

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.33 P.M. ON WEDNESDAY, 18 DECEMBER 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 Asma Begum	(Deputy Mayor and Cabinet Member for Community Safety and Equalities)
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 Danny Hassell	(Cabinet Member for Children, Schools and Young People)
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 Peter Golds	
Councillor James King	
Councillor Andrew Wood	(Leader of the Conservative Group)

Officers Present:

Agnes Adrien	(Head of Litigation, Legal Services)
Kevin Bartle	Interim Divisional Director of Finance, Procurement and Audit
Chris Humphreys	(Senior Communications Officer)
Asmat Hussain	(Corporate Director, Governance and Monitoring Officer)
Debbie Jones	(Corporate Director, Children and Culture)
Neville Murton	Corporate Director of Resources
Denise Radley	(Corporate Director, Health, Adults & Community)
Judith St John	(Divisional Director, Sports, Leisure and Culture)
Ann Sutcliffe	(Corporate Director, Place)
Will Tuckley	(Chief Executive)
Matthew Vaughan	(Political Advisor to the Conservative Group, Democratic Services, LPG)

Adam Boey	(Senior Strategy & Policy Manager - Corporate)
Stephen Bramah	(Deputy Head of the Mayor's office)
David Courcoux	(Head of the Mayor's Office)
Afazul Hoque	(Head of Corporate Strategy & Policy)
Keiko Okawa	(Senior Strategy & Policy Manager)
Karen Swift	(Divisional Director Housing)
Matthew Mannion	(Head of Democratic Services, Governance)

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no Declarations of Disclosable Pecuniary Interest.

However, Councillors Rachel Blake and David Edgar noted personal interests in Agenda Item 6.6 (Tower Hamlets Cemetery Park and Lodge) as they were members of the friends group due to previous donations they had made.

Councillor Andrew Wood, Leader of the Conservative Group noted a personal interest in Agenda Item 6.7 (Isle of Dogs Neighbourhood Plan) as he was an active member of the Neighbourhood forum.

3. UNRESTRICTED MINUTES

DECISION

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 27 November 2019 be approved and signed by the Chair as a correct record of proceedings.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

Please see the minutes.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions

Pre-Decision Scrutiny Questions and officer responses were tabled in respect of the following agenda items:

- 6.1 – Budget Consultation Outcome 2020-21
- 6.2 – Review of the Community Language Service
- 6.3 – Tower Hamlets Transport Strategy 2019-41
- 7.1 – Angela Court

These were considered during discussion of the relevant items.

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

Nil items.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Budget Consultation Outcome 2020-21

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

DECISION

1. To note the analysis and outcomes from the Your Borough Your Future budget consultation in Appendix A and have due regard to the issues raised in finalising its detailed budget proposals.

Action by:

CORPORATE DIRECTOR, RESOURCES (N. MURTON)

(Divisional Director, Finance, Procurement and Audit (K. Bartle))

Reasons for the decision

Statutory budget consultation is required with business ratepayers, however a broader consultation with all residents and other relevant stakeholders is considered to represent best practice.

Alternative options

The Council could have only consulted businesses in line with statutory requirement.

6.2 Review of the Community Language Service

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

DECISION

1. To approve Option 3 as set out in the report below.
2. To note the Equalities Impact Assessment.

Action by:

CORPORATE DIRECTOR, CHILDREN AND CULTURE (D. JONES)

(Divisional Director, Culture, Sport and Leisure (J. St John))

Reasons for the decision

The objective of the review was to continue the provision of community languages in Tower Hamlets with a high-quality and sustainable teaching model delivered in a more cost-effective manner.

Alternative options

There are four alternative options set out in this paper. The officer recommendation is the adoption of Option 3 as it fully delivers the savings as outlined in the MTFS. The Mayor in Cabinet may wish to select one of the other options but it is important to note that Options 1 and 2 will not deliver the full savings.

Alternatively, the service could continue as it does currently. Should this decision be taken, the savings targets will not be met.

6.3 Tower Hamlets Transport Strategy 2019-2041

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

DECISION

1. To note the outcome of the public consultation that informs the Tower Hamlets Transport Strategy 2019-2041.
2. Having regard to the Council's Public Sector Equality and the equality analysis, to agree the Tower Hamlets Transport Strategy 2019-2041.

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

(Senior Strategy and Policy Manager (K. Okawa)

(Strategy and Policy Manager (J. Begum)

(Team Leader, Development, Highways and Traffic Management (J. Ettinger)

Reasons for the decision

The Tower Hamlets Strategic Plan 2018 - 21 commits the Council to "develop a new Transport Strategy for the borough and make our borough one of the best in London to walk or cycle in, improving road safety and delivering a new parking policy". The Tower Hamlets Transport Strategy aims to set out our plans and proposals to deliver this commitment.

