

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE**

**HELD AT 6.30 P.M. ON MONDAY, 21 SEPTEMBER 2020**

**ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)**

**Members Present:**

Councillor James King (Chair)	
Councillor Dipa Das	– Scrutiny Lead for Housing & Regeneration
Councillor Tarik Khan	– Scrutiny Lead for Resources & Finance
Councillor Bex White	– Scrutiny Lead for Community Safety & Environment
Councillor Marc Francis	
Councillor Gabriela Salva Macallan	
Councillor Andrew Wood	

**Co-opted Members Present:**

Halima Islam	– Co-Optee
James Wilson	– Co-Optee

**Other Councillors Present:**

Councillor Rachel Blake  
Councillor Danny Hassell

**Apologies:**

Councillor Kahar Chowdhury	– Scrutiny Lead for Health & Adults
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**Officers Present:**

Denise Radley	– (Corporate Director, Health, Adults & Community)
Adam Boey	– (Senior Strategy & Policy Manager - Corporate)
Sharon Godman	– (Divisional Director, Strategy, Policy and Performance)
Afazul Hoque	– (Head of Corporate Strategy & Policy)
Daniel Kerr	– (Strategy and Policy Manager)

James Thomas	– (Corporate Director, Children and Culture)
Robert Bielby	– (Service Manager Children Looked After & Leaving Care Service, Children's Social Care)
Christine McInnes	– (Divisional Director, Education and Partnerships)
David Knight	– (Democratic Services Officer, Committees, Governance)

## 1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST AND OTHER INTERESTS

The Committee noted that:

- Councillor Bex White had declared an interest in relation to recommendation 3 of the Overview and Scrutiny Committee COVID-19 Report Councillor Bex White indicated she was the Chair of Trustees of a project with LBTH.
- Councillor Marc Francis had declared an interest in relation to the Item 7.1 Finance Spotlight: Overspends in Children's & Culture and Health, Adults & Community as his wife Councillor Rachel Blake was the Deputy Mayor and Cabinet Member for Adults, Health and Wellbeing.

## 2. UNRESTRICTED MINUTES

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

### **RESOLVED**

That the unrestricted minutes of the meeting of the last meeting of the Overview and Scrutiny Committee held on 27th July 2020 be approved as a correct record of the proceedings and the Chair was authorised to sign them accordingly.

### **VARIATION TO ORDER OF BUSINESS**

It was: -

### **Resolved**

That the Order of Business be varied to enable the OSC to consider next consider agenda Item 8.2 Review of London Borough of Tower Hamlets' Response to COVID-19. Thereafter agenda items 8.1 Scrutiny Annual Report 2019-20; 8.3 Review of Overview and Scrutiny Committee 2019/20 and then Item 9 Pre-Decision Scrutiny Questions. Subsequently to return to the order of business detailed in the agenda.

Please note that for ease of reference, OSC deliberations in respect of agenda items 7.8; 8.1; 8.3 and 9 and subsequent decisions taken, are set out below in the order detailed in the agenda.

**3. REQUESTS TO SUBMIT PETITIONS**

Nil items

**4. FORTHCOMING DECISIONS**

Noted

**5. UNRESTRICTED REPORTS 'CALLED IN'**

Nil items

**6. SCRUTINY SPOTLIGHT**

**6.1 Finance Spotlight: Overspends in Children's & Culture and Health, Adults & Community**

The Committee received two presentations that provided a focus on financial overspends in Children's & Culture and Health, Adults & Community Directorates.

The main points of the discussion on the Overspends in Children's & Culture may be summarised as follows.

**Children and Culture**

The Committee:

- **Noted** that whilst there had been a loss of income from Service Level Agreements (SLA) of £0.7m primarily because of the pandemic there had also been a reduction in spend due a fall in demand for services **e.g.** Contract Services.
- **Noted** whilst with increasing delegation and diversion of funding directly to schools there has been a reduction in income for the Councils Traded Services. However, with the pandemic there has also been significant reduction in income as (i) schools were not operating at the same level; (ii) schools purchase their SLA's for financial years and the lockdown of schools happened in mid-March and some schools did not take out SLA's at all; and (iii) Schools are also now looking at increased costs for cleaning and cover.
- **Commented** that it wished to see a holistic approach to budget pressures by assessing expenses for all organisational activities in a structured and pragmatic way **e.g.** (i) some schools have delivered food to households rather than provide food vouchers which has meant that they still have had a lot of contact with children and young people; (ii) using equality impact assessment to get an insight into the factors

influencing the impact of COVID-19 on BAME communities and strategies for addressing inequalities; (iii) the impact of any delays in restructuring and associated pressures on budgets.

- **Noted** that the Children's and Culture Directorate management team have today considered (i) how manageable restructures/savings would be; (ii) the impact of such restructures/savings on residents; children and families; (iii) how they can ensure that this was done in a way that maintain the quality and integrity of services.
- **Noted** that it is an exceedingly difficult situation, but the focus is being maintained on impact of Covid-19 with both rigour and consistency.
- **Noted** that regarding those schools that have delivered food to households rather than provide food vouchers it is felt they are best placed to decide how to manage within the various demands of the made upon them.
- **Noted** that equalities impact assessments would always be undertaken as part of any restructure and careful consideration would be given to the impact on any of the protected characteristics for the community and staff.
- **Noted** regarding Children's and Social Care staffing there are three elements to this (i) it is about recruiting newly qualified or social workers at the beginning of their career and assist in their training and by doing that and if done right they will stay loyal to LBTH; (ii) finding that blend of experienced social workers by using a recruitment company to help the source experienced social workers and now have developed an in-house recruitment programme with advertising that can be used across all sorts of platforms and that is beginning to prove really helpful together with a microsite on the Councils website so that experienced social workers can see what LBTH are doing and read testimonials; (iii) the success in persuading a number of agency social workers to become permanent.
- **Noted** that the children's social care pressures historically shows that LBTH manages demand a relatively low level compared to statistical neighbours which is a positive indicator that LBTH has been able to support a higher proportion of children and young people within their family networks as opposed to needing to come into care. Therefore, LBTH are in a good place and needs to maintain focus to stay in that place
- **Noted** that when considering overspends and budget delivery it is clear about additional Covid-19 pressures with the ongoing overspends or ongoing budget delivery problems.

