

MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE HELD ON TUESDAY, 13TH JUNE, 2017, 19:00

PRESENT:

Councillors: Charles Wright (Chair), Pippa Connor (Vice-Chair), Kirsten Hearn, Emine Ibrahim, Yvonne Denny and Barbara Blake.

Co-opted Members: Yvonne Denny

33. FILMING AT MEETINGS

The Chair referred those present to agenda Item 1 as shown on the agenda in respect of filming at this meeting and asked that those present reviewed and noted the information contained therein.

34. APOLOGIES FOR ABSENCE

Apologies for Absence were received from Cllr Gallagher. Cllr Barbara Blake attended the meeting as substitute.

35. URGENT BUSINESS

There were no items of Urgent Business.

36. DECLARATIONS OF INTEREST

There were no declarations of interest.

37. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

The Committee received a deputation from Rev. Paul Nicholson on behalf of Northumberland Park Supporters Group.

Rev. Paul Nicholson presented the deputation. NOTED:

- a. There were a significant number of academic studies which showed the impact of low incomes and debt on health outcomes.
- b. Dr Angel Donkin of the Institute of Health Equity argued that "Income impacts on health directly; for instance insufficient money to heat your home or buy a healthy balanced diet. Cold homes increase rates of respiratory disease, cardiovascular disease, excess winter deaths and mental illness. Inadequate diets increase the risk of malnutrition, obesity, diabetes and cardiovascular disease. Debt impacts on health indirectly through increased stress, depression and anxiety."

- c. Job Seekers Allowance has depreciated in value since 1979. It was argued that a benefit claimant receiving £73.10 a week in JSA was unable to provide themselves with a healthy diet. The benefit system was so inadequate that parents needed their child's benefits to survive, and the disabled are forced into destitution when they fail the work capability assessment and their disability benefits are stopped.
- d. Rev. Nicholson advised that low birth weight levels were high in Northumberland Park. Poor maternal nutrition and low birth weight had, since 1972, been described as the strongest predictor of poor learning ability, school performance, behavioural disorders and crime by the Institute of Brain Chemistry and Human Nutrition.
- e. The Committee was advised that money spent on increasingly unaffordable levels of rent competed with food, fuel and water. The result was a record increase in evictions, record admittance to hospital with malnutrition and unprecedented rises in mortality and infant deaths in 2015 at national level.
- f. Northumberland Park was the most deprived ward in the Borough. Rev. Nicholson contended that the Council was required, under the Health and Social Services Act 2012, to improve the health of local population. It was suggested that the Council was already exacerbating the situation by extracting council tax from benefit claimants.
- g. It was anticipated that the HDV would exacerbate problems further. Rev. Nicholson argued that council housing was the only housing whose affordability the Council could ensure as landlords. It was feared that the HDV would result in more tenants being at the mercy of a booming housing market. This would result in an even greater proportion of disposable income being spent on rent at the expense of other necessities, leading to even greater poverty and higher levels of ill-health.

In response to the deputation, the Committee sought clarification on what, in the depute's opinion, effect the HDV would have on housing issues and poverty in the area. In response Rev. Nicholson argued that the biggest effect was that the HDV would break up communities and the local networks that residents relied upon. Rev. Nicholson outlined a recent example where a person was relocated from the Love Lane estate and the pay-off that he received was sequestered by HfH to pay off his rent arrears. In addition, the rent in his new accommodation went up by one band and so he was not offered the exact same terms as he was on previously. Rev. Nicholson advised that this person's dire financial situation was compounded by high rent levels and ongoing rent and council tax arrears. The health and wellbeing of residents was also seriously undermined by deprivation.

The Committee enquired whether the depute advocated a process of a wholesale refurbishment of an estate as opposed to a HDV style proposal. Rev. Nicholson acknowledged the need to renovate, but he believed that the Council should ensure that existing networks were maintained and that it continued to provide

council housing, as it was the only affordable housing available in the market. The Committee was advised that rent was taking up a huge proportion of disposable income from those on the lowest income and it was affecting people's ability to pay for other essential goods. A further problem with Council Tax and rents was the severe penalties for non-payment and the worsening effect that this had on people's ability to meet their food, heating and transport needs etcetera. Rev. Nicholson advocated that poverty levels and the impact on health were so serious that the HDV would only shift the problem elsewhere.

The Committee sought Rev. Nicholson's views on the Right to Buy scheme and in particular the effects it had on undermining council housing provision, noting that homes built under the HDV would not be eligible for Right to Buy. Rev. Nicholson expressed his opinion that the RTB scheme was a disaster from the beginning but suggested that the disaster would not be solved by the HDV as significant numbers of council housing had already been lost. An exemption from Right to Buy would only affect new homes built by the HDV. Rev. Nicholson welcomed the Council's decision to cover the benefit cap for single mothers, but was concerned at cuts to councils services in general. He warned that access to relief or support services due to personal financial crises were always required within an immediate timeframe.