The Strategy also aligns with the Mayor of London's Transport Strategy 2018, where he commits to the ambitious aim for "80% of all trips in London to be made on foot, by cycle or using public transport" by 2041 through a series of policies and proposals to be delivered through London boroughs. The London Mayor has separately set a target for Tower Hamlets to achieve 90% of all trips to be made by sustainable transport by 2041.

The Tower Hamlets Transport Strategy sets out how the Council plans to transform the way people travel in the borough over the next 20 years through a series of proposals aimed at reducing reliance on cars in favour of sustainable transport.

Alternative options

“Do nothing” option. The lack of a Tower Hamlets Transport Strategy will limit the council’s ability to enhance and embed effective work to make the transport in the borough safe, effective and people centred. Without a transport strategy, we will not be able to have a coordinated approach to addressing adverse impact of transport on residents and economic activities.

6.4 Tower Hamlets Council Equality Policy and Tower Hamlets Council Annual Equality Report 2018-19**DECISION**

1. To agree the Tower Hamlets Council Equality Policy at Appendix 1 to the report;
2. To note the Tower Hamlets Council Annual Equality Report 2018-19 at Appendix 2 to the report;
3. To note the equalities implications set out at paragraph 4 of the report.

Action by:**CHIEF EXECUTIVE (W. TUCKLEY)**

(Strategy and Policy Officer (K. McGinty))

Reasons for the decision

The Tower Hamlets Equality Policy sets out a clear commitment to ensure equality is at the heart of everything the council does, from the money we spend, the people we employ to the services we provide. This is reflective of the broader equality objective set out in the Tower Hamlets Plan 2018-23 and rolling three year strategic plan. It demonstrates the council’s commitment to the Public Sector Equality Duty (PSED) under the Equality Act 2010 and the obligations the council has under this including the collection of equality data and the annual publication of information.

The Tower Hamlets Equality Report 2018-19 provides the opportunity to highlight key pieces of work that have been undertaken to achieve the council’s broader equality objective and reduce the inequalities that were identified through the Borough Equality Assessment 2017-18 (BEA). The BEA is the council’s key tool in identifying inequality in the Tower Hamlets and is incorporated into service planning throughout the council which will feed into strategic plan monitoring and equip services with data to inform further decision making and ensure services are targeting residents who need it most.

Alternative options

The council could choose not to publish an equality policy and not to review progress against the equality issues identified in the BEA. Equality is already embedded throughout the council’s plans, strategies and activities; however, it is considered that having all relevant information relating to equality set out in

the equality policy and reporting on known equalities helps demonstrate the council's commitment to the public sector equality duty pursuant to the Equality Act 2010.

6.5 Physical Activity & Sport Strategy

DECISION

1. To note the report and to agree that the Strategy will be presented to the Health and Wellbeing Board in January 2020.
2. To propose that the Overview and Scrutiny Committee consider the benefit of a scrutiny review of the Council's support for physical activity and sports within the borough.

Action by:

CORPORATE DIRECTOR, CHILDREN AND CULTURE (D. JONES)

(Head of Sport and Physical Activity (L. Pottinger)

(Strategy and Policy Officer (T. Stanley)

Reasons for the decision

This is a report for consultation.

Alternative options

The Council could choose not to have a Physical Activity and Sport Strategy (PASS) that provides a framework for delivering on priorities for improving health through increased levels of physical activity and sport in the borough. Without a strategy stakeholders would not have an agreed vision and outcomes with which to steer their work in partnership over the next five years which may put progress at risk.

6.6 Tower Hamlets Cemetery Park and Lodge (excluding Soanes Centre)**DECISION**

1. To agree that the Council will grant a new lease to the Friends for a term of 30 years at a peppercorn rent, covering the Cemetery Park, but excluding the Soanes Centre and on the main terms set out in paragraph 3.8 of the report.
2. 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.
3. To note the equalities considerations as set out in section 4 of the report.

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

(Interim Head of Asset Management (M. Rourke)

(Senior Strategic Asset Manager (R. Million)

(Strategic Asset Manager (P. Azikie)

Reasons for the decision

The report proposes that a new lease, for a term of 30 years, is granted to the Friends. In April 2018 the Friends, via their appointed architects, made a planning application for the change of use of the Lodge from caretaker's premises to mini cinema, workshop/exhibition space including some alterations and extensions. Spaces within the lodge building can be let out to other organisations on short term hire agreements. Planning permission was granted on the 21st June 2018.