The main points of the discussion on the Overspends in Health, Adults & Community may be summarised as follows.

### **Health, Adults & Community**

The Committee:

- **Noted** that (i) the Public Health budget primarily covers staffing and commissioning that has been stable during the pandemic; (ii) there is a local Outbreak Plan funding which is additional to the other Public Health budgets; and (iii) the impact of Tower Rewards on Public Health is minimal.
- **Noted** that Public Health has (i) undertaken significant reprioritisation during the pandemic; and (ii) most of their resource have been focused on the response to the pandemic.
- **Noted** there has been an increase in mental health cases and LBTH are looking across health and social care. Also, in terms of feedback from the community and residents more generally there has been a huge sense of increased anxiety/depression because of lockdown and of uncertainty in relation to other issues.
- **Noted** that in addressing budget pressures it is not possible to make sweeping decisions about taking certain types of service out of packages. It must be based on an individual assessment and review. Therefore, the Directorate has been careful, with input from the principal social worker who has oversight on maintaining quality and practice in that regard. Therefore, this is a top issue for the Directorate to get that balance right when addressing budget pressures.
- **Noted** the Directorate has undertaken considerable work on budget responsibility/accountability to help budget managers understand and monitor their expenditure. This work having progressed on the back of earlier work to reinforce the role of a budget manager with workshops and support for different types of budget managers. They were also offered specific training and support e.g. Accruals to make sure that people's knowledge and skills were up to date. This was done through a cascade approach to through one to one's and supervision being really clear about budget accountability and making sure that the budget is always a focus from each of the divisional directors and they in turn with each of their senior teams and some of the deep dives have supported managers where there are significant budget pressures. The Directorate also has their finance business partner and finance teams supporting them through a detailed monthly and if necessary weekly meetings where the detail of budget can be gone through.
- **Noted** more staff are using the budget management software on a regular basis which is a significance step forward and is the proper way to manage budget forecasting.
- **Noted** that the overspend as we as we call it is a cost pressure in the scale of the need and the Directorate are having to continuously manage that need and this is presenting the biggest challenges for the Service and agreed that it would be it would be good to revisit this issue at a future meeting.

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

**RESOLVED** to note the presentations and ask that the points raised where appropriate be included in the work programme.

**ACTION BY: Sharon Godman, (Divisional Director, Strategy, Policy and Performance)**

## 7. UNRESTRICTED REPORTS FOR CONSIDERATION

### 7.1 Overview and Scrutiny Committee Annual Report

The Committee received and noted the Overview and Scrutiny's Annual Report for 2019-20. It was noted that normally this would have been prepared and discussed earlier in the year, but the pandemic has pushed this back. The main points of the discussion of the report maybe summarised as followed:

The Committee:

- Noted that the COVID-19 report, together with this Annual Report forms a summary of the Councils overview and scrutiny functions work in 2019/20.
- Noted that there will be a further recommendation regarding the deep dive on Special Education Needs and Disability (SEND) the dashboard at that point had not had enough information and there was further financial budget information that would be required. Therefore, it was agreed that the Committee would need to see that information prior to any amendment to the Annual Report.
- Noted that the final piece of the Committee's work would take place this week when there would be an Environment Scrutiny Challenge Session, Scrutiny Review and Challenge Session on Wednesday, 23rd September, 2020 10.00 a.m. to consider how the Council applies evidence-based and best practice to influence resident behaviour change to boost recycling rates? Therefore, whilst the intention is to work with residents to change behaviour with a focus on re-cycling it is hoped that the session help to illustrate more broadly how the Council can influence behaviour.
- Noted that all councillors were encouraged to attend the Challenge Session to get the most value from this session

The Chair Moved and it was: -

**RESOLVED** to:

2.1 The Overview & Scrutiny Committee:

1. **Agreed** the report for submission to Full Council in the new municipal year.
2. **Authorised** the Divisional Director Strategy, Policy & Performance to amend the report following comments by the Committee, in consultation with the OSC Chair, before submission to Full Council.

**ACTION BY: Sharon Godman, (Divisional Director, Strategy, Policy and Performance)**

## 7.2 Overview and Scrutiny Committee COVID-19 Report

The Committee received a report that focused on Overview and Scrutiny's Review of the Council's Response to COVID-19 which was a culmination of the Committee's work over the last 6 months in relation to the response to the pandemic in LBTH and to reflect local feedback on the plans in place to support residents. The Chair thanked Committee Members for their contributions; the officers for all their hard work; and all of those who had participated. The main points on the discussion maybe summarised as follows:

The Committee:

- **Agreed** that the report provides a particularly good summary of the work undertaken in providing an overview and scrutiny of the Council's COVID response.
- **Recognised** as with any unprecedented event, we can learn from it, and hopefully the report can add to that learning.
- **Noted** that the recommendations are intended to build on the Council's pandemic response, review issues revealed and improve outcomes for residents and stakeholders in the borough's ongoing recovery.
- **Noted** that with regard to Recommendation 7 of the report concerning support for market traders to ensure (i) that they are provided with business development support to increase their resilience; and if future grants become available better support market traders to ensure their COVID-19 costs are covered in the same way as was offered to other businesses. The view was expressed that compared to some other London Boroughs Tower Hamlets needed to be brought more into line with what other councils offer. However, the Committee was pleased to note that this has now been addressed.
- **Noted** that there had been an underspend of £1.5m sum on the original £3.7m but this underspend has now been allocated and it shows the value of the Committee asking questions about it over the course of the past three to four months.
- **Noted** that several queries had been received from businesses that are currently not paying rates about the process for review or appeal and that they would some clarity around this.
- **Noted** that the £1.5m that was underspent has now been allocated and that includes another payment to market traders so in the first round of the grant market traders those that were full time were paid £720.00 and those that were part time were paid £300.60 and those eligible market-rate from the second round were paid another Same amount again. Therefore, in total full-time market traders were paid £1,480.00 and those that part-time in total were paid £612.00. Accordingly, it was agreed that the report needs to be amended to present the most up to date position.
- **Agreed** that this recommendation should stand to ensure that market traders to get fair; equitable and reasonable support at the time that it is available. Also, the Committee wanted clarity from the Council as to

why it had not been set at the higher rate. As this meant that market traders had been expected to live on £720.00 over a six-month period and that clearly was not sustainable.

