

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.00 PM ON TUESDAY, 3RD APRIL 2012

**ROOM M71, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON,
E14 2BG**

Members Present:

Councillor Ann Jackson (Chair)
Councillor Rachael Saunders (Vice-Chair)
Councillor Tim Archer
Councillor Sirajul Islam
Councillor Zenith Rahman
Councillor Amy Whitelock
Councillor Helal Uddin

Other Councillors Present:

Councillor Peter Golds
Councillor Denise Jones
Councillor Oliur Rahman

Co-opted Members Present:

Memory Kampiyawo – (Parent Governor Representative)
Rev James Olanipekun – (Parent Governor Representative)
Canon Michael Ainsworth – (Church of England Diocese Representative)

Guests Present:

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Officers Present:

David Galpin – (Head of Legal Services (Community), Legal Services, Chief Executive's)
Michael Keating – (Service Head, One Tower Hamlets)
Andy Bamber – (Service Head Safer Communities, Communities, Localities & Culture)
Isobel Cattermole – (Corporate Director)
Mary Durkin – (Service Head, Youth and Community Learning)
Pete Smith – (Development Control Manager)
Helen Smith – (Consultation and Engagement Officer)
Emily Fieran-Reed – (Head of Community Safety Partnership, Domestic Violence & Hate Crime)
Sarah Barr – (Senior Strategy Policy and Performance Officer)

Simone Scott-Sawyer – (Democratic Services)

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Jake Kemp.

An apology for lateness was received from Councillor Zenith Rahman.

2. DECLARATIONS OF INTEREST

Councillor Rachael Saunders declared a personal interest in respect of agenda item 5.2 as she had been in receipt of information from some of the service providers managing the contract in question;

Councillor Helal Uddin declared a personal interest in respect of agenda item 5.2 as his employer Bromley-by-Bow had a partnership working relationship with Poplar HARCA;

Reverend James Olanipekun declared a personal interest in respect of agenda item 5.2 as the Vice-Chair of Poplar HARCA Board, Chair of Services Board and a resident member of Contract Performance Monitoring Committee.

3. UNRESTRICTED MINUTES

The Chair **Moved** and it was:-

RESOLVED

That the unrestricted minutes of the meetings of the Overview and Scrutiny Committee held on 13th February and 6th March 2012 be approved and signed by the Chair as correct records of the proceedings.

4. REQUESTS TO SUBMIT PETITIONS

The clerk advised that there had been a request for a petition in respect of the business contained on the agenda from the Director of Communities and Neighbourhoods, Babu Bhatthercherjee.

The petition related to agenda item 5.2 and it was presented by Shah Shariyar and Sister Christine Frost MBE. Their concerns were highlighted as follows:

Shah Shariyar

- Youth Services were currently thriving and as such there was little justification for changing it. Poplar HARCA was a good example of the success of youth services in the borough;
- The petition was based on concerns expressed by the young and old in Tower Hamlets;
- Over 2,403 had signed the petition to express real concern. They requested that the Cabinet decision be rejected in order that a full and proper debate could take place [at full Council];
- The decision was rushed and young people had not been consulted. It was only right that the views of young people were taken into account to inform the decision to be made by the Council;
- Youth services should be run by local organisations and they must be consulted about the issue first.

Sister Christine Frost [Trustee of SPLASH]

- SPLASH currently run a very professional organisation;
- Drug and alcohol abuse projects currently worked very well with SPLASH;
- Anti-social behavioural problems had led to round-table discussions in the past, resulting in positive outcomes. Collectively, they had been able to come up with some creative and sustainable solutions to problems;
- There were over 9,000 young people in Tower Hamlets who ought to be consulted first as they were the primary beneficiaries of this service. Therefore it would be preferable for the Cabinet discussion to be taken to Council for a fuller debate.

In response to questions from Members, the following additional points were made:

- Match funding had been introduced and this enabled the organisation to obtain additional funding from other sources, thereby bringing large sums of monies into the borough. This was over and above the contractual provisions of SPLASH;
- Although the area was not directly affected by the London riots last August, in times of similar crises, the youth clubs were able to remain open for longer hours;
- Young people feared that if the service was brought back in-house, the focus would shift away from young people;

- One of the many challenges such as getting young people back into employment could be exacerbated by this proposed change to the service.

