

# **Living in Hackney Scrutiny Commission Remit**

## **LEGISLATION**

Overview and Scrutiny was introduced following [Local Government Act](#) 2000.

Local authority Overview and Scrutiny has been strengthened over the years through a variety of legislations.

Since the initial Act, establishing overview and scrutiny, in 2000 there has been a number of further Acts, often accompanied by secondary legislation, which have gradually strengthened the powers of scrutiny. Today, the legislative provisions for overview and scrutiny committees for England can be found in the Localism Act 2011, which mostly consolidated previously existing law. As a note the 2011 Act also removed the obligation on councils using the committee system to have an overview and scrutiny committee.

## **ROLE OF OVERVIEW AND SCRUTINY**

Overview and Scrutiny (O&S) in local authorities is the process for holding the Executive to account, ensuring transparency in decision making and encouraging engagement by residents in the way local services are provided.

Traditionally this focused solely on the operations of the council, either through pre-decision scrutiny (where scrutiny committees review the production of formal plans and strategies etc) or reactive reviews that look at the impact and performance of any existing council service. Increasingly the role of elected Members through Overview and Scrutiny focuses on decisions taken not just by the council but by local partners as well, across the whole range of services in the public, private and voluntary sectors. The Centre for Governance and Scrutiny (CfGS) – the national body for scrutiny - devised the following four principles for Effective Overview and Scrutiny.

1. provide constructive “critical friend” challenge;
2. amplify the voice and concerns of the public
3. be led by independent people who take responsibility for their role
4. drive improvement in public services.<sup>1</sup>

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<sup>1</sup> <https://www.cfgs.org.uk/revisiting-the-four-principles-of-good-scrutiny/>

The membership of O&S commissions is politically proportionate. Scrutiny is non-adversarial<sup>2</sup> and non-partisan<sup>3</sup>. The role of scrutiny is to be a “Critical friend” challenging decision maker within LBH as well as external agencies.

## REMIT

The Commission scrutinises matters relating to housing public realm

<b>Scrutiny Commission Remit / Areas</b>	
<b>High level remit as per constitution</b>	Quality of life in local communities covering neighbourhoods, place, wellbeing, amenities and the formal crime and disorder partnership function.
<b>Statutory functions</b>	<p>the Living in Hackney Scrutiny Commission, to discharge the functions conferred under the Police and Justice Act 2006</p> <p>To carry out the functions of a Crime and Disorder Committee in accordance with the Police and Justice Act 2006.</p> <p>3.1 <a href="#">Section 19 of the Police and Justice Act 2006</a> requires every local authority to have a crime and disorder committee with the power to review or scrutinise decisions made or other action taken in connection with the discharge by the responsible authorities of their crime and disorder functions.</p> <p>a) to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions;</p> <p>b) to make reports or recommendations to the local authority with respect to the discharge of those functions.</p> <p>“The responsible authorities” means the bodies and persons who are responsible authorities within the meaning given by section 5 of the Crime and Disorder Act 1998 (c. 37) (authorities responsible for crime and disorder strategies) in relation to the local authority's area.</p>
<b>Community Safety</b> <ul style="list-style-type: none"> <li>● Antisocial Behaviour</li> <li>● Violent Crime</li> </ul>	

<sup>2</sup> Non-adversarial means there is a spirit of co-operation, a passive stance, the parties are willing to reach a mutually satisfying resolution to a problem. There is persuasion rather than coercion.

<sup>3</sup> not partisan means not affiliated to, influenced by, or supporting any one political party

<b>Scrutiny Commission Remit / Areas</b>
<ul style="list-style-type: none"> <li>● Strategic Analysis</li> <li>● Prevent</li> <li>● Emergency Planning</li> </ul>
<p>Public Realm</p> <ul style="list-style-type: none"> <li>● Streets and Streetscene</li> <li>● Markets and parking</li> <li>● Environment</li> <li>● Transport (excluding transport infrastructure and large scale schemes)</li> <li>● Leisure</li> <li>● Parks</li> <li>● Waste and recycling</li> </ul>
<p>Housing Services</p> <ul style="list-style-type: none"> <li>● Council homes (Ongoing improvement)</li> <li>● Maintenance, repairs and estate environment</li> <li>● Asset Management</li> <li>● Services for tenants and leaseholders</li> <li>● Housing Policy</li> <li>● New housing and estate regeneration</li> <li>● Private rented sector</li> <li>● Community halls</li> </ul>
<p>Housing</p> <ul style="list-style-type: none"> <li>● Housing Benefit</li> <li>● Housing Needs including temporary accommodation</li> </ul>
<p>Sustainability</p> <ul style="list-style-type: none"> <li>● Fleet management</li> <li>● Energy Unit</li> </ul>
<p>Planning (residents)</p>
<p>Corporate Property Services</p> <ul style="list-style-type: none"> <li>● Council's corporate assets for capital programmes, repairs, and maintenance</li> </ul>
<p><b>Cabinet Members LIH holds to account</b></p> <ul style="list-style-type: none"> <li>● Cllr McKenzie</li> <li>● Cllr Nicholson</li> <li>● Cllr Coban</li> <li>● Cllr Kennedy</li> <li>● Mayoral Advisor Cllr Etti</li> <li>● Mayoral Advisor Cllr Moema</li> </ul>
<p>Service performance issues in the above remits</p>

## **STATUTORY DUTIES**

The Living in Hackney Scrutiny Commission has a statutory duty to scrutinise the Borough's Community Safety Partnership (CSP). The Living in Hackney Scrutiny Commission has carried out the Crime and Disorder Committee function since the start of the 2017/18 municipal year.

