It is reported that previous gains in business space (33,000 sqm) that offers employment has now been lost - is that council rented out space? If so does this affect any particular town centre or centres, or are the losses spread across the borough? Are there plans to help redress this to encourage community take up and stave off further losses?

2. With reference to paragraph 6.12 has there been a drop in adult courses offered in the borough as well as a drop in enrolment? Are we offering the courses that the community want to have, especially those that encourage the older community?
3. With reference to paragraph 6.23 of this report we would like the Cabinet to reconsider the decision not to develop an Area Action Plan for Poplar. We recognise the various areas that have their own plans within Poplar but are concerned that the area as a whole still needs a coherent plan and to be treated with the same priority as other areas.

6.3 Options for the disposal of two long-term void properties and council properties previously in shortlife use (CAB 057/101)

1. Regarding the sale of 19 Parfett Street and 102 Tredegar Road to gain funds to repair others; these larger properties will be lost in Bow - meaning a possible move for families in the area, families which will no doubt have children in school. Has this been considered?

6.4 Local Implementation Plan 2 (CAB 058/101)

1. It would be good to see a more holistic approach being taken by the Council streets team and parking, with focus on resolving issues where parking and traffic movement are complicated and cause local upset. It was hard to see where/how these one off issues had been planned to be specifically tackled / consulted on. (non TFL)

7.1 Proposed Mulberry and Bigland Green Centre (CAB 060/101)

1. As per the LDF question in relation to education for older people (Cabinet Agenda Item 6.1 and para 6.12), what are the proposals for community wide education here. (Supporting lifelong learning for all) we should seek to make as much use of these facilities as possible working with financial constraints.

9.1 Children, Schools and Families Contract Awards (CAB 061/101)

1. With reference to paragraph 8.3 can we put in place contractual agreement with the new providers that they will continue to use locally recruited workforce. Can it be sought to re-employ those that may lose their jobs in the previously used six local providers on 'spot purchase'?

10.1 Performance and Corporate Budget Monitoring (Quarter 2) (CAB 063/101)

1. In paragraph 7.4.5 of the report it states that our ability to develop joint arrangements are severely restricted. The PCT has now awarded the contract for community health services, has the situation now therefore changed and are we now developing joint plans with the new provider?

10.2 Budget 2011/12 – 2013/14 (CAB 064/101)

1. With reference to paragraph 5.3 please specify what services are being allocated greatest priority to be preserved in the current round of spending cuts, and what measures are being put in place to do this?

The Chair added that she would speak to the Mayor on the matter of appointing to vacant Lead Member posts, particularly with regard to Equalities.

11. ANY OTHER SECTION ONE (UNRESTRICTED) BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

None.

12. EXCLUSION OF THE PRESS AND PUBLIC

The resolution was not moved as there was no Section 2 business.

13. EXEMPT/ CONFIDENTIAL MINUTES

None.

14. SECTION TWO REPORTS 'CALLED IN'

None.

15. PRE-DECISION SCRUTINY OF SECTION TWO (RESTRICTED) CABINET PAPERS

None.

16. ANY OTHER SECTION TWO (RESTRICTED) BUSINESS THAT THE CHAIR CONSIDERS URGENT

None.

16.1 Appointment of Scrutiny Lead Member for a Prosperous Community

Dealt with under agenda item 2 above.

The meeting ended at 9.10 p.m.

Chair, Councillor Ann Jackson
Overview & Scrutiny Committee