

**LONDON BOROUGH OF TOWER HAMLETS****RECORD OF THE DECISIONS OF THE CABINET****HELD AT 5.40 P.M. ON TUESDAY, 6 DECEMBER 2016****C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,  
LONDON, E14 2BG****Members Present:**

Mayor John Biggs  
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 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)

**Other Councillors Present:**

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

**Officers Present:**

Melanie Aust (Business, Enterprise, High streets & Town  
Centres Manager)  
Mark Baigent (Interim Head of Strategy, Regeneration,  
Sustainability and Housing Options)  
Zena Cooke (Corporate Director, Resources)  
Lorraine Douglas Service Manager Housing Options &  
Procurement  
Shalina Hussain (Communications Officer, Communications, Chief  
Executive's)  
Shazia Hussain (Service Head Culture, Learning and Leisure,  
Communities Localities & Culture)  
Debbie Jones (Corporate Director, Children's Services)  
Adele Maher (Strategic Planning Manager, Development and  
Renewal)  
Mark Norman (Legal Advisor & Deputy Monitoring Officer)  
Nasima Patel (Service Head Children's Social Care, Children's  
Services)  
Matthew Pullen Infrastructure Planning Team Leader  
Denise Radley (Director of Adults' Services)  
Peter Robbins Head of Mayor's office  
Sripriya Sudhakar (Development Design & Conservation Officer,  
Development and Renewal)  
Ann Sutcliffe (Service Head Corporate Property and Capital

Will Tuckley  
Matthew Mannion

Delivery, Development and Renewal)  
(Chief Executive)  
(Committee Services Manager, Democratic  
Services, Law, Probity and Governance)

### **AGENDA ORDER**

During the meeting the **Mayor** agreed to vary the order of business. For clarity the decision sheet is presented in the order the items appear on the agenda.

## **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of:

- Councillor Rachel Blake (Cabinet Member for Strategic Development)
- Councillor Sirajul Islam (Statutory Deputy Mayor and Cabinet Member for Housing Management and Performance)
- Councillor Amy Whitelock Gibbs (Cabinet Member for Health and Adult Services)
- Aman Dalvi (Corporate Director, Development and Renewal) – Ann Sutcliffe (Service Head, Corporate Property and Capital Delivery) was deputising.

## **2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

Councillor Joshua Peck declared an interest in Agenda Item 5.8 (Revised Character Appraisals and Management Guidelines for Driffield Road and Medway Conservation Areas) due to owning a property in the area. Whilst, technically he did not consider it a Disclosable Pecuniary Interest he considered that for good governance he should withdraw from the meeting during consideration of the item in the same way as he had been doing in previous internal discussions on the issue.

## **3. UNRESTRICTED MINUTES**

### **DECISION**

1. That the unrestricted minutes of the Cabinet meeting held on Tuesday 1 November 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 Medium Term Financial Strategy (MTFS) Planning 2017-18 to 2019-20 - Update**

##### **DECISION**

1. To note the confirmation that the Council is formally on the multi-year settlement and that therefore the level of Revenue Support Grant announced in the 2016 Final Local Government Settlement is 'guaranteed' for 2016 – 2020 (Section 3.3 of the report);
2. To note the outcomes from the Autumn Statement and the implications on the Council's MTFS planning assumptions (Section 3.4 of the report);
3. To note the outcomes from the Business Rate revaluation exercise for 2017 and the implications for the Council's MTFS planning assumptions (Section 3.5 of the report); and
4. To note the analysis and outcomes from the Your Borough Your Future budget consultation and have due regard to the issues raised in developing its detailed budget proposals (Section 3.6).

##### **Action by:**

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

Service Head, Finance and Procurement (N. Murton)

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

The Council is under a duty to set a balanced and sustainable budget and maintain adequate reserves such that it can deliver its statutory responsibilities and priorities. The Council must also undertake meaningful budget consultation with key stakeholders.

The government's four year guaranteed financial settlement provides the Council with the opportunity to take a more strategic approach to its budget setting arrangements; building on the existing medium term financial planning approach that the Council has adopted for a number of years. The Autumn Statement provides a further opportunity for the Council to review its approach and assumptions in the light of the national economic projections and political priorities.

