

**LONDON BOROUGH OF TOWER HAMLETS**

**RECORD OF THE DECISIONS OF THE CABINET**

**HELD AT 5.35 P.M. ON WEDNESDAY, 26 JUNE 2019**

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

**Members Present:**

Mayor John Biggs	
Councillor Sirajul Islam	(Statutory Deputy Mayor and Cabinet Member for Housing)
Councillor Rachel Blake	(Deputy Mayor and Cabinet Member for Planning, Air Quality and Tackling Poverty)
Councillor Sabina Akhtar	(Cabinet Member for Culture, Arts and Brexit)
Councillor Amina Ali	(Cabinet Member for Adults, Health and Wellbeing)
Councillor David Edgar	(Cabinet Member for Environment)
Councillor Candida Ronald	(Cabinet Member for Resources and the Voluntary Sector)
Councillor Motin Uz-Zaman	(Cabinet Member for Work and Economic Growth)

**Other Councillors Present:**

Councillor Sufia Alam	
Councillor Peter Golds	
Councillor Andrew Wood	(Leader of the Conservative Group)

**Others Present:**

Vivianne Akinremi	(Deputy Young Mayor and Cabinet Member for Health and Wellbeing)
Jaami Barry	(Young Mayor of Tower Hamlets)
Ahmed Duale	(Deputy Young Mayor of Tower Hamlets and Youth Cabinet Member for Environment)
Nadia Hussein	(Deputy Young Mayor of Tower Hamlets and Youth Cabinet Member for Community)
Muhsin Mahmud	(Deputy Young Mayor of Tower Hamlets and Youth Cabinet Member for Communications)

**Officers Present:**

Andrew Bate	(Senior Executive, Communications)
Mark Baigent	(Interim Divisional Director, Housing and Regeneration)
Stephen Bramah	(Deputy Head of the Mayor's office)
David Courcoux	(Head of the Mayor's Office)
Sharon Godman	(Divisional Director, Strategy, Policy and Performance)

Asmat Hussain	(Corporate Director, Governance and Monitoring Officer)
Debbie Jones	(Corporate Director, Children and Culture)
Ralph Million	(Senior Strategic Asset Manager, Place)
Neville Murton	Corporate Director, Resources)
Denise Radley	(Corporate Director, Health, Adults & Community)
Amy Sherman	(Strategy and Policy Officer)
Ann Sutcliffe	(Corporate Director, Place)
Will Tuckley	(Chief Executive)
Matthew Vaughan	(Political Advisor to the Conservative Group, Democratic Services, LPG)
Charles Griggs	(Head of Community Safety)
Matthew Mannion	(Head of Democratic Services, Governance)
Rushena Miah	(Committee Services Officer)
Nnenna Onochie-Oputa	(Modern.gov Project Officer)

## 1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Asma Begum (Deputy Mayor and Cabinet Member for Community Safety and Equalities)
- Councillor Danny Hassell (Cabinet Member for Children, Schools and Young People)
- Councillor James King (Chair of the Overview and Scrutiny Committee)

## 2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillors Amina Ali, David Edgar and Motin Uz-Zaman all declared Disclosable Pecuniary Interests in relation to Agenda Item 6.2 (Urgent Structural Works – Brewster House and Maltings House) and left the room for the duration of that item.

The Mayor and Councillor Sirajul Islam noted ‘other interests’ in the same agenda item as family members were leaseholders. They took part in discussion of that item.

## 3. UNRESTRICTED MINUTES

### DECISION

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 22 May 2019, be approved and signed by the Chair as a correct record of proceedings.

## 4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

Information on the Young Mayor’s visit and other announcements will be set out in the minutes.

## **5. OVERVIEW & SCRUTINY COMMITTEE**

### **5.1 Chair's Advice of Key Issues or Questions**

Pre-Decision Scrutiny Questions were tabled in respect of Agenda Items:

- 6.1 (Spitalfields and Banglatown Community Governance Review)
- 6.4 (Mudchute Farm, Park and allotments)
- 6.5 (Tower Hamlets CCTV Approach)
- 6.7 (Contracts Forward Plan 2019/20 – Quarter One)

The questions, and officer responses, were considered during discussion of the relevant agenda items.

