

**LONDON BOROUGH OF TOWER HAMLETS**  
**RECORD OF THE DECISIONS OF THE CABINET**  
**HELD AT 5.35 P.M. ON TUESDAY, 10 MAY 2016**

**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 Management & Performance)
Councillor Shiria Khatun	(Deputy Mayor and Cabinet Member for Community Safety)
Councillor Rachael Saunders	(Deputy Mayor and Cabinet Member for Education & Children's Services)
Councillor Rachel Blake	(Cabinet Member for Strategic Development)
Councillor Asma Begum	(Cabinet Member for Culture)
Councillor David Edgar	(Cabinet Member for Resources)
Councillor Ayas Miah	(Cabinet Member for Environment)
Councillor Joshua Peck	(Cabinet Member for Work & Economic Growth)
Councillor Amy Whitelock Gibbs	(Cabinet Member for Health & Adult Services)

**Other Councillors Present:**

Councillor Peter Golds	(Leader of the Conservative Group)
Councillor John Pierce	
Councillor Andrew Wood	

**Officers Present:**

Melanie Clay	(Corporate Director, Law Probity and Governance)
Zena Cooke	(Corporate Director, Resources)
Aman Dalvi	(Corporate Director, Development & Renewal)
Debbie Jones	(Corporate Director, Children's Services)
Roy Ormsby	(Service Head, Public Realm, Communities Localities and Culture)
Denise Radley	(Corporate Director Adults' Services)
Will Tuckley	(Chief Executive)
Kate Bingham	(Service Head, Children's and Adults Resources)
Afazul Hoque	(Senior Strategy Policy & Performance Officer, One Tower Hamlets, Chief Executive's)
Shalina Hussain	(Communications Officer, Communications, Chief Executive's)
Martin Ling	(Housing Policy Manager)
Chris Lovitt	(Associate Director of Public Health)
Adele Maher	(Strategic Planning Manager, Development and Renewal)

Jackie Odunoye	(Service Head, Strategy, Regeneration & Sustainability, Development and Renewal)
Rachael Sadegh	(DAAT Manager, Community Safety Service, Communities Localities & Culture)
Karen Sugars	(Interim Service Head, Commissioning and Health)
Matthew Mannion	(Committee Services Manager, Democratic Services, Law, Probity and Governance)

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Stephen Halsey (Corporate Director, Communities, Localities and Culture). Roy Ormsby (Service Head, Public Realm) was deputising.

**2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

None were declared.

**3. UNRESTRICTED MINUTES**

**DECISION**

1. That the minutes of the Cabinet meeting held on 5 April 2016 be approved and signed by the Chair as a correct record of proceedings.

**4. OVERVIEW & SCRUTINY COMMITTEE**

**4.1 Chair's Advice of Key Issues or Questions**

Nil items.

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

Nil items.

**5. UNRESTRICTED REPORTS FOR CONSIDERATION**

**5.1 Planning Policy Explanatory Note on Tall Buildings**

**DECISION**

1. To note the Planning Policy Explanatory Note on Tall Buildings.

**Action by:****CORPORATE DIRECTOR, DEVELOPMENT AND RENEWAL (A. DALVI)**

(Strategic Planning Manager (A. Maher))

**Reasons for the decision**

There is concern that the Council's adopted policies on "Tall Buildings" set out in London Borough of Tower Hamlets Local Plan are not being fully considered in the design of new developments. As a result planning applications for new developments in the Borough are increasingly failing to satisfy the Council's planning policy requirements for "Tall Buildings".

The Explanatory Note has been produced to help address this and to reassert the Council's existing planning policy position on "Tall Buildings".

The purpose of 'The Planning Policy Explanatory Note on Tall Buildings' is to help communicate and ensure that these policies are understood and are interpreted as intended. 'The Planning Policy Explanatory Note on Tall Buildings' does not introduce new planning policy or guidance, and does not have a material weight in making planning decisions.

With regard to residential buildings, it is important to note that high density does not necessarily mean tall buildings.

**Alternative options****ALTERNATIVE OPTION: NO EXPLANATORY NOTE**

The Council could decide not to produce 'The Planning Policy Explanatory Note on Tall Buildings'. The Council's planning judgement is that this would be unhelpful and would fail to utilise an opportunity to manage the application of the Borough's Local Plan policies.

It is considered that publication of the 'The Planning Policy Explanatory Note on Tall Buildings', which reasserts the Council's existing planning policy position, will positively contribute to the more effective and timely delivery of sustainable development in the Borough.

**5.2 Substance Misuse Commissioning (1)**

The Mayor noted the exempt appendix.