The Committee acknowledged that there were significant concerns with rent arrears and council tax arrears and that the report had considered ways to alleviate these issues. The Committee sought Rev Nicholson's views on the differences between a secure Council tenancy and a private sector tenancy. In response, Rev. Nicholson advised that secure tenancies contained greater safeguards and were nevertheless preferable but also advised that similar problems existed for both. The main issue was the relationship between income levels and rent levels. Rev. Nicholson commented that, for those on a zero hour contract, there was ever-present risk that they may have no income in a particular month and that this could result in eviction. Rev. Nicholson suggested the Council did not have a duty to re-house single adults who were evicted and that they would effectively be made homeless. In this scenario, there was very little difference between a secure Council tenancy and a private sector tenancy.

38. MINUTES

RESOLVED

That the minutes of the OSC meeting of 27th March be agreed as a correct record of the meeting.

39. MINUTES OF SCRUTINY PANEL MEETINGS

The Committee received and noted the minutes of the following Scrutiny Panels and approved any recommendations contained within:

Children and Young People Scrutiny Panel – 16th March 2017
Environmental & Community Safety – 21st December 2016 & 9th March 2017

The Committee enquired about the status of the Onside group referenced in the minutes of the Children and Young People Scrutiny Panel. Cllr Hearn understood the Purdah period had delayed holding the first meeting.

Councillor Connor undertook to ask the Cabinet Member for Communities to provide an update on the Onside group. **(Action: Cllr Connor).**

40. TERMS OF REFERENCE AND MEMBERSHIP

The Committee received a report which set out the terms of reference and membership of the scrutiny panels for 2017/18. The report also set out the appointment of two Haringey representatives to the NCL Joint Health Overview and Scrutiny Committee (JHOSC).

The Committee noted that that the OSC budget scrutiny meeting for Priority X in January would be chaired by the Chair of budget scrutiny.

The Committee also noted that Cllr Waters was to added to the membership of the Housing & Regeneration scrutiny panel.

RESOLVED

- I. To note the terms of reference (Appendix A) and Protocol (Appendix B) for the Overview and Scrutiny Committee.
- II. To establish the following Scrutiny Panels for 2017/18:
 - Adults and Health
 - Children and Young People
 - Environment and Community Safety
 - Housing and Regeneration
- III. To approve the terms of reference/policy areas and membership for each Scrutiny Panel for 2017/18 (Appendix C)
- IV. To appoint Councillors Connor and Wright as the two Haringey representatives to the North Central London Joint Health Overview and Scrutiny Committee for 2017/18.

41. NORTH CENTRAL LONDON JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (JHOSC) - AMENDED TERMS OF REFERENCE

The Committee received a report which amended the terms of reference of the JHOSC to ensure the option for the JHOSC to make referrals to the Secretary of State when responding to formal consultations on substantial developments or variations to local health services.

RESOLVED

- I. That the Committee recommend to Council that it delegates formally the right of referral to the secretary of state in responding to formal consultations involving all of the Councils on the JHOSC, pursuant to Regulation 23 (9) of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

42. HOUSING AND REGENERATION PANEL REPORT ON THE HDV

Cllr Ibrahim, Chair of the Housing and Regeneration Scrutiny Panel introduced the report. The Committee was advised that the report was a follow-up to the interim review carried out by the Housing and Regeneration Scrutiny Panel with the intention of providing recommendations on the governance arrangements for the proposed HDV. The Chair of the Housing and Regeneration Scrutiny Panel advised that a number of issues arose during the review which, although falling outside of the agreed terms of reference, the Panel felt prudent to include in the final report.

The Chair of the Housing and Regeneration Scrutiny Panel commented that a key recommendation was around the development of an updated business case for the HDV in light of changing political and economic circumstances. A number of recommendations also reflected concerns that the Panel felt around exclusivity agreements and risk.

The Committee was asked to consider whether the report fell out with the specific terms of reference of the review and whether the Committee accepted the recommendations and findings, on the basis of their importance and relevance to the subject matter.

The Committee AGREED to the revised scope of the review, as reflected in the report.

The following arose during the discussion of the report.

- a. A committee member sought assurances around the breadth of evidence that was used to draw the conclusions presented in the report. The committee member also raised concerns that the examples drawn upon in the report did not necessarily reflect the model proposed under the HDV. In response the Chair of the Housing & Regeneration Scrutiny Panel advised that evidence was drawn from a range of different sources including the Centre for London and Oxford District Council, neither of which were opposed to the HDV in principle. The Chair of the Housing & Regeneration Scrutiny Panel emphasised that there was no direct comparison with other schemes due to the nature and scope of the proposed scheme under the HDV and that to some extent this was reflected in the number of recommendations in the Panel's report.
- b. In relation to the example of the Sheffield Housing company, which adopted a model with a 50/50 partnership agreement, the Committee was advised that