- **Agreed** that there was also an issue about the about the overall proportion of funding that was allocated to market traders and that it is worth reflecting on if we if we are to face a similar situation in future.
- **Agreed** the appeals or review mechanism referred to earlier needs to address these cases swiftly.
- Was **reminded** that regarding Recommendation 8 and the support to community organisations to ensure that vulnerable and isolated residents have adequate access to a hot meal. It was accepted that some of this responsibility resides with the Council that it is really important issue.
- Was **concerned** about the amount of support that is being made available to the Borough's most vulnerable constituents due to the absence of the "meals on wheels" and illustrates what such a service can do beyond just providing a hot meal.
- **Hoped** that the Council could learn from this and develop a compromise solution for the future, especially if there should be a second wave of the pandemic.
- **Agreed** that the Chair with Committee Members would go away and look at how to strengthen Recommendation 8 with reference to: (i) to the Councils statutory responsibility to deliver hot meals to those in need; (ii) where the funding came from to provide hot meals in the school holidays; and (iii) better appreciate the value to mental health of hot meals and social interaction.
- **Agreed** that to keep driving progress on the report's recommendations there needs to be an update report at every meeting with evidence on the progress to date and that this issue should be built into the Committees and Sub-Committees work programme.
- **Welcomed** the level of evidence in the report especially (i) the testimonies provided by members of the community; and (ii) the high level of information that had been submitted.
- **Agreed** that many of the recommendations could be implemented now before there is another lockdown.
- **Wished** to see as referenced in Recommendation 1 that the Council should establish a commission to collate and disseminate information (including specifically to Overview and Scrutiny and other members) on impacts of COVID-19 on residents and stakeholders, service users and services and develop an understanding on long term trends of COVID-19, including differing demand for office space and housing and health services.

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

**RESOLVED** to:

1. The Overview & Scrutiny Committee **noted** the report and recommendations; and



2. **Authorise** the Divisional Director Strategy, Policy & Performance to amend the report following comments by the Committee, in consultation with the OSC Chair, following agreement of the report at OSC.

**ACTION BY: Sharon Godman, (Divisional Director, Strategy, Policy and Performance)**

### 7.3 Review of Overview and Scrutiny Committee 2019/20

The Committee received a presentation from Afazul Hoque, the Head of Strategy and Policy at the feedback from all Councillors and Co-optees on how scrutiny performed as a function in 2019-20. The main points of the discussions on the findings as outlined below:

The Committee **agreed**:

- On the necessity for more “Horizon Scanning” looking at the big issues that the Council was not currently picking up (e.g. Housing Allocations) and that scrutiny could have been offering better value by providing an outline for the Council as to why it should be looking more closely at a certain topics.
- On the prerequisite to work on how the Council and the Council's Executive develop its relationship with both residents and the voluntary sector.
- On the need to develop better relationships with the scrutiny sub committees and the main committee e.g. sub-committees feeding back issues or escalating issues to this Committee or this Committee asking the sub committees to look into more detail of those issues that it does not have oversight of.
- That the scrutiny function needs to show more of an impact with improved questioning and a greater focus on the topical issues of the day and performance. The Committee recognised that whilst significant improvements in the development of scrutiny have been made this progress needs to continue.
- That that there still was an issue in regard to the responsiveness of the Executive and officers to the queries that are raised by scrutiny as illustrated by the support for market traders to ensure that they are provided with business development support to increase their resilience during the pandemic.
- That there remains an issue which requires further consideration when it came to the identification of behavioural patterns in the use of online services and the difficulty that some residents are having in accessing services that is really critical and is going to be even more so in the future.

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

**RESOLVED** to note the presentation and ask that the points raised where appropriate be included in the work programme.

**ACTION BY: Sharon Godman, (Divisional Director, Strategy, Policy and Performance)**

**8. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS**

The Committee agreed that those questions attached as appendices to the minutes should be submitted for a response by the Mayor in Cabinet on the 23<sup>rd</sup> September, 2020.

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

Councillor King formally placed on record his thanks to Members and Officers for their invaluable help and support over the past year.

In response Councillor King was thanked for all his hard work as Chair through the Municipal Year.

**10. EXCLUSION OF THE PRESS AND PUBLIC**

As the agenda circulated contained no exempt/ confidential business and there was therefore no requirement to exclude the press and public to allow for its consideration.

**11. EXEMPT/ CONFIDENTIAL MINUTES**

Nil Items

**12. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'**

Nil Items

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

Nil Items

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

Nil Items

**The meeting ended at 9.00 p.m.**

**Chair, Councillor James King  
Overview & Scrutiny Committee**



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6.2 Annual council performance and delivery report 2019/20	
Questions	Response
Why has the Workpath programme dramatically missed its target and halved its outcomes from one year to the next?	The WorkPath service operated with reduced staffing capacity (below 40%) for a substantial time of the last financial year. Staff provide bespoke and person-centred advice and guidance to clients through regular meetings, progress reviews and interview preparation. With reduced capacity, staff were unable to provide support to a larger number of clients as doing so would have meant reducing the effectiveness and quality of support to all clients. WorkPath works with clients furthest from the labour market and with constrained resources providing more intense support for a smaller client group was deemed more effective. In addition to reduced staffing capacity, the service experienced a severe IT outage which disrupted services for 12 weeks. Services were moved online or to alternative locations, but full normal services could only resume once IT disruption was resolved.
What were the funding issues that stopped the delivery of the Family Support Service?	The Parent and Family Support Service has continued to provide information and support to parents and carers. When the target for this measure was set, it was anticipated that the 'School Readiness' project undertaken by the Parent and Family Support Service (PFSS) would be able to be rolled out more widely due to a commitment of Mayor's Growth Fund resource. However, due to unforeseen pressures on the Mayor's Growth Fund, PFSS did not receive this funding and therefore was unable to roll out the programme more widely and work was also affected by changes to school leadership and school reorganisation.
What have been the main barriers to the delivery of social homes, beyond 'It's in the hands of developers'?	The size of the site affects whether the development is eligible for affordable homes policy of 35-50% affordable homes by habitable rooms. Small sites sometimes struggle to deliver policy-compliant levels, as they lack the economies of scale required for the private sales to support the delivery of affordable homes. Costs associated to the site (ie. contamination clean up or working around tube lines) may affect viability and in those cases, which are rare, there may be some negotiation about the proportion of affordable homes in the development.

