

## LONDON BOROUGH OF TOWER HAMLETS

## MINUTES OF THE CABINET

HELD AT 5.33 P.M. ON TUESDAY, 6 SEPTEMBER 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:**

Peter Robbins	Head of Mayor's office
Karen Badgery	(External Funding & Commissioning Manager, Strategy Partnership & Performance, Children, Schools & Families)
Kate Bingham	(Service Head, Children's and Adults Resources)
Andreas Christophorou	(Service Head, Communications & Marketing)
Zena Cooke	(Corporate Director, Resources)
Margaret Cooper	(Section Head Transport & Highways, Public Realm, Communities Localities & Culture)
Aman Dalvi	(Corporate Director, Development & Renewal)
Kevin Kewin	(Interim Service Head, Corporate Strategy and Equality)
Martin Ling	Housing Policy Manager
Mark Norman	(Legal Advisor)
Jackie Odunoye	Service Head, Strategy, Regeneration & Sustainability, Development and Renewal
Roy Ormsby	(Service Head, Public Realm, Communities

Kelly Powell	Localities and Culture) (Acting Deputy Service Head of Communications)
Matthew Pullen	Major Project Development
Denise Radley	(Director of Adults' Services)
Ann Sutcliffe	(Service Head Corporate Property and Capital Delivery, Development and Renewal)
Alison Thomas	(Head of Housing Strategy, Partnerships and Affordable Housing, Development and Renewal)
Will Tuckley	(Chief Executive)
Matthew Mannion	(Committee Services Manager, Democratic Services, Law, Probity and Governance)

## 1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Melanie Clay (Corporate Director, Law, Probity and Governance) – Mark Noman (Legal Advisor) was deputising.
- Debbie Jones (Corporate Director, Children's Services) – Kate Bingham (Service Head, Resources) was deputising.

## 2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no Declarations of Disclosable Pecuniary Interest. However, Councillor Amy Whitelock Gibbs reported for transparency that her partner was involved in the Friends of Bow Primary School group who were making a submission to Cabinet on Agenda Item 5.7 (Planning for School Places 2016/17).

## 3. UNRESTRICTED MINUTES

### RESOLVED

1. That the unrestricted minutes of the Cabinet meeting held on Tuesday 26 July 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

Pre-Scrutiny Questions were submitted by the Overview and Scrutiny Committee on Agenda Items 5.1 (Medium Term Financial Strategy 2017/20) and 5.5 (Procurement of Cleaning and Associated Services Contract).

They were considered when those items were taken.

In addition, Councillor John Pierce, Chair of the Overview and Scrutiny Committee, provided Cabinet with an update on their meeting the previous week. He explained that the Committee had considered a number of issues including:

- A request received to disallow the Call-In period for an individual mayoral decision on the Academy Conversion of St Paul's Way Trust School. The implications of this request to Scrutiny of not being able to call-in issues and the best way of handling such requests in the future were debated.
- A Joseph Rowntree report on poverty and the clear role for Councils in meeting that challenge.
- How Scrutiny was preparing for its role in examining the Council's budget proposals that were due to be presented to Council in February 2017 and in particular the importance of receiving proper business cases for changes.
- That adverts were out looking to recruit Co-opted Members to the Grants Scrutiny Sub-Committee. Thanks were also given to Mr Nozrul Mustafa who had stood down as a Co-optee of the Overview and Scrutiny Committee after a number of years' valuable service.

The **Mayor** thanked Councillor John Pierce for his update and for the work of the Overview and Scrutiny Committee.

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

Nil items.

### **5. UNRESTRICTED REPORTS FOR CONSIDERATION**

#### **5.1 Medium Term Financial Strategy 2017 - 2020**

Councillor David Edgar, Cabinet Member for Resources, introduced the report setting out the Council's Medium Term Financial Strategy. He outlined that a new approach was being undertaken this year known as outcome based budgeting which looked to link budgets to the Council's priorities. It was noted that the funding settlement details would be updated as the government provided more information on areas such as business rates.

The Administration's final proposals would be presented to Council in February for consideration. Councillor David Edgar then reviewed the submitted Pre-Decision Scrutiny Question and answer provided.

The **Mayor** highlighted the challenge in resolving a budget that was likely to be around £60 million smaller in three years' time. He **agreed** the recommendations as set out in the report.

#### **RESOLVED**

1. To endorse the Council's Outcomes Based Budgeting approach to prioritising resources and the move to a rolling multi-year Medium Term Financial Strategy from 2017-18 to 2019-2020.
2. To note the issues and actions set out in this report which are informing the development of the Council's MTFs for 2017 – 2020.

3. To note the timescales and next steps for reviewing and consulting on budget proposals;

## **5.2 Best Value Action Plan Update, September 2016**

The **Mayor** introduced the report. He explained that the Best Value Action Plan had been prepared in response to the intervention of the Secretary of State and the Commissioners. The report presented to Cabinet was in a draft form and would be revised a little before being submitted to the Secretary of State. It was noted that more than 95% of actions had now been completed and therefore it was hoped that certain of the directions would be lifted following the next review.

