

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 6.30 P.M. ON MONDAY, 24 JUNE 2019

**ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Sufia Alam	– Scrutiny Lead for Children & Education and Vice – Chair of OSC
Councillor Kahar Chowdhury	– Scrutiny Lead for Health & Adults
Councillor Dipa Das	– Scrutiny Lead for Housing & Regeneration
Councillor Marc Francis	–
Councillor Tarik Khan	– Scrutiny Lead for Resources & Finance
Councillor Eve McQuillan	–
Councillor Andrew Wood	–
Councillor John Pierce (Substitute for Councillor Bex White)	–

Co-opted Members Present:

Ahmed Hussain	– Parent Governors
Dr Phillip Rice	– Church of England Representative

Other Councillors Present:

Mayor John Biggs
Councillor Danny Hassell
Councillor Motin Uz-Zaman

Apologies:

Councillor James King	– Chair of OSC
Councillor Bex White	– Scrutiny Lead for Community Safety & Environment

Officers Present:

Vicky Clark	– (Divisional Director for Growth and Economic Development)
Afazul Hoque	– (Head of Corporate Strategy & Policy)
Daniel Kerr	– (Strategy and Policy Manager)
David Tolley	– (Head of Environmental Health and Trading Standards)

Zoe Folley

– (Committee Officer, Governance)

1. APOLOGIES FOR ABSENCE

Councillor Sufia Alam Chair

Apologies for absence was received from:

- Councillor James King
- Councillor Bex White
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2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of disclosable pecuniary interest were received.

3. UNRESTRICTED MINUTES

RESOLVED

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 20th May 2019 be approved and signed by the Chair as a correct record of the proceedings.

4. REQUESTS TO SUBMIT PETITIONS

The Committee was advised that no requests to submit any petition's had been received for consideration at this meeting.

5. FORTHCOMING DECISIONS

The Committee received and noted the published Cabinet Forward.

6. UNRESTRICTED REPORTS 'CALLED IN'

There were no items

7. SCRUTINY SPOTLIGHT

7.1 Mayor's Spotlight

The Committee received a presentation from Mayor John Biggs regarding his priorities for the year ahead. This was with a view to identifying how scrutiny can support delivery of corporate priorities.

The Mayor's update covered a range of issues, stressing the importance of carrying out further action in respect of the following:

- The delivery of his manifesto pledges, as set out in the Council's Strategic Plan.

- The next round of budget planning in view of budget pressures and uncertainties around Brexit.
- School placements issues due to demographic changes.
- Regeneration and progress with delivering new homes.
- The continuous improvement of Council services, including the quality of children's services.
- Managing the move to an in house waste service and meeting recycling targets.
- Community safety through for example action to address ASB and knife crime and initiatives to improve the quality of the street environment.
- Promoting community cohesion, working with partners and maximising opportunities for residents.

The questions and comments from Members on the presentation may be summarised as follows:

- A Member asked questions about proposals for the Raines Foundation School, in terms of the land and property ownership issues. The Committee noted the need to properly address the issues and the Children's and Education Overview and Scrutiny Sub – Committee are due to consider their issues at the meeting tomorrow.
- The Mayor noted the need to review the allocation of school places, particular around the west of the Borough in view of the demographic changes. Whilst there were no plans to close schools, there were challenges ahead that will need addressing.
- Regarding the Tower Hamlets Rewards proposals, the Mayor noted that this was a staffing matter, so it was a matter for the Chief Executive and the Council's General Purposes Committee to decide. He clarified he neither supported or opposed the proposals. The Mayor also provided an update in terms of the next steps.
- In response to questions about the purchasing by the Council of Right to Buy properties, the Mayor noted the merits of this- as a means of increasing the Council's housing stock. The Mayor stated that he also wished to see more new Council homes built.
- Regarding the shift to digitalised services, the Mayor provided reassurances about the availability of support for customers, particularly vulnerable residents, who may experience difficulties in accessing on line services at the Idea Stores.
- In terms of the biggest issues facing the Borough, the Mayor considered that the issue of community safety continued to be priority, as well as the task of maximising employment opportunities for local people and businesses - as noted at the recent Business Summit,
- Regarding the OSC work programme, the Mayor suggested that the Committee could review housing needs and ways of meeting the needs of middle income residents as well as the poorest residents.
- The Committee could also review the task of ensuring the continued improvement of council services.