- this example had been noted as part of the evidence gathering process. The panel considered that the Sheffield Housing company had adopted a different structure and that that scheme only related to Brownfield sites, as result, the panel felt that the scheme was a very different model and could not be compared directly with the HDV.
- c. The Chair invited Cllr McNamara to address the Committee. Cllr McNamara emphasised that the report and its recommendations received the unanimous support of the Housing & Regeneration Scrutiny Panel. Similarly, the Committee was advised that the evidence gathering process was both objective and robust. It was summarised that, in the view of the Scrutiny Panel member, there were two main conclusions to draw from the process; firstly that alternatives to the HDV did exist and that secondly, more work needed to be undertaken to scrutinise and better understand the implications of the HDV.
 - d. The Chair of the Housing & Regeneration Scrutiny Panel clarified that recommendation 16f, which proposed a ballot of tenants and leaseholders, was not agreed unanimously by all panel members.
 - e. The Committee was advised that the external political climate was looking increasingly uncertain; particularly in light of the UK's exit from and future relationship with the EU. The recent General Election result, the resulting protracted process of forming a government and the increased likelihood of another General Election also suggested an increasingly unstable political climate. In light of these reasons, the panel member advocated that the HDV should be put on hold to allow other options to be explored and the business plan to be reconsidered.
 - f. The Chair of the Children and Young People Scrutiny Panel had three broad areas of concern: A lack of robustness in the related Equality Impact Assessments; the apparent misapprehension that the HDV was not the only way to mitigate the Council's exposure to Right to Buy, and the need to ensure that there was the requisite levels of officer experience and independent advice underpinning the Council's decision making going forward. In response to the last point, the Chair of the Housing & Regeneration Scrutiny Panel drew the Committee's attention to recommendation 9 of the report. The Committee were advised that recommendation 9 should be amended to read: "A professional independent advisor should be appointed, by the Council to *support* the HDV Board to ensure Haringey board members had a clear understanding of the matters put before them and the implications of any decision made by the board."
 - g. Concerns were raised that the original business case for the HDV dismissed the option of establishing a company that was wholly owned by the Council. A number of other local authorities, such as Brighton & Hove City Council had adopted this model and the Committee was asked to reflect on why, by contrast, there were no examples of 50/50 ventures being implemented. In response to a suggestion that the crucial difference was the scale of development being proposed under the HDV, the Chair of the Housing & Regeneration Scrutiny Panel drew the Committee's attention to recommendation 19; which proposed the establishment of a wholly-owned housing company to purchase and manage HDV affordable homes and target rent social homes.
 - h. Clarification was sought around whether there would be any decant costs and who would pay those and when. Clarification was also sought on the level of

financial risk to the Council if the HDV was paused at this stage. In response it was noted that as per legal advice sought in relation to the previous report on the HDV, there was no liability to the Council if it withdrew prior to signing the agreement at Cabinet on 3rd July.

- i. The Board noted that recommendation 4 around establishing a robust set of measures to audit the work of the HDV should be amended to reflect the fact that it would be the responsibility of Corporate Committee to oversee the audit process not Cabinet.
- j. The Legal advisor to the Board commented that recommendations 28 and 29 were actions for the Overview and Scrutiny Committee and asked the Committee to note that it would be for OSC to implement.

The Committee AGREED that the text of Rev. Nicholson's deputation be appended to recommendation 14 of the report and that Cabinet be asked to note its contents.

RESOLVED

- I. That the Overview and Scrutiny Committee considered the findings of the Housing & Regeneration Scrutiny Panel at Table 1 of the report.
- II. That, with the Committee's comments and amendments incorporated, the report be submitted to Cabinet, on 3rd July for response.

43. OVERVIEW & SCRUTINY WORK PROGRAMME DEVELOPMENT 2017/18

The Chair of OSC introduced the report as set out.

The Chair of the Children & Young People's Scrutiny Panel advised the Committee that the panel would be focusing on three main projects this year:

- Supporting asylum seeking and refugee children
- Care leavers
- Restorative Justice

The Chair of OSC advised the Committee that the terms of reference for the Parks scrutiny project was being developed and would be available shortly.

RESOLVED

- I. To agree the outline work programme for Overview and Scrutiny for 2017-18 as per paragraph 4.7 of the report;
- II. To approve the draft Scope and Terms of Reference for the Environment and Community Safety Scrutiny Panel's review of Residential Street Sweeping, attached at Appendix A

44. COMPLAINTS UPDATE

This item was deferred to the next meeting of the Committee. **(Action: Clerk).**

45. NEW ITEMS OF URGENT BUSINESS

None.

46. FUTURE MEETINGS

That the future meeting dates be noted:

- 17th July 2017
- 16th October 2017
- 21st November 2017
- 16th January 2018
- 29th January 2018
- 26th March 2018

CHAIR: Councillor Charles Wright

Signed by Chair

Date