### **5.2 Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee**

Nil items.

## **6. UNRESTRICTED REPORTS FOR CONSIDERATION**

### **6.1 Spitalfields and Banglatown Community Governance Review Update**

The Pre-Decision Scrutiny Questions and officers responses were noted.

### **DECISION**

1. To note the report.

#### **Action by:**

#### **CHIEF EXECUTIVE (W. TUCKLEY)**

(Head of Democratic Services (M. Mannion)

Strategy, Policy and Performance Officer (S. Morton)

#### **Reasons for the decision**

Following receipt of a valid petition the Council is required to undertake a Community Governance Review. This report presents information from the second stage consultation process which will help to inform the Final Recommendations to be presented to Council.

This information is being presented to Committee to enable Members to review the information in an open and transparent setting.

#### **Alternative options**

This report is a noting report setting out information from the second stage consultation process.

## 6.2 Urgent Structural Works-Brewster House and Malting House

The Recommendations were amended and agreed.

### DECISION

1. To note that officers will explore the voluntary buy-back of leasehold properties in the two blocks, under the existing budgeted borough-wide buy-back programme, with potential costs estimated at c.£9.6m.
2. To agree to the introduction of two additional borough-wide leasehold service charge payment options as set out in sections 9.5 - 9.7 of the report.
3. To defer agreement of the following three recommendations subject to further discussion – with final decisions to be taken by Individual Mayoral Decision if required:
  - a. To agree that capital resources of £8,083,081 are made available within the five year HRA Capital Programme to fund the works (Option 1) and the services associated with delivering the works, and agree to adjust the five year programme accordingly.
  - b. Agree to the award of the works contract to Wates in the sum of £6,276,605.50. Wates has been procured via the Council's Better Neighbourhoods Works Framework.
  - c. Agree to formally consult leaseholders and to recharge them for their portion of the cost of the works.

#### Action by:

#### **CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)**

(Interim Divisional Director, Housing and Regeneration (M. Baigent))

#### Reasons for the decision

Additional housing capital resources are needed to fund urgent works needed to address structural issues in relation to the Brewster House and Malting House large panel system high rise blocks. Consulting structural engineers, Wilde Carter Clack, concluded that the blocks require intrusive structural strengthening, particularly as the buildings are at risk of progressive structural collapse in the event of an explosion and possibly following an extremely intense fire (which could cause floors to buckle and collapse). (Please see Appendix 1 to the report.)

The floor slabs in each of the flats require strengthening, undertaking this work will be complex with an expected duration of 75 weeks (around 18 months).

The works will involve all of the 112 dwellings. A risk assessment undertaken by consulting structural engineers Curtins (Appendix 2 to the report and

quoted below) has stated that it is safe for residents to remain in occupation at this time and during the planned works, with respite facilities and temporary rehousing options available as required.

“We confirm that the proposed strengthening works may be carried out with the residents in place with appropriate Risk Assessments/Method Statements being implemented. There will be times when temporary exclusion of residents is necessary from certain areas subject to arrangements between the contractor and Tower Hamlets Homes.”

“Much of the work can be carried out from the exterior. The internal works will require management of the exclusion of the residents from the work area. In general the residents on other levels may remain in occupation.”

External Wall Insulation (EWI) works already being delivered by Wates have been suspended pending the procurement and delivery of the structural works contract.

Officers recommend appointing Wates to carry out the structural strengthening works under the new Better Neighbourhoods Framework (BNF). This will ensure continuity as well as delivering VFM, given that Wates were the highest scoring contractor in the BNF procurement process and hence can be directly awarded the contract for the structural strengthening works.

Residents and the Barleymow Tenants & Residents Association have been regularly updated on the progress of investigations and works proposals. More detailed consultations will take place following the Cabinet decisions.

### **Alternative options**

The options which have been considered are as follows:

1. Proceed with the proposed works and recharge the leasehold properties for all of the additional works.
2. Do not proceed with the works; instead redevelop the site of the two blocks to replace existing homes and build additional new homes
3. Full decant of both blocks prior to completing the proposed works
4. Proceed with the works as per Option 1 but do not recharge the leasehold properties.

Details on all the above options are set out in the report.