Membership comprises the responsible authorities and lead officers for the community safety plan priorities. It works in partnership with the Safer Neighbourhood Board (SNB). These have been set up by the Mayor of London in all London boroughs.

The 2006 review of the Crime and Disorder Act and subsequent amendments to legislation resulted in an approach to CSPs that is more flexible and allows more local discretion. However, there remain some key statutory responsibilities which must be met:

- a strategy group to be made up of senior representatives from the responsible authorities
- prepare, implement and performance manage an evidence led annual strategic assessment and three-yearly partnership plan for the reduction of crime and disorder in the area
- consult the community on the levels and patterns of crime, disorder and substance misuse and on matters that need to be prioritised by the partnership
- reduce reoffending
- coordinate domestic violence homicide reviews
- share information among the responsible authorities within the CSP
- have a crime and disorder scrutiny committee with the power to review and scrutinise decisions made and action taken by the community safety partnership
- assess value for money of partnership activities

Full information about the partnership work, meetings and documents can be found [here](#)

CSP responsible authorities:

- police – Borough Command Unit commander – co-chair
- local authority – chief executive – co-chair
- fire and rescue – borough commander
- probation – National Probation Service – assistant chief officer
- probation – Community Rehabilitation Company – head of stakeholder engagement London North
- Clinical Commissioning Group – programme director
- elected member responsible for community safety

Supported by leads for the community safety plan:

- Director Children and Families
- Head of Safer Communities
- Director Public Health

## **STAKEHOLDERS IN THE COUNCIL**

The directorates the LiH remit covers are:

- Chief Executives Directorate
- Climate, Homes and Economy Directorate
- Finance and Corporate Resources

## **EXTERNAL STAKEHOLDERS**

- Tenant and Resident Associations
- Resident Liaison Group
- Safer Neighbourhood Board

## **SCRUTINY REVIEWS**

The Commission usually carries out one major review each year. Once the review report is agreed it is sent to Cabinet for an 'Executive Response' and this goes on the Cabinet Agenda. Some scrutiny reports and their responses are also debated at Full Council.

When reviews are completed there is a system of recommendation trackers whereby officers are required to come back after 6 -12 months to discuss the progress made and to provide updates on the implementation of the recommendations from the review.

## **SITE VISITS AND OTHER APPROACHES TO EVIDENCE GATHERING**

The commission meetings are just one way in which the commission collects evidence for its in-depth reviews. Members also go on site visits and use other formats such as focus groups or observing groups or activity. The latter is more appropriate if Members are speaking to service users on sensitive issues which would be difficult for them to discuss in an open committee. The notes recorded from external site visits are placed in the agendas.

## **CABINET MEMBERS AND CABINET MEMBER QUESTION TIME**

In the municipal year the Commission holds question time sessions with the Cabinet and Senior Officers to ask questions about performance and decision-making within the Council related to their portfolio areas. The Cabinet Members are asked to come and answer questions on 3 pre-agreed areas. This is similar to Select Committee operations in the House of Commons, same format. All Cabinet Members and the Mayor must attend at least one of these a year.

The Commission's remit covers the following Cabinet Member's portfolios:

- **Councillor Clayeon McKenzie, Cabinet Member for housing services and resident participation.** Cllr Clayeon McKenzie has lead responsibility for:
  - housing management / services
  - housing service transformation and improvement
  - housing revenue account (HRA) business plan and strategic asset management plan
  - retrofit council homes programme with cabinet member for environment and transport
  - better homes partnership
  - fire and resident safety
  - tenant management organisation (TMO) champion
  - Travellers
  - maintaining strong relations with the tenants and residents movement
  
- **Councillor Mete Coban, Cabinet Member for environment and transport.** Cllr Mete Coban has lead responsibility for:
  - climate change – including responding to the emergency, mitigation, adaptation, and public awareness
  - environmental sustainability
  - transport (working with Mayor) – bus priority, road safety, accessibility, strategic infrastructure and transportation
  - liveable neighbourhoods – promoting walking and cycling
  - clean air and tackling pollution
  - public realm and streetscene
  - electric vehicle (EV) infrastructure
  - energy – community and local generation, efficiency, and procurement
  - retrofit council homes programme with cabinet member for housing services and resident participation
  - growing the green and circular economy
  - waste and recycling
  - waste services and waste reduction and prevention
  - street and estate cleansing
  - corporate decarbonisation and just transition to net zero
  - vehicle and cycle parking.
  