RESOLVED:

THAT the petition be noted.

5. SECTION ONE REPORTS 'CALLED IN'

5.1 Cabinet Decision Called-in: Statement of Community Involvement

The Chair welcomed Councillor Peter Golds in accordance with the provisions of Part 4 of the Council's Constitution and also welcomed Pete Smith Development Control Manager, together with Helen Smith, Consultation and Engagement Officer, who were in attendance to respond to the call-in.

Councillor Golds presented the reasons for the call-in outlining his concerns. Following this he responded to questions from the Committee.

His concerns were as follows:

- § Approximately 40% of all major planning applications in London take place in Tower Hamlets;
- § Many residents had concerns about the way planning was conducted in the borough. They would therefore prefer to be notified about planning applications at an early stage to avoid repeating blunders from the past;
- § It seemed unreasonable to expect residents to regularly go online to check the planning applications submitted for Tower Hamlets on the slim chance that their locality may be affected by a planning application.

Pete Smith and Helen Smith submitted apologies for absence on behalf of Councillor Rabina Khan, Cabinet Member for Housing, and Owen Whalley, Head of Planning and Building Control. They responded and their points were summarised as follows:

- There was a six week consultation period;
- The Planning Department received approximately 2000 planning applications per year and sent out approximately 160,000 consultation letters;
- In light of increasing postal charges and taking into account that there was an approximate 2 % response rate [around 3,500 responses] from residents, this was considered a drain on the Council's resources and a paperless system was therefore preferred.

Following concerns outlined by Members and officers' responses to their questions, the following points emerged:

- Concern was expressed that a "one size fits all" approach had been adopted. The 2 % response rate quoted by officers was deemed misleading as Members often got direct feedback and received emails from concerned residents about planning applications;
- Officers were trying to ensure that residents had alternative, viable mechanisms to engage with the Council;
- They were currently looking at ways of setting up Members' forums to address residents' concerns. This was a working document and Members' concerns would therefore be taken into account;
- The crossover between Licensing and Planning areas was an ever evolving one and Members were concerned that residents must be kept apprised of changes in their neighbourhoods;
- Navigating the Council's website could sometimes be a challenge and the Council must strive to share information with residents proactively, therefore there might always be a need for a paper-based system.

Possible solutions

- Residents could be offered a menu system which enabled them to select the type of "information" they would like to receive from the Council;
- An online system which automatically "pushed out" information to residents via SMS texts;
- For those residents without internet access, senior managers were currently trying to find other ways of disseminating information, for instance through a hotline telephone system, one-stop shops, weekly publications etc;
- Equalities issues - officers pointed out that work was being done with "My Tower Hamlets" for instance, to ensure that residents were able to engage more and were kept up to date with current planning applications;
- With regards to those residents with hearing or visual impairments, officers endeavoured to raise this with the Equalities team. Officers would also work with the IDEA stores to look at innovative ways of circulating information – for e.g. by making home visits to those who were home-bound or, providing help with using the computer;
- There would be closer liaising with colleagues at "My Tower Hamlets" to ensure there were alternative mechanisms for residents to engage.

Equalities

- Officers would try to address this issue by running a Communications campaign, involving residents on how to utilise “My Tower Hamlets”;
- For those individuals who were less conversant with IT, they would still receive notification letters and the hotline telephone number would be advertised;
- Residents can visit the Town Hall to view planning applications.

The Committee noted that the proposals were due to go out to consultation and did not wish to refer the report back to Cabinet for further consideration. Instead, they requested that officers take into account all the views expressed by Members and report back to the Committee before it was submitted to Cabinet. Their views were summarised as follows:

- Tower Hamlets had a diverse and mobile community, therefore it did not need a “one size fits all” approach, but a bespoke service that worked for its residents;
- Residents’ lack of awareness about important planning applications was of concern;
- The importance of Licensing, Entertainment and Planning matters should be shared with residents e.g. if there had been changes to delivery times and/or licensing and entertainment, these should be communicated to the community;
- Information could be shared through emails or texts;
- Disability issues should also be factored in.

