

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 4.00 P.M. ON MONDAY, 19 OCTOBER 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)

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| Councillor Bex White (Vice-Chair) | – Scrutiny Lead for Children and Education |
| Councillor Faroque Ahmed | – Scrutiny Lead for Housing and Regeneration |
| Councillor Marc Francis
Councillor Ehtasham Haque | – Scrutiny Lead for Housing and Regeneration |
| Councillor Denise Jones
Councillor Gabriela Salva Macallan
Councillor Leema Qureshi | – Scrutiny Lead for Health and Adults
– Scrutiny Lead for Resources and Finance |
| Councillor Andrew Wood | |

Co-opted Members Present:

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| Halima Islam | – Co-Optee |
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Other Councillors Present:

Mayor John Biggs

Apologies:

- | | |
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| James Wilson | – Co-Optee |
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Officers Present:

- | | |
|---------------|---|
| Adam Boey | – (Senior Strategy & Policy Manager - Corporate) |
| Rafiqul Hoque | – Head of Housing Options |
| Afazul Hoque | – (Head of Corporate Strategy & Policy) |
| Karen Swift | – (Divisional Director, Housing) |
| David Knight | – (Democratic Services Officer, Committees, Governance) |

Simmi Yesmin

– (Democratic Services Officer,
Committees, Governance)

1. APPOINTMENT OF VICE-CHAIR

Councillor Bex White was appointment Vice-Chair of the Committee for the current Municipal Year.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST AND OTHER INTERESTS

Nil items

3. REQUESTS TO SUBMIT PETITIONS

Nil items

4. UNRESTRICTED REPORTS 'CALLED IN'

4.1 Call-in - Amendments to the Council's housing Allocations Scheme

The Overview and Scrutiny Committee (Committee) noted that the Mayor in Cabinet on Wednesday, 23 September 2020 had made a decision in respect of agenda **item 6.3 'Amendments to the Council's Housing Allocations Scheme'** was 'called in' under the Overview and Scrutiny Committee Procedure Rules of the Council's Constitution by Councillors Marc Francis, Tarik Khan, Mohammed Pappu, Shah Ameen and Shad Chowdhury ('Call-in Members').

The Committee **noted**:

- the Cabinet report,
- the Mayor in Cabinet Decision published on 25 September 2020,
- the "call in" requisition from the Call-in Members submitted on 2 October 2020,
- representations by the Call-in Members, and
- representations by the Mayor, John Biggs – standing in for Cllr Sirajul Islam.

The Call-in:

- Called on the Mayor to revise his decision in Cabinet on 23rd September removing existing social tenant's under-50 from Band 3 and reinstate all these applicants to their former position within the Common Housing Register.
- Stated that (i) given the incorrect apportionment of lettings into sheltered accommodation within the Band 3 quota, (ii) the Mayor should instruct officers that the current 5 per cent quota should be retained and only General Needs lettings be counted towards it (iii) consideration should also be given to making good the shortfall in General Needs lettings to Band 3 applicants against the 5 per cent quota over the next two or three years.

- Called on the Mayor to revise his decision in Cabinet on 23rd September restricting homeless households placed outside Tower Hamlets to three years on our Common Housing Register by making this period indefinite, so that they remain LBTH's responsibility until they successfully bid for social housing or they voluntarily withdraw their housing application.
- Stated that the Mayor should instruct officers to commission an independent review of the practice of discharging LBTH's duty to homeless families into the PRS, including speaking to those families this has been done to, and bring that review to the Housing & Regeneration Scrutiny Sub-committee within the next six months.

Call-in Members Presentation

The Call-in members the presented the reasons for call-in to the Committee and proposed an alternative course of action, and added that:

- The decision will result in removing over 1000 residents from band 3 waiting list
- Legal challenge in Lambeth should be reflected in the decision
- Removing people after three years is not appropriate given these people are part of LBTH community – The Call-in Members want to encourage people to stay in the Borough.
- The consultation clearly showed the community's views – which were not heeded by the decision.

Following the presentation by the Call-In members, the Committee then posed several questions concerning:

- Band 3 under 50s – situations for applicants' moving/change of situations
- Band 3- and three-year cut-off – impact on other bands
- Consultation responses, and community voices being heard

The Committee then received and noted the response from the Mayor that set out the context of the Cabinet Decision and reviewed the key elements of the decision, reflecting that:

- this decision is about being realistic about people's chances of securing housing at Band 3
- consultation resulted in amendment to the policy: retained Band 3
- happy to consider other ways where transfer can happen

The Committee then posed several questions concerning:

- Removal from three-year waiting list and legality
- Acting contrary to consultation
- Legal advice on decision
- Drivers for this decision/policy

After hearing from the Call-in Members and the Mayor, the Committee considered the following issues and concerns:

- I. A better approach to communicating with housing applicants needed
- II. The impact on more than 1000 people on register
- III. The need to listen and respond to what the community has said, via consultation
- IV. The legal risk as highlighted by the Lambeth case
- V. Concern around removing hope from applicants, even if a long waiting period
- VI. No savings/financial impact for this decision
- VII. Rationale for the decision is not clear
- VIII. There are several reasons why people currently on Band 3 want to move including issues such as ASB and neighbour disputes. These cost the Council and partners resources to manage and by removing this opportunity these costs will remain and possibly increase.
- IX. Serious concerns about removing those applicants who have been placed in 'out of borough' PRS accommodation to prevent homelessness from the housing register after three years.

In conclusion, the Chair Moved and it was unanimously **RESOLVED** that:

The decision should be referred to the Mayor in Cabinet for reconsideration, including consideration of the alternative course of action with no amendments or additions.

5. SCRUTINY APPOINTMENTS AND TERMS OF REFERENCE

The Committee received a report regarding the establishment of the Scrutiny Sub-Committees and Appointment of Members to those Sub-Committees.

As a result of discussions on the report the Chair moved, and it was **RESOLVED** to:

1. **Approve** Scrutiny Leads with specific portfolios and if so to appoint Members to the posts as set out in **Section 3** of this report and attached as an appendix to these minutes;
2. **Note** the co-option requirements for education in accordance with legislation, as set out at **Paragraphs 3.3 to 3.10** of this report;
3. **Approve** the appointment of two independent co-opted representatives onto the main Committee as detailed in the report to replace any earlier co-options.
4. **Approve** the Sub-Committees as set out in **Paragraph 3.11** of this report;
5. **Appoint** Members for the above Sub-Committees;
6. **Agree** to respective terms of reference as set out in **Appendix 2** to this report for the main Committee and the three Sub-Committee's; and
7. **Approve** the Sub-Committees Chairs as set out in **Appendix 3** of this report.

6. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

Attached as an appendix to these minutes.

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

Nil items

The meeting ended at 5.55 p.m.

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

Appendix A

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|---------------------------------------|--|
| 1. Cllr Faroque Ahmed | – Scrutiny Lead for Community Safety & Environment |
| 2. Councillor Bex White | – Scrutiny Lead for Children and Education |
| 3. Cllr Ehtasham Haque | – Scrutiny Lead for Housing and Regeneration |
| 4. Councillor Leema Qureshi | – Scrutiny Lead for Resources and Finance |
| 5. Councillor Gabriela Salva Macallan | – Scrutiny Lead for Health and Adults |