

<b>Committee:</b> <b>Council</b>	<b>Date:</b> <b>11<sup>th</sup> July 2012</b>	<b>Classification:</b> <b>Unrestricted</b>	<b>Agenda Item No.</b> <b>5.4</b>
<b>Report of:</b> <b>Service Head, Democratic Services</b>		<b>Title:</b> <b>PETITION DEBATE:</b> <b>YOUTH SERVICE CHANGES</b>  <b>Wards: All</b>	

## 1. INTRODUCTION

- 1.1 The Council's Petition Scheme, adopted in July 2010 in accordance with the provisions of the Local Democracy, Economic Development and Construction Act 2009, provides that where a petition includes the names, addresses and signatures of at least 2,000 persons who live, work or study in the borough, the petitioners may request that a debate be held about the petition at the full Council meeting. This is distinct from the long-standing provision in the Council's Constitution that a petition with at least 30 signatures may be presented to (but not debated by) the Council.
- 1.2 The full relevant extract from the Petition Scheme is attached at Appendix A.
- 1.3 A petition containing 2,403 signatures has been received on the subject of changes to the Youth Service. The petitioners have requested that the petition be debated by the Council. The text of the petition is as follows:-

**"No to Youth Service Delivery Proposals:**

Tower Hamlets Council is proposing to bring its Youth Services back 'in house', delivering services themselves rather than in partnership with organisations they have been working with to deliver services, some for over 10 years. They say this will achieve better 'localism' and that the community will be more engaged in better services this way. We disagree.

We the undersigned believe that the proposal to transfer the Youth Service 'in house' should be rejected.

We believe the Youth Service in its current form offers greater variety, with more structured and accredited provision, reaching a far greater cross section of the community than it did previously when it was run in house by the Local Authority. We believe that the alternative proposal to re-tender the contracts and keep delivery of Youth Services in the community is the best way forward for young people of the borough."

- 1.4 The Council is invited to debate this matter. As this is the first such 'petition debate' under the new scheme, the following guidance is provided on the format of the debate:-

- As set out in the Petition Scheme, the maximum total time for this agenda item is 18 minutes.
- At the start of the agenda item, the Speaker will invite the petitioners to present their petition for a maximum of three minutes. There is no provision for any further public speaking on the matter.
- The Speaker will then open the debate and ask if any Member wishes to speak on the matter. All speeches are limited to a maximum of three minutes and any Member may speak only once during the debate.
- During his or her speech any Member may move a motion for the Council's consideration relevant to matters in the petition.
- Because the subject matter of the petition – decisions regarding the youth service – is an executive function, the Council does not have powers to override any executive decision of the Mayor or substitute its own decision. The Council may however pass a motion expressing a view on the matter or referring the matter to the Mayor, calling on him to take some action, or consider or reconsider a decision, with recommendations to inform that consideration. Officers will advise on the constitutional validity of any motion that may be moved
- The Speaker will invite the Mayor or (at the Mayor's discretion) a Cabinet Member to respond to the matters raised during the debate, before a vote is taken on any motion that may be moved.
- If no motion is moved during the debate, the petition will stand referred to the relevant Corporate Director for a written response.

## **2. BACKGROUND INFORMATION – CABINET DECISION AND OVERVIEW AND SCRUTINY CONSIDERATION**

- 2.1 The matters raised in the petition have already been the subject of discussion and decision at two meetings of the Cabinet and a call-in reference by the Overview and Scrutiny Committee.

### **Cabinet decision, 14<sup>th</sup> March 2012**

- 2.2 The Mayor in Cabinet made the following decision on 14<sup>th</sup> March 2012:-
1. That the youth service be brought back in-house and the location of both the Youth Service and Community Languages Service be considered.
  2. That the opportunity offered by an in-house system to align the service more closely to community safety, health and leisure services within the council be taken, strengthening the ties to the partnership and push for localisation.

3. That the service's compliance with the national MI system is retained; and
4. That the management of the service is transferred to CLC.

### **Call-in and referral to Overview and Scrutiny Committee, 3<sup>rd</sup> April 2012**

- 2.3 The above decision was "called-In" for further consideration in accordance with the provisions of Part 4 of the Council's Constitution by Councillors Khales Uddin Ahmed, Helal Uddin Abbas, Anwar Khan, Bill Turner and Denise Jones. The call-in requisition gave the following reasons for the Call-in:

*A core part of effective localism is working with locally based partners, and the current youth service contracts have been effective in achieving local buy-in and joint partnership working. Effective localism will not be achieved through pulling delivery services out of our local communities into Mulberry Place;*