RESOLVED

That the called-in report not be referred back to Cabinet for further consideration, but that officers note and comment on Members’ views as discussed and report back to the Overview and Scrutiny Committee before reporting to Cabinet.

5.2 Cabinet Decision Called-in: Youth Service Delivery

The Chair welcomed Councillor Denise Jones in accordance with the provisions of Part 4 of the Council’s Constitution and also welcomed Isobel Cattermole, Corporate Director, together with Mary Durkin, Service Head, Youth and Community Learning, who were in attendance to respond to the call-in.

The Committee considered the following:

- the views and comments made by Councillor Denise Jones in presenting the call-in;
- the information given by Councillor Oliur Rahman Cabinet Member for Children's Services with Isobel Cattermole, Corporate Director, Children Schools and Families and Mary Durkin, Service Head, Youth and Community Learning in response to Councillor Jones' issues; and
- the answers to the Committee's questions given by Councillor Jones and by Councillor Oliur Rahman, with Isobel Cattermole and Mary Durkin.

8.2 The main points raised in the discussion are highlighted below:

- Cllr Rahman argued that the main objective of the decision was to save money through management costs, with no intended changes to service provision in each local area, to the places where those services were delivered or to the staff delivering them. Young people should not be affected by this decision.
- It was recognised by everyone that in the current financial context, the youth service should be required to find savings where possible. But it was suggested that this could be done by partnership working with current providers rather than a completely new model.
- There was not enough information in the report on why this decision was being taken now, and how savings would be realised through an in-house service. Furthermore, there was insufficient information on the risks associated with the decision, particularly the potential increase in rents the youth service could have to pay. More time should have been spent developing the proposals, with full cost and risk analysis. Insufficient attention had been paid to potential 'unintended consequences' of bringing the service in-house.
- It was proposed that savings would be found through a reduction in the number of managers required - there was currently a contract manager for each LAP. However, the cost of these was not known, and the paper did not clearly set out how this reduction would be made and what savings this would realise.
- There had been insufficient communication and consultation with existing providers, although Cllr Rahman said he and his officers had been speaking to some of them and would continue to do so. Providers had previously been reassured that nothing would be changing before 2013.
- This lack of communication had upset many providers, as shown by the petition presented at OSC and their comments to the media. The Council risked damaging its partnership working-relationship with these providers, which it hoped would continue. This could in turn impact on the Council's ability to secure community premises at little or no costs as required.
- The youth service was originally contracted out in 2001, because the existing model was not working. When the contracts were re-tendered

in 2006, performance was still poor. Since then performance against key targets had improved significantly. This was attributed to a move to outcome-based contracting, where providers were given the freedom to allocate resources as they thought best, providing they met their targets. Bonuses were paid for providers who met *stretch* targets. These contracts were monitored very closely, with management support for providers and written warnings when providers failed to meet their targets. This model of close monitoring against targets, with support for those providing services would continue if the service was brought in-house.

- One of the stated aims of bringing the services in-house was to improve partnership working with public health, GP networks and the Police. However, existing providers already worked closely with these organisations to address health inequalities and community safety, and it was not clear how these relationships would be improved by an in-house service.

9. ALTERNATIVE COURSES OF ACTION PROPOSED

9.1 The Committee resolved to refer the decision back to Cabinet for further consideration with the following comments:

- This decision was not being undertaken in the right way – there had been insufficient work to date to clarify the potential risks, costs and benefits of a move to in-house management. It was therefore not clear what the benefits of this change were, or why it was being undertaken now and in such a hurry, with the contracts concerned due shortly for review and renewal.
- There was clearly significant concern from the community and providers about this change, and insufficient communication and consultation with providers before the report was published. Further consultation with providers, and with young people, should be done to understand their concerns, before progressing further with this decision.
- The Committee was disappointed by the negative comments about existing providers made by the Lead Member. If we were to continue our important partnership working with these providers we needed to maintain good, constructive relationships with them.
- This report was another example of reports coming to Cabinet, and to public view, with insufficient information on which to base a decision. This report had been tabled at too early a stage, and as such had upset the community and providers and had the potential to affect the service it sought to preserve.
- The lack of information and consultation on this had resulted in the decision being called in. The community felt wary of a decision which appeared to have been taken without their involvement, with possible future effects that may not have been foreseen due to lack of thoroughness now.