In conclusion, the Chair thanked Mayor Biggs for his presentation

8. OVERVIEW AND SCRUTINY WORK PROGRAMME

The Committee noted the draft work plan which has been developed following away day held on 15th June 2019. It was clarified that each of the Scrutiny Sub – Committees would have an opportunity to review suggest topics for the work programme, prior to the presentation of the scrutiny work programme to the Council meeting. Topics could also be added during the year as and when the need arose.

It was also confirmed that as Environment & Community Safety and Resources and Finance were two areas without a Committee, items would either need to be taken at OSC or considered by the Scrutiny Lead through a Challenge Session/Scrutiny Review.

The Committee suggested that the work programme could include the following areas:

- A focus on insourcing of the waste service’.
- Leisure contract management, particularly from a young person’s view point.
- The quality of the customer services across the organisation
- Community safety and local policing, particular with regard to the allocation of the local police force in the Borough through a spotlight with Borough Commander and Cabinet Member
- Equalities issues in terms of the implications for Council policies.
- Windrush and slavery issues.
- The issue of extended family households and the financial pressures they face.
- Review of recent scrutiny recommendations.

The following comments were also made -

- The Committee noted the merits of holding meetings in community venues, visiting other boroughs to learn about best practice, encouraging greater levels of public participation, through for example receiving petitions.
- Preference was expressed for scrutiny to focus on reviewing narrower issues in depth as opposed to carrying out reviews of wide-ranging areas.

9. NIGHT TIME ECONOMY PRESENTATION

Councillor Motin Uz-Zaman (Cabinet Member for Cabinet Member for Work and Economic Growth) gave a presentation on the night time economy following the OSC review in September 2017. David Tolley (Head of Environmental Health and Trading Standards) and Vicky Clark (Divisional Director, Growth & Economic Development) were also present to provide an update and respond to questions.

Councillor Motin Uz-Zaman reported that the Council had made good progress in implementing the 11 recommendations, through carrying out the following activities: (the full list of actions were set out in the previously circulation presentation slides, that were published as a supplementary agenda)

- The appointment of a Member and Officer NTE champion.
- Exploring ways to broaden the current NTE offer to include early evening family entertainment to minimise ASB.
- Working with partners and businesses to support needs. Officers were happy to share the feedback from the recent Business Summit.
- The use of planning and licensing powers, including the Late Night Levy and the revised cumulative impact policy to minimise the impacts from the NTE.
- Ensuring that the draft Local Plan contained measures to support and protect existing community facilities.
- The monitoring of 'airbnb's
- The provision of information to enable residents to report breaches in licensing and planning permissions.
- Provision of additional resources for community safety.

The questions and comments from Members on the report may be summarised as follows:

- The Committee sought and received assurances about the initiatives to prevent violence against women and girls. In particular, they noted details of the Street Pastors project funded by the Late Night Levy. The Council took this issue very seriously.
- Other measures included 'pub watch initiatives' aimed at achieving a safer drinking environment.
- Councillor Motin Uz-Zaman reported that he had met with ward councillors and had carried out visits to NTE locations in the Borough, such as Brick Lane. Regarding the provision of public toilets, it was noted that new ones will be installed. He would provide further information on this.
- On the issue of 'short-term lets, the Council had called on the Government to increase the level of regulations. The Council could employ a range of measures via other avenues to manage any impacts.
- Regarding recommendation 11 (regarding the need to conduct a comprehensive impact assessment), Members noted the merits of collecting a solid evidence base and data from other areas on the NTE similar to the approach taken by LB Westminster.
- The Committee requested that further consideration should be given to the Executive's response to recommendation 11 and that the Committee follow up on this
- The Committee also noted examples of the efforts to encourage a more a family oriented activities, and the potential for this to succeed

subject to such things as the available of premises and a market for this.

- The Committee also discussed the work of Trading Standards, particularly in preventing underage sales.

In conclusion, the Chair thanked Councillor Motin Uz-Zaman, Dave Tolley and Vicky Clark for their presentation

10. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

The Committee received and noted those questions to be presented at Cabinet by the Chair in relation to unrestricted business on the agenda

The Committee also requested that the following question be presented to the Cabinet;

Item 6.1, Spitalfields and Banglatown Community Governance Review Update

What is the total cost of the Spitalfields and Banglatown Community Governance review?