**DECISION**

1. To approve contract awards as recommended by the tender panel and set out in Appendix 3 for:
  - a. Tower Hamlets drug / alcohol outreach and referral service
  - b. Tower Hamlets drug / alcohol treatment service
  - c. Tower Hamlets drug / alcohol recovery support service

**Action by:**

**CORPORATE DIRECTOR, COMMUNITIES, LOCALITIES AND CULTURE**  
(Service Head, Safer Communities (A. Bamber))

**Reasons for the decision**

To award drug / alcohol treatment service contracts as recommended following procurement exercise.

**Alternative options**

Restart procurement process. This would further delay satisfactory replacement of important treatment provision and is not considered appropriate.

Extend current contracts without procurement. This would not demonstrate best value and is not considered appropriate.

### **5.3 Substance Misuse Commissioning (2)**

**DECISION**

2. To agree the proposal to decommission the Harbour Recovery Centre.
3. To agree the recommendation that the Council pursue a restricted competition process with the potential provider routes being those set out in paragraph 3.2.6
4. To agree the recommendation for a direct award to ELFT for the Health E1 Homeless Substance Misuse service.
5. To agree the recommendation to pursue a section 75 agreement with Tower Hamlets Clinical Commissioning Group (CCG) for the commissioning of the Specialist Midwifery Service and the Hospital Alcohol and Drugs Service.

**Action by:**

**CORPORATE DIRECTOR, COMMUNITIES, LOCALITIES AND CULTURE**  
(Service Head, Safer Communities (A. Bamber))

**Reasons for the decision**

The Harbour Recovery Centre service is not cost effective for the borough and the current pathway does not fit best practice with regards to substance misuse treatment modelling. The current contract terminates on 30/09/16 and a decision must be made regarding the future of this service.

Services outlined (Shared Care (GP) service, Health E1 Substance Misuse Service, Specialist Midwifery Service and the Royal London Hospital Alcohol and Drugs Service) are contracted until 30/09/16 with authority to extend to 31/12/16 (Mayoral Decision December 2015). A procurement approach must be agreed for all of these services.

The decision to make a direct award to ELFT is proposed on the grounds that the Council has no control over commissioning general practice and ELFT is the sole provider of general practice health services to the homeless in the borough.

**Alternative options**

Harbour Recovery centre options (detailed further in report):

- Maintain current position and continue to purchase current service
- Significantly reduce the value of the current contract
- Remodel the service to provide a mixed use option

Service procurement approaches have been outlined for each of the services concerned to comply with the Council's best value duty. Alternatively services could be decommissioned.

**5.4 Housing Policy and Affordability Commission****DECISION**

1. To agree the recommendations of the Affordability Commission as set out in Appendix 1 to this report taking account of the constraints within the Housing Revenue Account and pending Housing legislation, in particular the Housing and Planning Bill.

**Action by:**

**CORPORATE DIRECTOR, DEVELOPMENT AND RENEWAL (A. DALVI)**  
(Strategic Housing Manager (M. Ling))

**Reasons for the decision**

To assist in the development of housing policy in relation to the Council's response to the provision of genuine affordable housing in the borough and to provide guidance on future rent setting decisions for new build housing in the borough.

To set out clear policy priorities for future decision making in relation to the Council's new build programme.

**Alternative options**

To not approve the recommendations or set out the priorities for future decision making in relation to the Council's new build programme.

**5.5 Hostels Commissioning Plan****DECISION**

1. To approve that officers commence discussion and engagement with service users, providers, stakeholders and landlords as to the future model of the hostel sector to inform the commissioning plan for 2016-2019 including:
  - a. Reducing the level of service provision for women and those in need of abstinent hostel provision, in line with local needs. Currently it is estimated that the reduction in units for women could be from 118 units to 81, whilst for abstinent beds, the reduction could be from 51 units to 35.
  - b. Focus on providing a range of hostel services for those with high and complex needs.
  - c. Reducing the overall size of the hostel sector by approximately 120 beds. This is in recognition that:
    - i. a new hostel move-on service has been developed from Feb 2016, which it is anticipated will provide an additional 60 move on opportunities per annum
    - ii. there are estimated to be at least 35 people who are living in hostels who no longer require support, who can be sensitively moved on (with support if required)
    - iii. there is lower demand from women and those needing abstinent provision as outlined above
    - iv. the Council needs to achieve savings across the portfolio of commissioned services in adult social care
2. To authorise officers in Adult Services Commissioning to liaise with colleagues in legal and procurement to:
  - Consider the potential to exclude services for a defined period, if significant capital is being invested to enable effective management of the programme of works and ensure continuity of both staff and provision throughout the period and minimise any adverse effects on provision and clients going forward.