The Committee proposed that the called-in report be referred to Cabinet and full Council, if Members believed that the proposals contradicted Council policy. In accordance with the CYPP principles: *“There are some changes for the voluntary sector: the expectation from Government is that less will be provided or commissioned by the local authority, and more will be provided by the community and voluntary sector. Again, this gives greater accountability to voluntary sector organisations, and the expectation is that this sector will play a bigger role in helping to meet the priorities set out in our plan”*. The proposal appears to take responsibility and power out of the voluntary sector and into the local authority and was therefore in direct contravention of the Children Plan. It breached the Council Policy Framework, thus it was possible to refer it to full council as there were over 2,000 signatures which would trigger a full Council debate in any event.

David Galpin, Head of Legal Services, Community, clarified that Members were required to focus on the Call-in by either endorsing it and referring the matter back to Cabinet for consideration, or taking no action and effectively endorsing the Cabinet decision, enabling implementation to go ahead.

In conclusion, Members outlined the following points:

- The lack of information in the Cabinet report was of real concern and it was regrettable that this matter had to be referred to the Overview and Scrutiny Committee;
- There was a need for more engagement with the young people;
- Poplar HARCA – this organisation had several volunteers but if the service was brought in-house, how would these volunteers be utilised?
- KPIs – how would these be measured accurately?
- Once in-house, some Members feared that there was a danger of bureaucracy taking over. With a contracts system, the expectation was that the provider must meet targets, otherwise the contract could be terminated. There may be no such incentive with an in-house service;
- The assumption was that an in-house service equated to a cheaper service, but this was not necessarily the case. There were lots of unanswered questions and further debate was needed;
- Members sought assurances that monies would not be spent inappropriately if the service was brought in-house.

RESOLVED

That the called-in report be referred back to Cabinet for further consideration and that the Cabinet note and comment on the matters set out in the referral report.

6. REPORTS FOR CONSIDERATION

6.1 Presentation on the Children and Families Plan

Layla Richards, Service Manager, Strategy, Partnership and Performance, together with Isobel Cattermole, Corporate Director, introduced the report.

Ms Richards tabled a PowerPoint presentation and wished to obtain feedback from Members. Alternatively, Members had the option to attend workshop sessions where they could give their views about the Plan. Ms Cattermole stressed the need to respond to the pressing issues, particularly with regards vulnerable children in the community.

Cllr Oliur Rahman, Cabinet Member for Children's Services, informed Members that although it was not a statutory requirement, the Partnership considered the Plan a useful tool to adopt to run a successful Children's service.

Officers responded to some Members' concerns and the following points were outlined:

- Ms Cattermole pointed out that with welfare reform, additional strain was inevitable, though there were good networks in place, which had been established since the start of the Children, Schools, and Families Directorate in 2006. Hence good relationships with schools had been forged and were still in place and the infrastructure was there to produce desired results;
- Involvement with parents and young people was encouraged at every stage and obtaining their views was imperative as this was a requirement of the inspection service;
- Tower Hamlets GP services – Ms Cattermole confirmed that the local authority undertook work with schools for e.g. weighing of children, immunization etc. However, schools were in need of resources as they were not qualified health professionals and partnership working was crucial;
- Youth Services – Ms Cattermole stated that although the Council did not deliver the Children and Young Peoples Plan, they delivered it to ensure that issues such as drug and alcohol abuse and domestic violence were addressed. Swimming was a good example of successful working with CLC partners in ensuring good attendance at lessons. Emphasis was also placed on improving outcomes for young people going into adulthood;
- Educational issues – Ms Cattermole stressed that a “one size fits all” approach would not be appropriate as the Plan must account for individual children's needs and skills;

- As an example, Ms Cattermole also noted that the East London NHS Foundation Trust, the local mental health trust, did excellent work with teenage girls subjected to domestic violence or peer pressure;
- Transition from primary to secondary and from secondary onwards – transitional workers in schools were in place and there was also a good tracking system to help children cope with drug addiction problems for instance. A “buddy” system was also in place to mentor children.