- **Councillor Susan Fajana-Thomas, Cabinet Member for community safety and regulatory services.** Cllr Susan Fajana-Thomas has lead responsibility for:
  - integrated gangs unit
  - noise nuisance
  - environmental health and trading standards
  - licensing enforcement
  - licensing policy (working with chair of licensing)
  - night time economy

- o street markets and street trading
  - o youth justice
  - o environmental protection
  - o emergency planning and relationship with London fire brigade
  - o CCTV and public surveillance
  - o domestic violence and abuse
  - o delivery of Mayor's young futures commission recommendations (with Deputy Mayor and cabinet member for education, young people and children's social care)
  - o violence against women and girls.
- **Councillor Chris Kennedy, Cabinet member for health, adult social care, voluntary sector, and culture.** Cllr Chris Kennedy has lead responsibility for:
    - o health and relationship with the local NHS
    - o adult social care
    - o mental health and wellbeing
    - o public health
    - o voluntary and community sector (SEG Commission)
    - o arts & culture
    - o libraries, museum and archives (SEG Commission)
    - o food justice
    - o communications and consultations
    - o waterways and boaters
- **Cllr Guy Nicholson, Deputy Mayor for delivery, inclusive economy & regeneration.** Councillor Guy Nicholson has lead responsibility for:
    - o 2022 to 26 manifesto & council strategic plan delivery
    - o capital programme – new homes, infrastructure and services delivery
    - o town centre, high street, estates and neighbourhood place making
    - o planning service – performance, policy, plan making, building control & enforcement
    - o inclusive economic development – local business, cooperative & social enterprise led community wealth building delivery
    - o regional & international economic partnerships delivery.
- **Councillor Sem Moema, Mayoral Adviser for private rented sector and housing affordability.** Cllr Sem Moema has lead responsibility for:
    - o strategic housing
    - o private sector housing (excluding temporary accommodation)
    - o housing affordability
    - o fire safety and leaseholders (non-council)
    - o promoting shared ownership and other intermediate products
    - o housing association relationships and accountability
    - o Hackney's housing company and living rent homes

- **Councillor Sade Etti, Mayoral Adviser for housing needs and homelessness.** Cllr Sade Etti has lead responsibility for:
  - housing needs (inc. lettings and allocations policy)
  - rough sleeping
  - homelessness and temporary accommodation including our work with young people
  - internal advice services (particularly housing options / homelessness related)
  
- **Councillor Caroline Woodley, Cabinet Member for families, parks and Leisure.** Cllr Woodley has lead responsibility for:
  - early years
  - children's centres and nurseries
  - affordable childcare commission
  - special educational needs and disabilities (SEND)
  - alternative settings and additional resource provision (ARP)
  - tackling child poverty
  - supporting families (with Deputy Mayor and cabinet member for education, young People and children's social Care)
  - leisure and sport
  - play and adventure playgrounds
  - play streets
  - parks and green spaces
  - green infrastructure, nature recovery and biodiversity
  - our tree programme
  - delivering Hackney 'A child friendly borough' (with Deputy Mayor and Cabinet Member for education, young people and children's social Care).

## **WORK OF THE COMMISSION 2021-2022**

### **RECENT REVIEW**

Following Hackney Council's climate emergency declaration in June 2021 the overview and scrutiny function decided to review the council's work on sustainability and net zero carbon. Various pieces of scrutiny work were undertaken to contribute to an overarching review.

The Living in Hackney Scrutiny Commission looked in more detail at areas in relation to net zero work, retrofitting the housing stock and council buildings, new builds, electric charging infrastructure, energy strategy and energy systems. It also looked at the work to date and recommendations of the London Councils Net Carbon Workstreams.

*(A report and recommendations from this work will follow shortly).*

### **HOLDING TO ACCOUNT**

Whilst Cabinet Question Time was not held for Living in Hackney last year, the Commission did hold thematic discussions and invited relevant Cabinet Member to participate in these discussions.

## **OTHER DISCUSSION ITEMS IN 2021/2022**

Other discussion topics covered by the commission were:

- Trust and Confidence and Inclusive Policing - Building trust and confidence and inclusive policing
- Play Infrastructure - Play infrastructure and design principles for play infrastructure
- Fire Safety - Fire safety of buildings, including the arrangements in place covering fires, safety products fitted, checks on products used to ensure they are of the highest standard available
- Private Sector Housing Licensing Scheme - Exploring an extension to the scheme across the borough
- Housing Support for Young People Leaving Care - Joint piece with Children & Young People Scrutiny commission looking at the housing options available to young people leaving care.
- Hackney Leisure Services and Facilities - Review of the council's leisure services offers, costs and the concessions available