The questions are set out in Appendix A.

10.1 Children's Services Improvement- Quarterly Progress Report (Quarter 4 -2018/19)

Councillor Danny Hassell (Cabinet Member for Children, Schools and Young People), presented the progress report, highlighting the positive outcomes in terms of the following areas: (the full list of actions were set out in the previously circulated presentation slides, that were published as a supplementary agenda)

- Imbedding a compliance and performance management culture.
- Quality of practice – this had been an area of focus and had continued to improve.
- Strengthening multi agency work.
- Initial health assessment - It was noted that progress had been made and continued to be made.
- Recruitment and retention, through for example reducing sickness and improving staff stability.
- Self - assessments - now strong.
- Engaging with young people, families, staff and partners.

The Committee also noted a summary of key positive outcomes.

In terms of the next steps, Councillor Hassell reported on the launch of a new partnership plan and what this would involve.

He also outlined the future goals for the service, particularly the intention to focus on: the delivery of a high quality consistent service, tackling neglect, youth violence and exploitation and strengthening the corporate parenting role.

The questions and comments from Members on the report may be summarised as follows:

- The Committee noted the importance of partnership working with other services especially in the area of neglect cases and the provision of suitable accommodation. Members also noted the need for further work to be carried out to improve such links with housing providers.
- The Committee asked for an update on performance indicators, identified as red and amber rated, highlighting in particular the following indicators:
 - % of CIN children visited within the past four weeks
 - % children on a child protection plan receiving a visit within the past four weeks
 - % of care leavers in suitable accommodation.
- In response, Councillor Hassell reported that the variations in the data could be attributed to a number of factors including recording issues, He undertook to provide a more detailed breakdown of these figures.
- In terms of the future challenges, it was confirmed that tackling neglect and deprivation remained a key priority, as well as the task of ensuring all council services supported children in care where necessary.
- Councillor Hassell also noted the importance of recruiting and retaining a sufficient number of social workers to deal with demand at the front door given the rise in referrals.
- The Committee also noted the role of the Children In Care Council and the plans to strengthen links with the Youth Council.
- The Committee also requested a briefing on the Council's target setting approach.

In conclusion, the Chair thanked Councillor Danny Hassell for the presentation.

11. VERBAL UPDATES FROM SCRUTINY LEADS

Councillor Marc Francis (the former Scrutiny Lead for Resources) reported on the scrutiny challenge session on customer services. He confirmed his intention to complete outstanding actions in the near future.

Councillor Sufia Alam, (Chair of the Children's and Education Overview and Scrutiny Sub – Committee), reminded Members of the agenda items for tomorrow meeting and that she had visited a local school with a view to potentially holding a meeting of the Sub – Committee there.

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

12.1 MINUTES OF THE GRANTS SCRUTINY SUB-COMMITTEE

Councillor Marc Francis, (the Chair of the extant Grants Scrutiny Sub – Committee) thanked the Committee especially the co-optee Members for all their hard work and contributions to the work of the committee. He asked that consideration should be given to encouraging their involvement in the scrutiny sub – committees.

In terms of the new process, it was noted that following the publication of the Grants Determination Sub – Committee agenda for 3rd July 2019 meeting, the Overview and Scrutiny Committee Members will receive notification and may put pre decision questions to the Grants Sub – Committee.

RESOLVED

1. That the unrestricted minutes of the meeting of the Grants Scrutiny Sub-Committee held on 29 April 2019 be approved and signed by the Chair as a correct record of the proceedings.

13. EXCLUSION OF THE PRESS AND PUBLIC

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

Resolved:

That in accordance with the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972.

14. EXEMPT/ CONFIDENTIAL MINUTES

Nil items

15. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items

16. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL) CABINET PAPERS

Nil items

**17. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS THAT THE CHAIR
CONSIDERS URGENT**

Nil items

The meeting ended at 8.45 p.m.