The Chair thanked the officers for the presentation.

RESOLVED

That the verbal report and presentation be noted.

6.2 Community Safety Plan 2012 - 13

Emily Fieran-Reed, Head of Community Safety Partnership, Domestic Violence & Hate Crime, and Andy Bamber Service Head - Community Safety, introduced the report.

Ms Fieran-Reed tabled a PowerPoint presentation and highlighted the following points:

- A strategic assessment was produced as part of the statutory requirement;
- The Community Safety Partnership Board had endorsed the Plan;
- The Olympics was a big factor and a one year plan was considered appropriate – it included priorities for the CSP [pages 110 -124], Governance Structure etc;
- Consultation evidence from the public had been included;
- The Governance structure had recently been revised;
- Consultation for the next CSP was to commence with immediate effect.

Following a discussion between Members and officers, the following points were highlighted:

- It was noted that violence against women ought to be recorded separately to ensure accurate monitoring of data;
- Restorative justice – Ms Fieran-Reed stated that this would be a very useful tool and that the Council was fully signed up to it. Mediation was deemed an equally useful tool;
- Lack of communication with residents on police activity – the Public Confidence and Satisfaction Board would tackle such issues;

- There was a need to engage the Community Safety team and agencies across the borough to tackle crime;
- The community and Registered Social Landlords [RSLs] must work jointly to tackle crime. Ms Fieran-Reed confirmed that all local RSLs were represented on the CSP board by the Director of Housing and Community Services, Tower Hamlets Homes. Ward panels carried out street and block briefings which had proved quite popular;
- There was apprehension over the lack of detail in the report about public safety regarding the Olympics, for instance drug taking or people trafficking etc. Ms Fieran-Reed stated that there had been an “Olympic” Planning Day dealing with violence against women/girls and similar issues would be looked into.

Mr. Bamber informed Members that he was in receipt of victimisation data which he endeavoured to circulate to the Committee the following week. He stated that the Plan was a year long taking into account the two-week Olympic events. There were separate service delivery plans emanating from the different services to deliver community safety and this would be coordinated by the Borough Olympic Control Centre [BOCC] which would then be communicated to a wider audience.

The Chair thanked the officers for the presentation.

RESOLVED

That the report be noted.

6.3 Presentation on the Overview and Scrutiny Annual Review

Sarah Barr, Senior Strategy Policy and Performance Officer introduced the report and invited Members to submit their views and comments. She tabled a PowerPoint presentation and the following points were noted:

- The next report would be submitted to the Overview and Scrutiny Committee in June;
- Improving the relationship with the Mayor;
- Call-ins – to look at improved ways of dealing with call-ins.

Members were apprehensive about a number of issues highlighted below:

- There was concern that the relationship between the Committee and the Mayor needed to improve and Members were therefore pleased that he would be attending the next Committee meeting;
- The lack of detail in some Cabinet reports was causing undue concern in the community. This had also resulted in the need for extra-ordinary meetings which was a drain on officer time and ultimately Council monies.

The Chair thanked the officer for the presentation.

RESOLVED

That the verbal report and presentation be noted.

7. VERBAL UPDATES FROM SCRUTINY LEADS

Nil items.

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

Nil items.

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

The Chair informed Members that if the “Future Sourcing Project– Preferred Bidder Recommendation” report submitted to Cabinet on 4th April was called in, in view of the associated strict deadlines in complying with the contract, an extra-ordinary meeting of the Committee would likely be scheduled on 17th April. Members were therefore asked to note this provisional date in their diaries.

The meeting ended at 9.41 pm.

Chair - **Councillor Ann Jackson**
Overview & Scrutiny Committee.