Noting that the report would be updated before being presented, the **Mayor agreed** the recommendation as set out.

### **RESOLVED**

1. To agree the 6 monthly update prior to submission to the Secretary of State.

## **5.3 Boroughwide 20mph Limit**

Councillor Ayas Miah, Cabinet Member for Environment, introduced the report reviewing the experimental 20MPH zone implemented throughout the Borough. He drew Members' attention to the statistics contained with the report on driver behaviour since the zone had been introduced and the survey looking at levels of support for the pilot.

Whilst the data was not conclusive it was considered that analysis showed the scheme had improved road safety and so it was worth making it permanent. However, there were a few specific roads where it was proposed the speed limit be returned to 30 MPH and those were listed in the report.

Councillor Andrew Wood, Ward Councillor for Canary Wharf, addressed the meeting. Whilst he supported the principle of encouraging 20MPH roads, he considered that there were a number of locations, such as Manchester Road on the Isle of Dogs, where the lower speed limit was causing dangerous situations such as undertaking and increased collisions. He suggested that the data presented was not robust enough to take a decision to make the scheme permanent.

The Cabinet then moved to discuss the report. In particular they looked at:

- The statistics, especially around accidents involving personal injury/fatalities.
- The overall decrease in speeds by 1.4MPH, in line with targets.
- How quickly road calming measures could be brought in to tackle problem areas.
- Levels of public support for the speed reductions.

The was strong support expressed for the proposals and Members also proposed that Prestons Road, Cotton Street and West India Dock Road should be retained within the 20MPH zone but that the design review should be expedited to tackle any issues on those roads. Prestons Roundabout should also, therefore, be retained within the 20MPH zone.

The **Mayor** amended the recommendations as set out above and then **agreed** them emphasising that it was important that relevant traffic calming measures be brought in on the above roads as soon as possible.

#### **RESOLVED**

1. To agree that the 20mph speed limit Experimental Order is made permanent subject to Leamouth Road and Leamouth Roundabout being omitted from the traffic order and reverting to 30mph.
2. To agree that the roads listed in 5.10 be prioritised for additional traffic calming to reinforce the 20 mph speed limit.
3. To note that further work will continue to review road safety throughout the borough in order to target ongoing traffic calming work to those areas most in need of improvements.
4. To note that further awareness and education programmes will be delivered to build awareness and ownership of the 20 mph limit.

#### **5.4 Social Impact Bond Pan-London Care Impact Partnership**

Councillor Rachael Saunders, Deputy Mayor and Cabinet Member for Education and Children's Services, introduced the report. She explained that this project involved the Children's Services directorate working with the Greater London Authority (GLA) and 5 other London Boroughs to develop a social impact bond funded service to prevent adolescents from entering the care system. She considered that this leading edge project was a very good way of providing the best possible support to these young people.

The **Mayor** welcomed the report highlighting how important the safety of vulnerable young people was to the Authority. He was looking forward to receiving progress reports and he **agreed** the recommendations as set out.

#### **RESOLVED**

1. To authorise the Corporate Director of Children's Services to act as the lead commissioner for the Pan-London Care Impact Partnership.
2. To authorise the Corporate Director of Children's Services to enter into a contract with the Social Impact Bond provider to support young people and their families in Tower Hamlets.

3. Following consultation with the Corporate Director for Children's Services, authorise the Service Head - Legal Services to execute all necessary contract documents in respect of the awards of the Pan-London Care Impact Partnership and an outcomes based contract on behalf of Tower Hamlets.

## **5.5 Procurement of Cleaning and Associated Services Contract**

Councillor David Edgar, Cabinet Member for Resources, introduced the report on the proposed approach to the re-procurement of the cleaning and associated services contracts. He highlighted the locations involved and the list of services required. He noted the Pre-Decision Scrutiny Question and the answer provided. It was noted that an in-house bid was welcome but not necessarily expected due to the size and complexity of the contracts listed.

The **Mayor** noted the discussion and **agreed** the recommendations as set out in the report.

### **RESOLVED**

1. To authorise the re-procurement and subsequent awarding of a cleaning and associated services contract for a term of five years with the option to extend for a further year based on service provision, subject to best value considerations being satisfied
2. To authorise a two month extension to the existing contract arrangement to enable the re-procured contract to commence on 3 July 2017.
3. To note that funding for the procurement exercise is through the General Fund revenue accounts across the various Council services
4. To delegate authority to the Corporate Director of Development and Renewal following consultation with the Lead Member to enter into all necessary agreements to give effect to the decisions in recommendations 1 and 2
5. To authorise the Service Head – Legal Services after consultation with the Corporate Director of Development and Renewal to execute and enter into all necessary agreements

## **5.6 Housing Strategy 2016 - 2021**

Councillor Rachel Blake, Cabinet Member for Strategic Development introduced the report. She explained that the purpose of the report was to bring the strategy to the second stage consultation. Major concerns noted to date included on affordable housing and how many residents were being forced to leave the borough or pay high rents for low quality housing. There were also concerns around the impact of population growth, and how the Housing and Planning Act would worsen the housing crisis.