Chair,
Overview & Scrutiny Committee

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Item 6.1 Spitalfields and Banglatown Community Governance Review Update	
Question	Response
<p>1. What (if any) non-parish forms of community governance have been tried in this area over the last 15 years?</p>	<p>Under section 93(5) of the Local Government and Public Involvement in Health Act 2007 the Council is required to take into account any other arrangements (apart from those relating to parishes and their institutions) that have already been made, or that could be made, for the purposes of community representation or community engagement in respect of the area under review.</p> <p>Government guidance on community governance reviews asks councils to consider other types of viable community representation which may be more appropriate to some areas than parish councils, or may provide stages building towards the creation of a parish council. This can include local tenants and residents’ associations, neighbourhood planning forums, other community forums such as safer neighbourhood ward panels. All of these arrangements are currently in place within the area of the community governance review. Arrangements that have been tried but that are no longer in place include full neighbourhood decentralisation in the late 1980s, and more recently, Local Area Partnerships and Neighbourhood Community Budget areas.</p>

<p>2. Why does the Council believe there would be a negative impact on community cohesion given the experience elsewhere in the UK?</p>	<p>Government guidance is clear that principal councils should consider the impact on community cohesion of community governance arrangements. It requires principal councils to consider whether a recommendation made by the petitioners will undermine community cohesion in any part of its area.</p> <p>The government identifies the potential benefits of parishes for community cohesion but it is also clear that a council should decline to set up such community governance arrangements where they judge that doing so would not be in the interests of either the local community or surrounding communities, or where the effect would be likely to damage community cohesion. In our review of the experience from elsewhere we have identified no specific evidence that parish councils have had a negative impact on community cohesion. (Conversely there is also no robust evidence that they have a positive impact.) Guidance recognises, however, that challenges to community cohesion are very local and that local authorities because of their knowledge of local communities are in a good position to assess these challenges.</p> <p>During both phases of consultation, concerns were expressed by people that the creation of a parish would divide local communities and have a negative impact on community cohesion. More than one in four of those opposing the creation of</p>
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	<p>a parish council who provided comments gave this as a principal reason for their opposition to the proposal.</p>
<p>3. What is the total cost of the Spitalfields and Banglatown Community Governance review?</p>	<p>The Council is not able to provide a final cost of the Community Governance Review at this stage as some costs are still being processed. A final estimated cost will be provided in the report to Council on 17 July 2019.</p> <p>It should be noted that the Council will be applying to the Government’s CGR New Burdens Fund to offset as much of the costs as possible.</p> <p>In addition to specific financial costs, there is also a significant cost in officer time which it is not possible to quantify.</p>
<p>6.4 Mudchute Farm, Park and allotments, Pier Road E14, Grant of long lease</p>	
<p>Questions</p>	<p>Response</p>
<p>1. The Council currently contribute £31k p.a. to the running of Mudchute Farm. How much does it cost to run Victoria Park and Mile End Park as a comparison?</p>	<p>The council has a service level agreement of £31k annually with the Mudchute Farm Association through which the organisation maintains the public open space of Mudchute Park. The costs of running the Mudchute Farm are not included under this arrangement and the Council does not fund the running of the farm.</p> <p>The annual budget for Mile End Park is £924,000 and for Victoria Park it is £1,137,000.</p>

<p>2. What capital funds does it provide to Mudchute Farm (or S106, CIL etc)?</p>	<p>The s106 programme officer has advised we contribute no capital funds from s106/CIL.</p>
<p>3. Why is the rent at peppercorn, when we are charging other venues as much market rents or up to 80 percent, with the new premises charge strategy?</p>	<p>The proposal in the report is to grant a long lease of 99 years to the Mudchute Association. This new lease will replace an existing 30 year lease. The rationale for the long lease is set out in paragraph 3.5 in the report. In essence this includes;</p> <ul style="list-style-type: none"> • Some current and future funding is contingent on having long term security of tenure. The Council recognises the issues arising from the relatively short term remaining of the existing lease, in terms of raising further and more significant capital funding, and the proposal in the report will provide the certainty that the MA has requested. Many capital funding providers require a minimum lease terms of 25 years as a condition of funding. Supporting the MA in fundraising will generate improved services to Borough residents at no cost to the Council. • Long term planning. The MA employs approximately 55 people, and has a broad range of activities. As a mature and substantial organisation, it would like appropriate security of tenure to be able to plan for the long term. • Track record as custodian of the site. The