*The success of the current youth services has been substantially based on partnership working. Effective partnership working is based on good relationships and trust. This trust has been undermined by the way the issue has been handled, with one current provider being surprised to learn about the proposal to bring the service in-house, as they had no warning that their contract might not be renewed. Goodwill has helped existing resources go further so far – i.e. OFHA has its own IT, HR, Legal and Finance services which support the youth service at no cost to the borough;*

*Outcomes have significantly improved since the youth service was contracted out, with greater variety, more structured and accredited provision reaching a far greater cross section of the community, than it did previously when it was run in-house;*

*We recognise the need to save money, and believe that it would be better to work in partnership with current providers to achieve savings rather than disrupt a currently successful model;*

*We are concerned that the original Cabinet decision did not include in writing, any commitments on how an in-house service would be operate in the borough. We believe that a good in-house service would run services in local settings across the whole of the borough, with greater concentration of resources in areas of greater economic need;*

*We believe that local partners with strong community credibility and existing successful democratic and involvement structures, are well placed to deliver excellent services, especially as they already integrate leadership of young people in delivering and shaping services. Then is not as effective when done borough-wide;*

*There has been no consultation with some current providers on these proposals;*

*The paper states that this model is intended to improve localism, but gives no specifics on how this will be achieved. The current providers are already doing excellent work in localised partnerships, i.e. Poplar HARCA working with the NHS and St Paul's Way School; and OFHA achieving excellent outcomes working with public health i.e. obesity.*

*We are concerned that despite the need to make savings, the financial outcome of the Cabinet report remains unclear, with no stated savings targets and significant unknown variables such as the cost of hiring venues if current relationships are disrupted.*

2.4 The call-in Councillors proposed the following alternative course of action:

*It is proposed that the Mayor and his advisory Cabinet Member seek a dialogue with the current service providers and with other interested partners, such as RSLs who already deliver youth services and to seek to develop a model of youth service delivery in partnership with local organisations continuing in their roles as contractual providers. This will require transparency around savings targets and allocation of resources. This dialogue should be time limited. We are confident that an outcome which achieves reasonable savings targets and maintains the added value, that partners and the young people who are currently taking leadership in the delivery of services and contribute to service provision, can be achieved.*

*We suggest that young people who use local services are consulted as part of this process, and that their views are analysed according to gender, ethnicity and geography.*

2.5 The Overview and Scrutiny Committee on 3<sup>rd</sup> April 2012 endorsed the call-in and referred the decision back to the Cabinet for further consideration with the following comments:

- This decision is not being undertaken in the right way – there has been insufficient work done to clarify the potential risks, costs and benefits of a move to in-house management. It is therefore not clear what the benefits of this change are, or why it is being undertaken now and in such a hurry, with the contracts concerned due shortly for review and renewal.
- There is 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 are to continue our important partnership working with these providers we need to maintain good, constructive relationships with them.
- This report is another example of reports going to Cabinet, and to public view, with insufficient information on which to base a decision. This report has been tabled at too early a stage, and as such has upset the community

and providers and has the potential to affect the service it seeks to preserve.

- The lack of information and consultation on this has resulted in the decision being called in. The community feels wary of a decision seeming to have been taken without their involvement, with possible future effects that may not have been forecast due to lack of thoroughness now.

### **Cabinet decision 4<sup>th</sup> April 2012**

- 2.6 At the Cabinet meeting on 4<sup>th</sup> April 2012, the comments, advice and recommendations of the Overview and Scrutiny Committee were noted. After further consideration of the matter, the Mayor in Cabinet re-affirmed his original decision in relation to Youth Service Delivery as at 2.2 above.

## **APPENDIX A – EXTRACT FROM THE COUNCIL’S PETITION SCHEME:**

### **5. PRESENTATION OF A PETITION TO ELECTED COUNCILLORS**

Subject to your petition containing sufficient signatures as set out below, you may request to present the petition to a meeting of elected councillors. There are a number of ways in which this can be done.

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#### **(b) Debate at a Council Meeting**

If your petition includes the names, addresses and signatures of at least 2,000 persons who live, work or study in the borough you may request that a debate be held about the petition at the full Council meeting. The Council will endeavour to consider your petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. We will tell you the date of the meeting at which the debate will take place once this is confirmed.

At the meeting, the petition organiser or another signatory to the petition will be given three minutes to present the petition. The person who presents the petition must live, work or study within the borough. The petition will then be debated by Councillors for a maximum of 15 minutes. Following the debate, the Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee.

Where the issue is one on which the Council’s Executive (Cabinet) are required to make the final decision, the Council will decide whether to make recommendations to inform that decision. As the petition organiser, you will receive written confirmation of this decision, which will also be published on our website.

In the event that two or more petitions which are substantially the same are received from different petition organisers, the Chief Executive may aggregate the number of valid signatures in each petition for the purpose of determining whether the threshold to trigger a Council debate of the matters raised has been reached if that is the wish of the petition organisers.