A number of strategies were proposed including promoting rights for private tenants and creating a housing company to deliver new homes.

The final strategy would be presented to Council in November 2016 for approval.

The **Mayor** thanked officers for the work they had undertaken on this project and in particular thanked Jackie Odunoye, Head of Strategy, Regeneration and Sustainability who was leaving the Council after many years' good work. He also noted the importance of engaging with partners and as such welcomed the presentation to the Health and Wellbeing Board. He noted that too many residents were being pushed out of the Borough.

He **agreed** the recommendations as set out.

### **RESOLVED**

1. To approve the draft Housing Strategy and attached appendices for consultation.
2. To note the responses to the 1<sup>st</sup> stage consultation.
3. To note the arrangements for the second stage consultation.

## **5.7 Planning for School Places - 2016/17 Review**

Councillor Rachael Saunders, Deputy Mayor and Cabinet Member for Children's Services, introduced the report. She explained that the report was looking at how to increase school places in the future including methods of commissioning new schools. She noted the government's Free School presumption and the impact that would have.

She then turned to look at Bow School in particular explaining why the statistics were suggesting changes in demand for places that needed further examination.

Rachel Ellman and colleagues from the Friends of Bow Primary School addressed the meeting. She expressed strong reservations to the suggestion that the development of Bow Primary School was being postponed until 2019. She highlighted the impact this was already having on local parents including those potentially taking the decision to move away over concern for school access.

Councillor Andrew Wood also addressed the meeting. He raised concerns about creating unpredictability in the supply of places and what message that gave to parents. As a general issue he was also concerned about air pollution near schools and requested that this be considered in relation to the planning for new school places.

There was a general discussion of the report during which it was proposed that the consultation process for Bow Primary School should continue at the same time as for Bromley Hall. That way, the data could be examined further and the opening of the school could be brought forward if that was found to be necessary.

The **Mayor** thanked everyone for their contributions and noted the issues raised, in particular around air pollution. He **agreed** the recommendations as amended in respect of the consultation period.

## **DECISION**

1. To note the contents of this report and the progress made in meeting the need for additional places;
2. To note that proposals for specific schemes will be subject to separate consultation and procedures and Cabinet decisions;
3. To agree that the initial consultation on the specification for the new Bromley Hall Primary School and Bow Primary School should proceed.

### **5.8 Report of the Overview and Scrutiny Committee: Improving disabled and ethnic minority staff representation at the senior manager (LP07+) level**

The **Mayor** introduced the report following the Overview and Scrutiny Committee review looking at ways of improving disabled and ethnic minority representation at senior officer levels within the Council. He thanked Councillor Md. Maium Miah who had led the review and he noted that the response of the Executive accepted the recommendations, many of which were already being progressed.

The **Mayor agreed** the recommendations as set out in the report.

## **RESOLVED**

1. To note the challenge session report.
2. To approve the proposed action plan in response to the recommendations.

### **5.9 Promoting a shared responsibility and removing barriers to improved recycling in the borough - scrutiny report**

The **Mayor** introduced the report of the Overview and Scrutiny Committee looking at ways of improving recycling rates within the Borough. It was noted that many of the issues would be covered in the retendering process for the waste contract but that it was important to note that progress was also being made outside of that process.

**RESOLVED**

1. To consider this report of the scrutiny working group and agree the action plan in response to the review recommendations.

**5.10 Corporate Directors Decisions**

The **Mayor** introduced the report listing recent Corporate Director Decisions and **agreed** the recommendation as set out.

**RESOLVED**

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

**5.11 Adoption of Revised Regulation 123 List and Planning Obligations Supplementary Planning Document (SPD)**

The **Mayor agreed** the reasons for urgency as set out below:

Due to a failure of the Committee administrative software, the report was published five days in advance of the meeting but not five clear days. Therefore, as pursuant to Rule 6.1 of the Access to Information Procedure Rules before the item can be considered, the Mayor needs to be satisfied that by reasons of special circumstances the item should be considered as a matter of urgency.

The Mayor believes that it is necessary for this particular report to be considered on 6 September as any delay would have detrimental consequences on the Council's capacity to secure S106 obligations which mitigate the impact of a particular development. The special circumstances being in this instance that failure to proceed after 6 September without a revised Regulation 123 List and Planning Obligations SPD would mean that the Council did not have an up to date foundation upon which to continue to apply S106 obligations within the limitations set out in the CIL Regulations.

Councillor Rachel Blake, Cabinet Member for Strategic Development introduced the report. She explained that the documents attached had been out for consultation and had previously been presented to Cabinet. It was noted that it was important to be clear on what types of contributions would be expected of developers and that the money spent should be balanced between tackling local and wider implications of the developments.

**RESOLVED**

1. To approve the adoption of the revised Regulation 123 List and Planning Obligations SPD (as set out in Appendix A and B to the report).
2. To formally withdraw the previous Regulation 123 List adopted by the Council on 25<sup>th</sup> February 2015.

3. To formally revoke the Planning Obligations SPD adopted by the Council on 11<sup>th</sup> January 2012.

**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 7.17 p.m.

MAYOR JOHN BIGGS