The decisions will secure the long term future of the site and the position of the operator. 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 Friends facing difficulties with fund raising for the project to improve the Lodge and long term planning.
- Grant a shorter lease. This is unlikely to be acceptable to the Friends 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 Friends to raise funding and develop long term plans for the site along with having the ability to raise income via short term hire agreements for space within the Lodge.

6.7 Isle of dogs Neighbourhood Plan-Validation of submission**DECISION**

1. To approve the Isle of Dogs Neighbourhood Plan to be submitted for examination, on the basis that it is compliant with the necessary regulations under the Neighbourhood Planning (General) regulations 2012.
2. To authorise the Divisional Director of Planning and Building Control, in consultation with the Cabinet Member for Planning, Air Quality and Tackling Poverty, to provide comments on behalf of the Council on the submission version of the neighbourhood plan during the Regulation 16 publicity period.
3. To agree that the Council should proceed to appoint an examiner of the neighbourhood plan with the consent of the Isle of Dogs Neighbourhood Forum.
4. To note the Equalities Impact Assessment considerations as set out in Paragraphs 7.1 and 7.2 of the report.

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

(Plan-Making Officer (S. Heywood))

Reasons for the decision

Tower Hamlets Council has received a submission of a draft neighbourhood plan under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ('the 2012 Regulations').

The Council is required to consider whether the submission of the neighbourhood plan meets the legal requirements for such plans under Schedule 10 of the Localism Act 2011. If the submission meets those requirements, the neighbourhood plan should be taken forward to formal consultation and examination.

Officers have assessed the submission against the relevant legislation and regulations and are satisfied that the Isle of Dogs Neighbourhood Plan as submitted meets the requirements to proceed to consultation and examination. This is the reason for recommendation 1 above.

Under Regulation 16 of the 2012 Regulations, the Council must publicise and consult on the submission documents 'as soon as possible' after receiving them (assuming they meet the requirements of the legislation).

The Council organises the consultation under Regulation 16, but is also able to respond to that consultation as an interested party. An adopted neighbourhood plan will form part of the Council's development plan and will have full weight in decision making on planning matters in the neighbourhood plan area. This is the reason for recommendation 2 above.

Schedule 10 of the Localism Act 2011 requires an independent examiner of the neighbourhood plan to be appointed, who will examine the plan following the Regulation 16 consultation. This person should be appointed with the consent of the neighbourhood forum. This is the reason for recommendation 3 above.

Alternative options

The Council may decline to consider a neighbourhood plan submission if it is considered a repeat submission; or can decline to take forward a neighbourhood plan if it considered not to meet the legislative requirements. If the neighbourhood plan submission meets the legislative requirements and does not meet the definition of a repeat proposal, it must be taken forward.

Officers consider that the submission meets the legislative requirements, and is suitably different from the previously submitted Isle of Dogs Neighbourhood Plan that it cannot be considered a repeat proposal, and therefore must be taken forward to consultation and examination. Consequently, there is no alternative option provided.

6.8 Contracts Forward Plan 2019/20 – Quarter three

DECISION

1. To note the contracts summaries at Appendix 1 to the report and agree that all contracts can proceed to contract award after tender.
2. To authorise the Divisional Director, Legal Services to execute all necessary contract documents in respect of the awards of contracts referred to at recommendation 1 above.
3. To note the procurement forward plan 2019-22 set out in Appendix 2 to the report.

Action by:

CORPORATE DIRECTOR, RESOURCES (N. MURTON)

(Head of Procurement (Z. Ahmed))

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 three 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.

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

7.1 Angela Court

The reasons for urgency were noted.

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

DECISION

1. To agree that negotiations with Mulberry Housing Society are terminated.
2. To agree that Angela Court is acquired into the Housing Revenue Account and the units let on secure tenancies.
3. To agree that Angela Court and the units therein are managed by Tower Hamlets Homes subject to any necessary variations to the management agreement.
4. To delegate to the Corporate Director, Place in consultation with the Corporate Director, Finance any further decisions required to achieve the outcomes set out in these recommendations.

Action by:

CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)

(Divisional Director, Housing and Regeneration (K. Swift))

Reasons for the decision

The decision is needed because Cabinet had earlier approved that the Council grant a lease of Angela court to MHS.

Alternative options

The option to continue to negotiate with MHS remains open to the Council. However, under this option the property will remain unlet for a further period for terms to be agreed. This option is not recommended.

8. EXCLUSION OF THE PRESS AND PUBLIC

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 7.50 p.m.

Mayor John Biggs