**6.3 Children's Services Improvement Programme, Quarterly Progress Report (Quarter 4- 2018/19)****DECISION**

1. To endorse the progress made in delivering the Children's Services improvement programme.
2. To agree the next steps in the improvement journey which will be updated on in the next report.

**Action by:****CORPORATE DIRECTOR, CHILDREN AND CULTURE (D. JONES)**

(Divisional Director, Children's Social Care (R. Baldwin)

(Strategy and Policy Manager (J. Solomons)

**Reasons for the decision**

Corporate and political leadership of the Children's Services improvement agenda is a critical part of ensuring its success. Consideration of this report in Cabinet will support this leadership and help to facilitate public scrutiny of progress.

**Alternative options**

There are no alternative options to consider.

**6.4 Mudchute Farm, Park and allotments, Pier Road E14, Grant of long lease**

The Pre-Decision Scrutiny Questions and officers responses were noted.

**DECISION**

1. To agree to accept a surrender of the lease dated 8 October 2004 held by the Mudchute Association, which covers Mudchute Farm and Park.
2. To agree that simultaneously with the surrender, the Council will grant a new lease to the Mudchute Association for a term of 99 years at a peppercorn rent, covering the same area and on the main terms set out in paragraph 3.9 of the report.
3. To note that simultaneously with the above, the Mudchute Association will grant the Isle of Dogs and District Allotments Society a sub-lease, also for a term of 99 years (less one day) at a peppercorn rent and on the main terms set out in paragraph 3.11 of the report.
4. To agree to delegate authority to the Corporate Director of Place to agree the remaining terms of the lease and minor variations to the terms set out in this report.

5. To note that the Council gave notice of its intention to dispose of the open space, by way of the grant of a long lease, and that no objections were received by the closing date of 13 December 2018.
6. To note the equalities considerations as set out in section 4 of the report.

**Action by:****CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)**

(Senior Strategic Asset Manager (R. Million))

**Reasons for the decision**

The report proposes that the existing lease to the Mudchute Association (MA), which includes farm and park areas, is surrendered and that a new 99 year lease is granted. At the same time, a sub-lease will be granted by the MA to the Isle of Dogs and District Allotments Society (the Society) in respect of the two areas of allotments.

The decisions will secure the long term future of the site and the position of the operators. A Cabinet decision is required because the grant of the lease represents a disposal of Council land and at less than the best consideration reasonably obtainable, which is outside the scope of officer delegated decision making.

**Alternative options**

There are three main options;

- Do nothing. This would result in the MA facing difficulties with fund raising and long term planning. At the expiry of the current lease, the MA would be entitled to renewal unless the Council wished to oppose this and was able to demonstrate one of the statutory grounds. A new lease granted under these circumstances would be relatively short term and at a market rent. It would leave the Society without a formal agreement covering its occupation of the allotments land.
- Grant a shorter lease. This is unlikely to be acceptable to the MA as it would not enable the benefits of a long term lease to be realised.
- Agree the proposals in this report. This would enable a series of benefits to be realised, in particular enabling the MA to raise funding and develop long term plans for the site, along with providing the Society with a documented and agreed basis for its long term occupation of the two allotments areas.

**6.5 Tower Hamlets CCTV Approach**

The Pre-Decision Scrutiny Questions and officers responses were noted.

**DECISION**

1. To note the contents of the report including the findings from the literature review, stakeholder engagement and local data analysis.

2. To agree to the eighteen recommendations contained at the conclusion of the report in paragraph 3.6.

**Action by:**

**CORPORATE DIRECTOR, HEALTH, ADULTS AND COMMUNITY (D. RADLEY)**

(Strategy and Policy Officer (A. Sherman))

**Reasons for the decision**

To create an evidence based rationale for CCTV that will inform the Council's future operation of the network and underpin the provisionally agreed capital investment.

To identify opportunities for future use of CCTV, including identifying ways of ensuring the CCTV network is compatible with future CCTV technology.

**Alternative options**

The Council could choose not to develop a CCTV approach. This would potentially involve investing £3 million into the CCTV network without a thorough evidence base about CCTV's effectiveness in achieving a number of aims.