	<p>In cases where 35% policy compliance is not achieved, early and late stage review mechanisms are included in S106 agreements to capture any increased sales income or cost savings which can further contribute to affordable housing.</p> <p>Payments in lieu may be secured in rare instances where on-site delivery cannot be achieved due to scheme viability or other issues e.g. design constraints, too few units to be acceptable to RPs. Certain intermediate products (i.e. family-sized shared ownership units) are sometimes not appropriate as they are too expensive for any residents who earn below the qualifying incomes. These can be replaced with alternative products (e.g. intermediate rented units) but these generate lower revenues when sold by developers to RPs, making schemes even more reliant on the private sales to support the affordable units.</p>
<p>For many of the indicators where the target has not been met, no explanation has been given as to why (e.g. Primary school pupils benefiting from a school street at their school or Proportion of lets which are made to homeless households). Why is this not being included in the report?</p>	<p>The annual council performance and delivery report is in a new format that provides a more succinct, accessible way of reporting on the council's implementation of the Strategic Plan. The new style brings the council in line with the much shorter formats used by most local authorities. Commentary on indicators is kept concise and does not include detailed narrative. In line with practice elsewhere, Overview and Scrutiny Committee may wish to use the report to inform and determine its work programme, targeting its activities in areas where it wishes to explore performance challenges and potential routes for improvement in more detail.</p>
<p>Are there any plans to conduct an annual residents survey before next March?</p>	<p>For 2020/21, the survey is scheduled for Q4 so it takes place at the same time of the year as previous surveys. This will allow results to be available for the annual delivery and performance report 2020/21. We are working with the supplier to ensure the survey can be carried out in a Covid-secure way and in line with market research industry guidance for conducting surveys in the current circumstances. They will, of course, also be following the latest public health advice relevant at the time. In parallel, we are discussing alternative survey methodologies (such as telephone or online) with them so that we can</p>

	<p>have a 2020/21 survey even if public health measures in place at the time should prevent socially distanced face to face surveys.</p>
<p>How do these (pp7,10) school attendance numbers match national statistics as would be useful to understand how they compare nationally? as DoE stats seem to use different categories <a href="https://explore-education-statistics.service.gov.uk/find-statistics/pupil-absence-in-schools-in-england-autumn-term#releaseHeadlines-summary">https://explore-education-statistics.service.gov.uk/find-statistics/pupil-absence-in-schools-in-england-autumn-term#releaseHeadlines-summary</a></p>	<p>The measure 'Percentage of pupils attending secondary school regularly' shows the percentage of secondary school pupils who attended 90% or more of their possible sessions. This is the inverse of the DfE's persistent absence measure. The data used for our Strategic Plan performance reporting is based on a voluntary half-termly data collection completed by most state funded schools in the borough, which enables us to track attendance in a timely manner. The DfE uses data from the termly School Census statutory return, which has data from all state funded schools, to produce their statistics, so the two sets of figures will often be slightly different. The data in the Annual Report looks at the period from September to February half-term, which is more up-to-date than the DfE's current publication.</p> <p>There are no comparable national statistics for Reception attendance. The DfE only produces the overall absence rate for Reception pupils for information purposes as statutory school age starts at 5. Our measure 'pupils who are regularly attending school in reception year' looks at the percentage of pupils who attend 90% or more of their possible sessions.</p>
<p>The Mayor of London's school atlas shows where pupils live for each school, it shows that while most primary pupils live close to their school, some do not, sometimes in places with no obvious bus connections (see links below). Some schools like Globe Town &amp; Arnhem Wharf have particular issues. Travelling to school is for some parents not as simple as walking or getting on a bus. Is this being considered as regards which schools have school streets? are parents being reminded that they can move primary schools or provided with any other help once school streets are in place if they cannot drive anymore?</p>	<p>School streets are focused on primary schools and affect the areas immediately around school gates and leading up to them. Catchment areas for primary schools are smaller than for secondary schools, with the majority of catchment areas within easy walking distance. We understand that some children will live further away. School streets are designed to reduce air pollution near schools, improve road safety, and encourage active travel such as walking and cycling for those who can change their way of travelling. School streets do not stop parents/carers, who live further away and for whom public transport is not an option, from driving. However, parents/carers will need to walk the remaining short distance of the journey with their children to make the area around the school gates safer and healthier for all children at the school. Decisions on where to implement school streets are based on air quality, identified needs in school travel plans which are developed jointly with the</p>

	schools, as well as known issues around drop off congestion and parking problems.
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<b>6.3 Common Housing Register Allocations Scheme (Post-Consultation)</b>	
<b>Questions</b>	<b>Response</b>
<p>What is the reasoning behind this new policy? How does it better reflect the 2017 Homelessness Reduction Act?</p>	<p>In short, the current Housing Allocation Scheme has been in place since 2016, and since then, the Homelessness Reduction Act (2017), was enacted in April 2018 and there have been additional changes in Government housing and welfare policy. Part 6 of the Housing Act 1996 was amended by the Homelessness Act (2002), the Localism Act (2011) and most recently by the Homelessness Reduction Act (2017).</p> <p>The Council is required by the Housing Act 1996 to have a housing allocation scheme for determining priorities and the procedures to be followed in allocating social housing. Every allocation of housing made by/or on behalf of the Council must be in accordance with the Scheme. So it is important that the scheme reflects current legislation.</p> <p>Under the Homelessness Reduction Act (2017), the Council has a legal duty, to ensure that reasonable preference is given to applicants either threatened with homelessness or homeless before a full housing duty is owed. The Allocations Scheme has therefore been reviewed to ensure that the Council remains compliant and prioritises homeless persons, including those who will fall within the new statutory stages of 'prevention' (threatened with homelessness within 56 days) and 'relief' (actually homeless), which arise in advance of any 'main' duty that may persist if homelessness cannot be avoided.</p> <p>In addition to homeless applicants, there are other classes of person who are entitled to statutory reasonable preference, such as persons requiring accommodation on medical or welfare grounds. While focusing on meeting the requirements of the new Act, consideration has been given to the ways in which an acceptable and proportionate balance may be achieved between the reasonable preference categories.</p>
<p>What savings will this new policy bring the council?</p>	<p>The original proposal on Band 3 (adequately housed applicants) was to remove all applicants under the age of 50, potentially removing 6,254 applicants out of the 8331</p>