	<p>MA has operated the Mudchute Park and Farm for almost 40 years, and is primarily responsible for its creation. The MA has grown and improved its activities over this period in partnership with the Council. It has demonstrated good governance and a sound financial track record with a sustainable business model during this period.</p> <ul style="list-style-type: none">• The MA and Council are both committed to any long lease containing protections to ensure the continuation of the Mudchute as open space for the people of the Borough and visitors, for the duration of the lease term. <p>Leases of five years or more are excluded from the Council's rent reduction scheme. The grant of the lease at a peppercorn rent is on the basis that it will "help it to secure the promotion or improvement of the economic, social or environmental well-being of its area". The various ways in which the MA supports these objectives are set out in paragraph 3.13 in the report.</p>
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6.5 Tower Hamlets CCTV Approach	
Questions	Response
<p>1. Can Cabinet clarify the extent and means of resident engagement in the deployment of CCTV going forward? I understand that an assessment framework is to be developed. Will this be transparent to residents? Will there be a mechanism for them to suggest locations?</p>	<p>Resident engagement is a key priority in our approach. Decisions to introduce new cameras will be informed by resident consultation and involvement of the relevant Safer Neighbourhood Panel and Ward councillors. The report recommends the development of an assessment tool which will use evidence such as crime data and the likely detection and investigation value of cameras to help determine the location of new CCTV infrastructure. The tool will also take into account the viability of installing CCTV in areas where there are infrastructure limitations or disproportionate costs involved. Residents will also need to be consulted on privacy and civil liberty issues, and the process will be transparent so that residents are clear about the rationale for installations</p>
<p>2. We know that ASB is under-reported, and that many residents have given up, therefore we cannot solely rely on data from formal reporting. How will ward councillors and Safer Neighbourhood Panels be able to feed into locations in a meaningful way?</p>	<p>It is important that we continue to encourage residents to report ASB to the police, who have improved their 101 and on-line reporting tools in response to complaints. The council has aligned its own ASB Investigation team on a geographical basis to facilitate better access for residents and councillors to report ASB. The Investigation Team Officers will develop effective relationships with their Ward Panels. At present we task operational resources based on data from formal reporting and also take account of complaints to the council, Member and Mayor Enquiries, and intelligence</p>

	<p>and information from our own services. We intend to use the learning from this approach to inform the evidence base for locating CCTV cameras.</p>
<p>3. Will there be scope to use this capital investment to upgrade street lighting where it would otherwise make the CCTV less effective?</p>	<p>The capital investment is for the upgrade of CCTV. The technical specification for the CCTV upgrade will take into account existing and future upgrades to street lighting, of which there is a significant capital investment with upgrades to white LED lighting being well advanced.</p>
<p>4. What's the likely timescale for the delivery of the £3m capital spend? How confident are we of delivering this on time?</p>	<p>The original capital investment bid has suggested a three year programme. However the detailed work on the Business Case will test out reasonable timescales for implementation and delivery and may propose a shorter time scale. We are confident with delivering this upgrade on time as replacing infrastructure is part of business as usual.</p>
<p>5. Why do none of the recommendations talk about road safety or management?</p>	<p>Speed cameras and red light cameras are operated by TfL (Transport for London). The Council is not responsible for them and doesn't hold any information on them. When using CCTV for traffic enforcement we have to be cognisant of the Surveillance Camera Codes of Practice. These state that where local authorities have civil enforcement powers for parking and bus lane enforcement, we should use cameras sparingly as motorists may regard enforcement by cameras as over-zealous. Such systems should therefore only be deployed where other means of enforcement are not practical and their effectiveness in achieving this purpose is subject to regular review.</p>

	<p>The council also supports local policing operations to tackle speeding motorists using hand held speed guns. The council is currently developing a Transport Strategy which outlines what the council plans to do around implementing liveable streets and using traffic management measures to remove traffic from residential streets to create more people friendly environments for walking and cycling. Further, recommendation 13 of the CCTV paper is to develop an evidence base around CCTV's value for public realm services and this could include the use of CCTV in road safety/management.</p>
<p>6.7 Contracts Forward Plan 2019/20 - Quarter One</p>	
<p>Questions</p>	<p>Response</p>
<p>1. Regarding: P5481 - Modular Building at Blackwall Depot: Who is this modular building for</p>	<p>The current refuse and waste collection services operate from a series of porta cabins on the existing Blackwall Depot site. The Council is seeking to consolidate the site operations and this requires providing a fit for purpose modular building on short term basis whilst the long term redevelopment proposals are designed. In October 2018, the Cabinet made the decision to create an In-House Waste Management Service, to commence from April 2020, when the current contract with Veolia expires in March 2020.</p>