- Explore such arrangements with hostel landlords to invest in the sector and make improvements to the living environment.
3. To receive a further Cabinet report detailing the proposed hostel contracts to be competitively tendered and details of any exemptions from this.

**Action by:****DIRECTOR, ADULTS' SERVICES (D. RADLEY)**

(Interim Service Head, Commissioning and Health, Adult Services (K. Sugars))

**Reasons for the decision**

The recommendations and proposals have been developed to better match hostel services to local needs, to deliver financial savings as part of the Council's agreed budget and to ensure services operate in an effective way, delivering high quality outcomes.

**Alternative options**

A new Hostels Commissioning Plan is required as contracts are ending during 2016/17 – "commissioning and procuring efficient, value for money adults social care" is critical to the delivery of the Council's Medium Term Financial Strategy and hostel services need to be reviewed as part of this no alternative options have been considered.

**5.6 Children Looked After Strategy 2015-18****DECISION**

1. To note that the overall strategic responsibility for Corporate Parenting lies with the Lead Cabinet Member for Children Services and the Corporate Director for Children Services. The needs of children and young people in and leaving care are also represented on each Children and Families Plan theme group by a Service Manager and/or Service Head, Children's Social Care.
2. To confirm that Tower Hamlets Council believes that an effective corporate parent needs a comprehensive strategy and joint working arrangements with clearly defined roles and responsibilities.
3. To note the contents of the Children Looked After Strategy, and in particular the desired direction of travel and associated cost pressures within Children's Social Care.
4. To note the action strategy included within the Strategy.

**Action by:****CORPORATE DIRECTOR, CHILDREN'S SERVICES (D. JONES)**

(Service Manager, Children's Specialist Services (K. Khan)  
(Community Insight, Quality and Policy Manager, Children and Adults  
Resources (W. Hedger)

**Reasons for the decision**

All Council Departments and Officers are part of the Corporate Parenting task and have a duty of care towards Looked After Children. This strategy therefore is of concern to them as well as staff in social care and education. Care is a vital part of our child protection system. The majority of young people in care say that their experiences are good and that it was the right choice for them. But we know that more needs to be done to ensure that our children in care are healthy and safe, have the same opportunities as their peers and can move successfully into adulthood.

In Tower Hamlets, we believe that all children can do well and we want all Looked After children and young people to grow and belong, have a fulfilling life, live a healthy, happy life; pursue interests, goals and more.

We will ensure children and young people have time to relax, spend time with family and friends, think about what they want to do with their lives, and have a sense of achievement and purpose.

In Tower Hamlets we believe that children in care should be able to wish, dream, and plan with purpose, supported by teachers, foster carers and social care workers and personal advisors who help them believe in themselves and reach their potential. Being believed in costs nothing and can't be legislated for. It's often the single thing that makes the difference.

As the Corporate Parent to children that can't live at home, we want to create the right framework for front-line staff and carers to do a good job, and they we will continue to hold the system to account. This strategy has been developed using a Child rights Based Approach and is grounded in grounded in the UN Convention on the Rights of the Child. We believe the Convention stands as a unifying mandate for children's professionals and provides a framework that will ensure all children and young people feel safe and nurtured, are treated with dignity and respect, and are listened to.

We believe that the care of Looked After Children is everyone's business, from health, schools and colleges, police, housing as well as voluntary and community organisations all have the same level of commitment to these children and young people.

**Alternative options**

Ofsted's inspection of Tower Hamlets safeguarding and looked after children's services in June 2012 commended the borough for its commitment to looked after children and care leavers. The inspection report also praised how this commitment had been effectively articulated within the children looked after strategy (2011/14).



## **5.7 The Tower Hamlets Education Partnership (THEP)**

### **DECISION**

1. To welcome the establishment of the Tower Hamlets Education (THE) Partnership and the potential of its role in establishing a school-led system of improvement which adds value to the whole Tower Hamlets' education system;
2. To ask the Corporate Director for Children's Services in consultation with the Director of Law, Probity and Governance to consider which of the Council's current school improvement services might be delivered from THE Partnership in 2017 and identify appropriate mechanisms accordingly;
3. To endorse the role of the Council in education, as set out in paragraphs 3.24 - 3.38, of this report and to ask officers to explore how the Council's partnership and scrutiny function might develop in support of this role;
4. To ask THE Partnership to report on progress towards these outcomes in a comprehensive annual review of the quality of education in schools in Tower Hamlets, with the first report to be produced in November 2016;
5. To agree that the Council establishes an earmarked reserve from general fund balances of up to £300,000 per annum to THE Partnership for a period of three years to enable it to become self-sustaining and to maintain a tight focus on improvement, as evidenced by progress in the outcomes described in paragraph 3.32 of the report; and
6. To agree that THE Partnership is able to receive services in kind from the Council in support of its progress towards sustainability.