	<p>applicants in Band 3 on the Housing Register at the time. The revised proposal taking into consideration residents feedback is to only remove social tenants under 50 years of age which means around 1500 social tenants will be removed – approximately 60% of those applications are processed and maintained by partner RPs as they are responsible for dealing with applications from their own tenants. Therefore, any savings, if at all, will be very negligible because the council will still have to register and maintain applications from non-social tenants (SHR applications) who will remain on the housing register in Band 3 in-light of the revised proposal.</p>
<p>What measures will be put in place to move over occupying social tenants?</p>	<p>A publicity campaign, direct mailshots and resident events will be used to encourage social tenants under occupying and residing on first floor or above to downsize. Tenants will exercise their preference through the choice- based lettings scheme to bid for suitable homes advertised for letting. Those tenants bidding for ground floor homes will have much better prospect of rehousing even though they wouldn't ordinarily qualify for such homes on management or medical ground.</p>
<p>Why is the council going ahead with the effective removal of Band 3 when there is such a strong Consultation response against it? How has the policy making process responded to this?</p>	<p>Band 3 <b>is not being removed</b> from the Common Housing Register; officers are seeking permission to remove existing social housing tenants under the age of 50 from this Band.</p> <p>The following applicants will remain in Band 3:</p> <ul style="list-style-type: none"> <li>• <b>applicants who live with family and friends; and</b></li> <li>• <b>those renting a property from the private rented sector would have been excluded/removed from Band 3 of the CHR.</b></li> <li>• <b>Social housing tenants over the age of 50</b></li> <li>• <b>Anyone else who is not a social tenant and is eligible to join the housing register even though might be adequately housed.</b></li> </ul> <p>Band 3 of the CHR remains the holding position for applicants who <b>are adequately housed and not considered in priority need</b>. Existing social housing tenants who have been placed in Band 3 want to move to another location or want a different shaped layout of accommodation but are already adequately housed and benefit from paying affordable or social rents as well as enjoying the security of a Council or</p>

	<p>Registered Provider Tenancy.</p> <p>The Council has listened to the views of residents - 69% of those who responded to our online questionnaire (see the Consultation Report) <b>either strongly disagreed or disagreed</b> with this proposal. It was apparent that respondents felt that this was not fair to those in Band 3 who reside with parents/family or friends or those privately renting a home.</p> <p>After considering all the feedback from the consultation exercise, <b>the Council now proposes to only exclude existing social housing tenants (under the age of 50) from Band 3</b> of the Common Housing Register.</p> <p>Demand information captured from the CHR on 1<sup>st</sup> April 2020 shows that there were <b>8,440</b> applicants placed in Band 3. The revised proposal to exclude existing social housing tenants under the age of 50 from Band 3 will effectively remove <b>1,453</b> applicants from the CHR using this data.</p> <p><i>Of the 1,453 existing social housing applicants under the age of 50 on the CHR, <b>331 applicants have never placed a bid on a property</b>. This equates to 23% of all existing social housing tenants under the age of 50 on Band 3 (This Information was extracted from the CHR on 18<sup>th</sup> May 2020). This means that of those existing social housing tenants in Band 3 under the age of 50, only 1,122 applicants have actively bid for a property at any time since they joined the CHR.</i></p> <p>The table below captures data on the tenures currently occupied by applicants in Band 3 with effect from 18<sup>th</sup> May 2020.</p> <table border="1" data-bbox="965 1193 1933 1382"> <thead> <tr> <th data-bbox="965 1193 1630 1257">Tenure</th> <th data-bbox="1630 1193 1933 1257"></th> </tr> </thead> <tbody> <tr> <td data-bbox="965 1257 1630 1382">Social housing tenancy (Transfer applications)</td> <td data-bbox="1630 1257 1933 1382">2,760 (33%)</td> </tr> </tbody> </table>	Tenure		Social housing tenancy (Transfer applications)	2,760 (33%)
Tenure					
Social housing tenancy (Transfer applications)	2,760 (33%)				

Living with friends and family	3,094 (37%)
Renting privately	2,034 (24%)
Others (lodges, hostels or tied accommodation)	563 (6%)

Of the 33% of existing social housing tenants presently on Band 3 of the CHR, **17.2%** are under the age of 50. The reason behind the Council's decision to retain existing social housing tenants over the age of 50 has been drawn from lettings information collated over the course of the last 4 years which illustrates that while allocations of properties to applicants within Band 3 rarely happen, the majority of lets that are made, have been to applicants aged 50+.

The reality is that the existing social housing applicants under the age of 50 who are removed from Band 3 under this proposal, remain unlikely to ever secure an offer of a further social housing tenancy. These applicants are adequately housed and have some degree of settled accommodation. As evidenced, 23% of existing social housing tenants have not bid for any properties since joining Band 3 of the CHR.

With the constraints on the Council's resources, existing social housing tenants under the age of 50 who wish to transfer to another social housing property should be encouraged to actively seek alternative accommodation using existing mutual exchange/swap schemes, Housing Moves, Seaside and Country Homes, Homefinder and the proposed Intermediate Housing Register of interest may provide an avenue for existing social housing tenants under the age of 50 who may have the financial means and wish to move towards affordable home ownership.