## 6.6 Capital Programme Approvals

**DECISION**

1. To adopt the listed pipeline schemes as set out in Appendix A to the report into the Council's approved capital programme
2. To agree that approval to proceed to award contracts for works and services be delegated to the Corporate Director, Place in consultation with the Corporate Director, Governance, subject to tenders being within the capital estimate amount and scheme PIDs being approved at Capital Strategy Board.
3. To note and approve the increased scheme costs for the Interim Depot Provision (item 4.6 in the report)
4. To adopt proposals for capital reports to be presented to Cabinet in-between finance quarterly monitoring as required, following approvals gained at the Capital Strategy Board.

**Action by:**

**CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)**

(Interim Head of Capital Delivery (J. Abraham))

(Interim PMO Manager – Capital Delivery (J. Mitchell))

**Reasons for the decision**

Capital schemes have advanced through a new governance protocol and under the Council's financial regulations, now require formal approval for adoption into the Council's Capital Programme.

**Alternative options**

The current approvals route for capital programme is through the Quarterly Monitoring Report prepared by Corporate Finance.

The next opportunity for approvals to incorporate pipeline schemes into the programme is late July 2019.

The Capital Delivery Team were instructed to prepare pipeline schemes at best pace in preparation for Cabinet approvals and have done so with 60 schemes advancing through the new governance process under revised guidance.

In order to maintain pace of delivery this report seeks approval for the schemes listed and seeks further approval for additional cabinet reports to be prepared for consideration as required in-between quarterly reporting as required.

**6.7 Contracts Forward Plan 2019/20 - Quarter One**

The Pre-Decision Scrutiny Questions and officer responses were noted.

The recommendations were amended and then agreed.

**DECISION**

1. That a report on P5562 (Construction of London Dock Secondary School) be presented to Cabinet in advance of contract award.
2. That all other contracts set out in Appendix 1 to the report may proceed to contract award after tender.
3. To authorise the Divisional Director, Legal Services, to execute all necessary contract documents in respect of the awards of contracts referred to at Recommendation 2 above.
4. To note the procurement forward plan 2019-22 schedule detailed in Appendix 2 to the report and identify any contracts about which further detail is required in advance of the quarterly forward plan reporting cycle.

**Action by:**

**CORPORATE DIRECTOR, RESOURCES (N. MURTON)**

**CORPORATE DIRECTOR, CHILDREN AND CULTURE (D. JONES)**

**Reasons for the decision**

The Council's Procurement Procedures require submission of a quarterly forward plan of contracts for Cabinet consideration, and it is a requirement of the Constitution that "The contracting strategy and/or award of any contract for goods or services with an estimated value exceeding £250K, and any contract for capital works with an estimated value exceeding £5m shall be

approved by the Cabinet in accordance with the Procurement Procedures". This report fulfils these requirements for contracts to be let during and after quarter one of the current financial Year.

#### **Alternative options**

Bringing a consolidated report on contracting activity is considered the most efficient way of meeting the requirement in the Constitution, whilst providing full visibility of contracting activity; therefore no alternative proposals are being made.

### **6.8 Nomination to Outside Bodies**

#### **DECISION**

1. To agree the nominations to outside bodies as shown in Paragraph 3.3 of the report.

#### **Action by:**

**HEAD OF THE MAYOR'S OFFICE (D. COURCOUX)**

#### **Reasons for the decision**

Having representatives on outside bodies increases the Council's engagement with the local community and improves its potential to offer leadership and guidance in relation to activities taking place in the borough.

#### **Alternative options**

The Mayor could decide not to make appointments to outside bodies at all. However, this is not recommended as it would reduce the Council's opportunity to be involved in and to support good work within the community and it would also reduce the Council's leadership opportunities. There are also a number of bodies where the Council is required or expected to provide a representative.

### **7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**

Nil items.

### **8. EXCLUSION OF THE PRESS AND PUBLIC**

Nil items.

### **9. EXEMPT / CONFIDENTIAL MINUTES**

Nil items.

### **10. OVERVIEW & SCRUTINY COMMITTEE**

#### **10.1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business**

Nil items.

**10.2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee**

Nil items.

**11. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT**

Nil items.

The meeting ended at 7.53 p.m.

Mayor John Biggs