### **Action by:**

#### **CORPORATE DIRECTOR, CHILDREN'S SERVICES (D. JONES)**

(Service Manager Policy, Programmes and Community Insight (L. Richards)

(Finance Business Manager (S. Patni)

### **Reasons for the decision**

As set out above, the decisions sought in this paper will enable THE Partnership to further develop its role in establishing a school-led system of improvement which adds value to the whole Tower Hamlets education system and to become self-sustaining. THE Partnership will cement the successful collaboration which has brought considerable benefits to this borough. The Council's support for THE Partnership will be important in giving it time to becoming fully sustainable and keep the focus where it should be, that is, on

accelerating improvement so that more children and young people thrive and achieve well in Tower Hamlets.

**Alternative options**

To do nothing, the risks of which are highlighted in the report. A changing national policy context and the *Education and Adoption Act 2016* provide added impetus for the establishment and Council support for a schools-led partnership.

**5.8 Maintaining Educational Excellence in Tower Hamlets****DECISION**

4. To note the contents of this report and to agree to receive further reports as developments in relation to the White Paper, *Educational Excellence Everywhere*, and the National Funding Formula occur.

**Action by:****CORPORATE DIRECTOR, CHILDREN'S SERVICES (D. JONES)**

(Service Manager, Policy, Programmes and Community Insight (L. Richards)  
(Finance Business Manager (S. Patni)

**Reasons for the decision**

N/A

**Alternative options**

N/A

**5.9 2016-19 Children and Families Plan****DECISION**

5. To approve the Children and Families Plan 2016-19 and its implementation.

**Action by:****CORPORATE DIRECTOR, CHILDREN'S SERVICES (D. JONES)**

(Community Engagement, Quality and Policy Manager (J. Starkie)  
(Service Manager, Policy, Programme and Community Insight (L. Richards)

**Reasons for the decision**

Approval is sought for the Children and Families Plan for the next three years. It is a partnership plan and different organisations within the borough will continue to have their own plans setting out how their core responsibilities will be met, however this Children and Families Plan states our collective vision for children and families in the borough. Achieving the priorities in the Plan will require input from Council services and a range of other agencies.

**Alternative options**

For alternative or fewer priorities for the 2016-19 Children and Families Plan to be developed.

**5.10 Public Health Grant 2016-17 and 2017-18 - savings proposals****DECISION**

1. To agree for the proposal to go out consultation from the 11<sup>th</sup> May 2016 until 8<sup>th</sup> June 2016.

**Action by:**

**DIRECTOR OF PUBLIC HEALTH (S. BANERJEE)**

**DIRECTOR OF ADULT SERVICES (D. RADLEY)**

**Reasons for the decision**

To make progress on the required public health savings.

**Alternative options**

To do nothing would result in a substantial overspend.

To make savings in different areas, although the areas remaining that were reviewed were considered to be of higher priority or mandatory.

**5.11 Corporate Directors' Decisions****DECISION**

6. To note the Corporate Directors' decisions set out in Appendix 1 to the report.

**Action by:**

**CORPORATE DIRECTOR, RESOURCES (Z. COOKE)**

(Accountant – Financial Planning (A. Kadir)

**Reasons for the decision**

Financial Regulations require that regular reports be submitted to Cabinet setting out financial decisions taken under Financial Regulation B10.

The regular reporting of Corporate Directors' Decisions should assist in ensuring that Members are able to scrutinise officer decisions.

**Alternative options**

The Council is bound by its Financial Regulations (which have been approved by Council) to report to Cabinet setting out financial decisions taken under Financial Regulation B10.

If the Council were to deviate from those requirements, there would need to be a good reason for doing so. It is not considered that there is any such reason, having regard to the need to ensure that Members are kept informed about decisions made under the delegated authority threshold and to ensure that these activities are in accordance with Financial Regulations.

**5.12 List of Individual Executive Mayoral Decisions****DECISION**

7. To note the Individual Mayoral Decisions set out in Appendix 1 to the report.

**Action by:**

**COMMITTEE SERVICES MANAGER (M. MANNION)**

**Reasons for the decision**

This is a noting report to aid transparency.

The reasons each decision were taken are set out in their specific reports.

**Alternative options**

The alternative option would be to not produce this report, but that would not aid transparency of decision making.

**6. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**

Nil items.

**7. EXCLUSION OF THE PRESS AND PUBLIC**

Nil items.

**8. EXEMPT / CONFIDENTIAL MINUTES**

Nil items.

**9. OVERVIEW & SCRUTINY COMMITTEE**

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

Nil items.

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

Nil items.

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

Nil items.

The meeting ended at 6.59 p.m.

Mayor John Biggs