The Localism Act 2011 amended section 159 of the Housing Act 1996 so that transfer

	<p>applications from existing tenants in social housing no longer have to be assessed on the same basis as applications from households applying on the Common Housing Register, unless the authority is satisfied that the household applying for a transfer should be given reasonable preference in accordance with section 166A(3) . In which case, these existing social housing tenants would be prioritised in either Band 1 or 2 of the Common Housing Register, depending on their circumstance.</p> <p>The creation on Intermediate Housing Register is in recognition of the fact that the Council needs to strike a balance between ensuring that we support the most vulnerable to access social housing and encourage/assist existing social housing tenants who have the means to move on, to access alternative housing solutions to create greater mobility and movement within the Council's housing stock. The development of an intermediate Housing Register of interest will provide the Council with a mechanism to create and utilise mobility throughout its limited social housing stock.</p>
<p>What will the process for Officer recommendation for Ground Floor flats be?</p>	<p>When undertaking shortlisting for ground floor flats officers will be able to prioritise applicants awarded medical priority and are unable to manage a property with internal stairs i.e. need level access. Shortlisting on the IT system will still be carried out in priority order based on applicants bid and reasons for by passing any higher priority cases will have to be recorded on the IT system for audit purposes. Offers suggested by officers will be checked and approved by a team leader/manager before offer letter is issued.</p>
<p>what about victims of ASB impacted by neighbours behaviour? since they are simply swapping similar size homes in order to avoid their neighbours do they have any priority?</p>	<p>The expectation is for the Housing Office to deal with issues of ASB and take appropriate action against perpetrator(s) under the terms of the tenancy agreement or where appropriate and necessary mediate to resolve issues. Notwithstanding this there will be occasions where a tenant may need to be transferred, for example, if the ASB is persistent and over a prolonged period of time where there is lack of evidence to take action and the victim is considered vulnerable – such cases would be considered by the Housing Management Panel for discretionary priority for a move on the merits</p>

	<p>of the case, if supported by the Housing Office.</p>
<p>Is it realistic to say that these people (3.3 applicants) will get a suitable property within this time? Or are they being put at risk of becoming homeless again?</p>	<p>Under the proposed changes to the Allocations Scheme, applicants who have been found accommodation by the Council in out-of-borough private rented homes to prevent or relieve their homelessness, will be able to remain on Tower Hamlet's Common Housing Register for three years. Like all applicants they will need to bid for the limited number of social housing properties which will become available each year and they will have their applications carefully considered for social housing based on their priority/ housing need and individual circumstances. The likelihood of applicants receiving a suitable offer of accommodation will also be determined by the needs of other applicants on the Common Housing Register and the availability of social housing which is suitable for their housing needs during the time that they remain on the Common Housing Register.</p> <p>The Council will try to maximise the length of tenancies secured for a minimum of two years. Tenants should be able to extend tenancies beyond that period if the landlord agrees and they have kept to the terms of the tenancy. Obviously, with any tenancies there is always a risk that the tenancy may be ended when the term comes to an end such cases will be offered appropriate advice and assistance to prevent their homelessness. Where possible alternative accommodation secured.</p> <p>At present, homeless applicants placed in out of borough PRS accommodation would be removed from the Housing Register because they no longer live in the Borough. Amending this policy will allow homeless applicants the opportunity to remain on the Common Housing Register while they are laying down roots in their new area. If their circumstances change or they are unable to settle, the applicant and their household will not have lost their connection to the Borough.</p> <p>This is an added benefit because ordinarily they wouldn't be eligible to remain or join the housing register under the existing policy. The Council would prefer to provide accommodation in the Borough wherever possible, but this is not always achievable due to the realities of the housing market</p>

	<p>and demand for accommodation. The lack of affordable housing and impact of the ongoing welfare reforms mean that some households will need to move out of the Borough and/or out of London.</p>
<p>Are the children of tenants (3.7) in the borough no longer eligible for social housing in tower hamlets? Perhaps the council should consider having a band only for the children growing up in the borough.</p>	<p>Children of existing social housing tenants already on the housing register in Band 3 will remain and others not on the housing register can still apply for social housing and if they continue to meet the prescribed eligibility and qualifying criteria they will remain on the housing register for social housing and will be prioritised on the Common Housing Register according to their housing need.</p>
<p>Will officers explain how the part of this scheme that relates to enabling homeless families to stay on the Common Housing Register for only three years if they accept an offer of private rented housing in another Borough differs from the scheme operated by LB Lambeth that the High Court found to be unlawful in July 2020, and for which councillors in that authority apologised to the families involved and agreed to put them back on its list permanently?</p>	<p>There is a fundamental difference because Council will not be asking applicants to withdraw their homeless application which is what Lambeth did and then placed people in T/A accommodation for two years before removing them from the Housing Register. Under this policy applicants' statutory rights will remain intact and they will have the right to seek a review of decision (s) made by the Council under HRA including decision to prevent and relief their homelessness by offering PRS accommodation if they consider the offer to be unsuitable.</p>
<p>Will officers state how many properties have been let to applicants in Band 3 for each of the past three years broken down by (a) General Needs and (b) sheltered accommodation and what proportion of all lettings does each of those figures represent?</p>	<p>Lettings to Band 3 applicants make up a small percentage of the overall churn in the Borough's social housing stock. Data from the last financial year, (April 2019 to March 2020), reveals that during this period from a total of 1,862 social housing lets were made from which <b>93 properties (5% of all social housing lets) have been let to Band 3 applicants.</b></p> <p>Similarly, data from the financial year 2018/19 demonstrated that a total of 1,329 social housing homes were let to Band 3 applicants; <b>only 5.9% of these lets (79 units) went to applicants in Band 3. From these units, 50 were designated as accommodation for applicants over 50 or as sheltered accommodation.</b> Again in</p>

	2017/18, 1,680 social housing homes were let, and a total of 90 units went to Band 3 applicants (5.3%). This not only confirms that the majority of available lets go to applicants in Band 1 and 2 with priority housing need but also from the few lets which become available to applicants in Band 3 applicants, the majority of lets are predominately going to those residents aged 50+
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#### Pre-Decision Scrutiny Questions for Cabinet - 23/09/2020

##### 6 .3 Common Housing Register Allocations Scheme (Post-Consultation)

1. What is the reasoning behind this new policy? How does it better reflect the 2017 Homelessness Reduction Act?
2. What savings will this new policy bring the council?
3. What measures will be put in place to move over occupying social tenants?
  
4. Why is the council going ahead with the effective removal of Band 3 when there is such a strong Consultation response against it? How has the policy making process responded to this?
5. What will the process for Officer recommendation for Ground Floor flats be?
6. What about victims of ASB impacted by neighbours behaviour? Since they are simply swapping similar size homes in order to avoid their neighbours do they have any priority?
7. Is it realistic to say that these people (3.3 applicants) will get a suitable property within this time? Or are they being put at risk of becoming homeless again?



8. Are the children of tenants (3.7) in the borough no longer eligible for social housing in tower hamlets? Perhaps the council should consider having a band only for the children growing up in the borough.
9. Will officers explain how the part of this scheme that relates to enabling homeless families to stay on the Common Housing Register for only three years if they accept an offer of private rented housing in another Borough differs from the scheme operated by LB Lambeth that the High Court found to be unlawful in July 2020, and for which councillors in that authority apologised to the families involved and agreed to put them back on its list permanently?
10. Will officers state how many properties have been let to applicants in Band 3 for each of the past three years broken down by (a) General Needs and (b) sheltered accommodation and what proportion of all lettings does each of those figures represent?

6 .4 Capital programme 2020-21 to 2022-23	
Questions	Response
How well has the need for new secondary school places on the Isle of Dogs been interrogated? How will it be reviewed further in the next three years as post Brexit and post Covid models become more apparent on population models?	<p>Although Tower Hamlets does not plan by catchment area for secondary schools, detailed “area planning” has been carried out (and is ongoing) to determine the requirement for additional pupil places on the Isle of Dogs. This work does not limit itself to the immediate area, but to the neighbouring Poplar area, which is also demonstrating a need for additional places in the future.</p> <p>Intelligence sharing between internal council departments, the GLA and neighbouring boroughs is taking place to enable a joined up approach. Recognising that pupil forecasting will often become skewed, significantly, in times of political, environmental and economic change. The aim is to ensure that projections continue to fall within the high % of accuracy achieved this year; through challenge, rigorous intelligence gathering and corporate confidence in the methodology and approach.</p> <p>This LA will continue to move cautiously on the need for new school places on the Isle of Dogs, as reported in the previous council update on Pupil Place Planning:</p> <p><a href="http://democracy.towerhamlets.gov.uk/documents/s157644/6.1%20Planning%20for%20School%20Places%20Report.pdf">http://democracy.towerhamlets.gov.uk/documents/s157644/6.1%20Planning%20for%20School%20Places%20Report.pdf</a>.</p>
What bidding for external funding streams is currently taking place for the Liveable Streets programme? When will a decision about what funds are coming from the Capital Programme be made for this?	Whenever we become aware of appropriate external opportunities to secure funding for established capital schemes, we will progress bids. However, the post Covid-19 externally funded scene is changing rapidly as bid opportunities currently arise in ad hoc ways, with prevalence toward temporary interventions. We seek to bid for any opportunity which aligns with a permanent Liveable Streets

	<p>project aims e.g. TfL Street-space funding where it is applicable to any Liveable Streets project in order to introduce early measures for which there is already an aspiration for a permanent improvement.</p> <p>We have already secured £0.160m to contribute to the Liveable Streets Bethnal Green scheme and £0.999m of DfT Emergency Active Travel Fund support to enable the temporary Brick Lane pedestrianisation trial to proceed as part of the LS Brick Lane Project.</p> <p>The council will be updating its capital programme in October and January 2020. Thereafter, further consideration regarding individual schemes will take place during regular Cabinet reports during 21/22</p>
<p>How much NHB money did previous Capital Programmes have in them? When will revised NHB awards be understood?</p>	<p>There is no NHB in the programme that was revised in January 2020 for 19/20 and the following years and there are no plans to use NHB in the current programme. The council at one point had planned to use NHB to fund Seahorse Homes to provide equity financing, but the funding for that scheme has been changed. The NHB figures should be confirmed in the LGFS around the end of Dec or beginning of January.</p>
<p>What are the plans for the unallocated £55m of collected CIL? What will the programme of allocation of the projected (currently £66m) CIL look like in the next 3 years?</p>	<p>The council has a number of schemes under active consideration that will utilise CIL, including schemes that have been brought forward but not funded contained in Appendix 1 e to the Capital Programme report; many of these schemes will if approved, will be funded from CIL.</p> <p>It should be noted that the council's intention is to maximise the use of CIL, but it also wants to ensure that CIL is invested on the highest value for money programmes of work.</p> <p>The report also refers to the need to safeguard CIL for use in long term infrastructure projects that will come through as part of the Financing Delivery Plan for Infrastructure.</p>

<p>What impact is the government's proposed changes to S106 and CIL expected to have on capital funding available?</p>	<p>The Government has recently issued a White Paper consulting on a range of potential changes to the Planning system, with comments due in late October. This includes proposals to combine CIL and S106 into a new Infrastructure Levy (IL). The paper states the intention of Government is to at least maintain the current level of affordable housing and infrastructure contributions. There is limited detail at this stage on how the new Infrastructure Levy will operate and importantly on how charging rates will be set. It is therefore difficult to forecast what exact impact this may have on future income. The Council has a range of feedback to offer the Government on the operation of the levy centred on ensuring that infrastructure contributions are maximised while being fair and appropriate in local circumstances.</p>
<p>For assets that are planned to be disposed of, what analysis has been carried out on their potential for income generation (e.g. renting out) and what is the threshold for decision making on whether to retain for ongoing income or dispose of for one-off income?</p>	<p>The Asset Maximisation Board has considered options appraisals for each of the potential assets for disposal and considered their potential to generate income or provide a capital receipt to enable the delivery of the council's priorities. The required level of capital expenditure required to bring the asset up to the required level to let is included in the options appraisal. The recommended approach to the future use of an asset is then progressed through the capital governance process. There is no blanket threshold for decision making.</p>
<p>From whom are we borrowing (3.3) the money ?</p>	<p>The Council will borrow long term funds from whichever source will provide best value. Traditionally, this has been the Public Works and Loans Board, but other options will be explored with advice from the Council's Treasury Management advisers, Arling Close.</p>
<p>(Table 7a) £64.47 is balance is as at 1st April but by May receipts had increased to £77.823 million. can we have an updated position on s106, CIL etc given how quickly the numbers can change?</p>	<p>Table 7a shows that the balance brought forward is £64.747m for CIL; £0.074m has been received this year to date from which there will be deductions for administration, feasibility and LIF. £2.801m has been received to date in 2020/21 for S106 monies.</p>
<p>(Amended) At 7.5.2 this report states CIL cannot be used - can the</p>	<p>The Planning Act 2008 (Section 216-2) prohibits the use of 'main</p>

<p>council clarify why CIL cannot be used for housing (given the gov't advice at: <a href="https://www.gov.uk/guidance/community-infrastructure-levy#spending-the-levy">https://www.gov.uk/guidance/community-infrastructure-levy#spending-the-levy</a>)?</p>	<p>pot' CIL for affordable housing. The neighbourhood portion (15%) of CIL is afforded wider freedom to spend on non-infrastructure matters related to the development of the area, which can include affordable housing. As with all use of the neighbourhood portion, this is subject to consultation with local people about their priorities</p>
<p>What is the source of this statement (7.5.3)? it can be spend on administrative costs related to CIL collection, calculation etc, max 5% but not on ordinary revenue items although that may change in the future.</p>	<p>The CIL Regulations (Reg 59.1) state that "A charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area." The inclusion of the term 'operation' allows for an element of revenue spend, providing it is related to the delivery of infrastructure to support development. This is not envisioned as the long term operation of infrastructure, but could include short term operational costs involved in setting up and establishing increased levels of provision.</p> <p>Paragraph 7.5.3 is not intended to relate to the administrative portion of CIL which is referenced in paragraph 7.5.7.</p>
<p>How old are the 395 'new' properties (Table 11a) bought back from Poplar Harca i.e. what is their average age approximately?</p>	<p>The properties purchased from Poplar Harca were built before 1980. Once they have been purchased the council carries out the necessary works to bring them up to the same lettable standard as all council homes.</p>
<p>What is the £10 million (App 1E) of Covid capital costs from 2021 for?</p>	<p>This sum is in effect, a contingency sum that may need to be utilised in the event of additional unknown costs due to COVID 19 and the impact it may have on the capital programme. At this stage, there are no commitments against this budget and no approvals are being sought to utilise it. This budget will only be used as a last report after all attempts to contain additional costs if that situation arises have been made. If some or all of the budget is used, this will be reported in a transparent way in the council's regular monitoring reports.</p>
<p>What happened to LIF Programme 1 (6.4I Appendix 2)? where is</p>	<p>Allocations were made for LIF Programme 1 by the Mayor in Cabinet</p>

the summary of projects delivered from the first 5 years of CIL receipts?

in July 2019, which allocated funding received before the start of April 2019. Many of the projects are underway, with initial stages of larger projects involving feasibility and design work before capital delivery on the ground is initiated. This information is available on the Council's website at the LIF section linked below. The weblink to 'already approved projects' has stopped working, but officers will ensure this is fixed as soon as possible. In the interim, an attachment has been provided that details LIF Programme 1 allocations.

[https://www.towerhamlets.gov.uk/lgnl/planning\\_and\\_building\\_control/Infrastructure\\_planning/Local\\_Infrastructure\\_Fund.aspx](https://www.towerhamlets.gov.uk/lgnl/planning_and_building_control/Infrastructure_planning/Local_Infrastructure_Fund.aspx)

<b>6 .5 Seahorse Homes Limited - Shareholder Representative Report and Loan Facility</b>	
<b>Questions</b>	<b>Response</b>
Has the Housing Company Manager mentioned in the report being recruited yet?	An internal recruitment process did not yield any interest. External candidates will be interviewed in the first week of October 2020. At the moment the work is currently being covered by a National Graduate Management Trainee on secondment to the Housing Supply Team.
Given COVID, the recession and the large number of properties on the market has any thought being given to increasing the pace of acquisitions? as the Capital Programme suggests not.	Seahorse Homes Limited is actively seeking acquisition opportunities and is currently developing an acquisition strategy. The Company will conduct market analysis so that the impact of COVID-19 on the housing market is further understood and the opportunities generated by any impacts can be targeted. It is also developing a 2021-2024 Business Plan, which will set out its targets for acquisitions over the three-year period. Increasing the working capital available to Seahorse Homes is key in developing its ability to identify, assess and pursue acquisitions opportunities at an increased pace, as this would enable the Company to establish a staff resource, commission legal advice on acquisitions and develop its identity within the marketplace.

6.7 Contracts Forward Plan 2020/21 – Quarter Two	
Questions	Response
£2m will be spent on the procurement of office furniture for the new Town Hall. Is this for a full fit out? If so, what will happen to the furniture at Mulberry Place? Will the council be reusing and recycling as much furniture as possible?	<p>The total value is based on historic spend on office furniture through multiple routes across the council. Proposed contract will result in a single corporate contract. However, does not commit the council to any guaranteed level of expenditure and will be procured on a spot purchase.</p> <p>As far as possible, existing furniture will be re-used and recycled from the three main council buildings.</p>
Why does the council spend £320,000 on ready-made sandwiches?	Current contract provides sandwiches to five secondary Schools and will not be renewed at current contract value. The five Schools will be procuring their own supplies from 2021.
Can we add length of contract to this report, hard to work out value for money without this?	<p>Contracts seeking approval are listed in Appendix 1 and includes contract duration. Contracts listed in Appendix 2 are all existing contracts based on initial award. These contracts are all under review and may not be procured in their current form or at stated value.</p> <p>Contract length will be included for future report.</p>
(P5605) Where is the contract to provide electric charging points for vehicles, either on street or in Council facilities?	P5605 is listed in appendix 2 and does not expire until 31/03/2022. This contract is for the supply of fuels for council's fleet of vehicles. Procurement team have not yet received or aware of the need for such a contract.
Where is the contract to buy/lease new electric Council vehicles?	No such contract request has yet been received.
Where is this contract (P5645 DPS for the Commissioning of Construction Consultancy Services) on the Forward Plan? £550 million over 10 years advertised online DPS for the Commissioning of Construction Consultancy Services recently, but I cannot see it on the list of contracts?	<p>The purpose of the DPS is to create an open/ dynamic supply chain of approved contractors and construction consultants to support the delivery of the Capital Programme and does not commit the council to any guaranteed level of spend.</p> <p>The list of contracts that may be procured through the DPS is detailed within the Capital Programme along with information on the DPS.</p>



	<p>New projects outside of the Capital Programme and or above the Cabinet approval threshold will be reported through the usual governance process.</p>
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