Through the adoption of an outcomes based approach over the 3 year planning period the Council is afforded the opportunity to develop proposals

which are more transformational in nature and allow sufficient time for needs led, outcome based service redesign.

A Medium Term Financial Strategy (MTFS) covering the entirety of the resources available to the Council is considered to be the best way that resource prioritisation and allocation decisions can be considered and agreed in a way that provides a stable and considered approach to service delivery and takes into account relevant risks and uncertainty. Other relevant strategies provide further guidance to enable officers to develop and deliver proposals that meet Member's policy direction.

As the Council develops its detailed proposals it must continue to keep under review those key financial assumptions which underpin the Council's MTFS; in particular as the Council becomes ever more dependent on locally raised sources of income through the Council tax and retained business rates these elements become fundamental elements of its approach and strategies.

### **Alternative options**

Whilst the Council has identified a number of proposals for consideration aimed at delivering its MTFS there is no alternative other than to set a legal and balanced budget and agree its Council Tax before the statutory deadline.

The Council could continue with the current approach of agreeing proposals on an annual basis but this does not support a strategic approach which allows for proposals to be managed and implemented over a longer period of time leading to evidenced based policy decisions and better overall outcomes.

It is also inconsistent with the Council's Efficiency Plan which underpins agreement of a guaranteed Four Year funding settlement from the government.

## **5.2 Corporate Budget Monitoring - Month 6 (Q2 2016/17)**

### **DECISION**

1. To note the Council's revenue and capital forecast outturn position as detailed in Sections 3 to 7 of the report.
2. To note the balance sheet information in section 8 of the report.
3. To approve the proposed approach (as set out in the report) to addressing the shortfall against savings previously approved in relation to children's services totalling £966K which cannot now be achieved

### **Action by:**

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

(Chief Accountant (K. Miles))

**Reasons for the decision**

The regular reporting of Revenue and Capital Budget Monitoring information provides detailed financial information to members, senior officers and other interested parties on the financial performance of the council. It sets out the key variances being reported by budget holders and the management action being implemented to address the identified issues.

Set alongside relevant performance information it also informs decision making to ensure that members' priorities are delivered within the agreed budget provision

It is important that issues are addressed to remain within the approved budget provision or where they cannot be contained by individual service management action, alternative proposals are developed and solutions proposed which address the financial impact; Members have a key role in approving such actions as they represent changes to the budget originally set and approved by them.

**Alternative options**

The Council could choose to monitor its budgetary performance against an alternative timeframe but it is considered that the reporting schedule provides the appropriate balance to allow strategic oversight of the budget by members and manage the Council's exposure to financial risk. More frequent monitoring is undertaken by officers and considered by individual service Directors and the Council's Corporate Management Team including approval of management action.

To the extent that there are options for managing the issues identified these are highlighted in the report in order to ensure that members have a full picture of the issue and possible solutions as part of their decision making.

**5.3 The Development of a London Regional Adoption Agency****DECISION**

1. To agree, in principle, to join a London Regional Adoption Agency, subject to detailed financial analysis and business case;
2. To authorise the Director of Children's Services (or equivalent), after consultation with the lead Member Children's Services, to progress arrangements relating to the development and implementation of the London Regional Adoption Agency model.
3. To support a local detailed stakeholder engagement to ensure that the strengths of the current service (culturally sensitive matching, focus on sibling group matching, recruitment of BME and other minority adopters) are not dissipated by the borough entering the new proposed arrangement.

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

(Service Head, Children's Social Care (N. Patel))

**Reasons for the decision**

Request by ALDCS (Association of London Directors For Children Services) to seek an in principle decision from every borough to check interest

**Alternative options**

A number of possible models for the London Regional Adoption Agency have been explored. ALDCS have recommended the creation of a new local authority owned entity operating in a hub and spoke approach. The model is expected to retain a strong local link. It is recognised that local knowledge and relationships will be essential.

**5.4 Implementation of Charging Policy for Community Services in Adult Social Care**

The recommendations were amended and then agreed.

**DECISION**

1. To agree a standard allowance of £15 per week for all utilities (e.g. heating, water and electricity) which will be disregarded from the income used for charging for community-based services.
2. To agree to use a higher standard weekly minimum income guarantee (MIG) for adults under pension age of £151.45 when determining how much service users will be asked to contribute to their care costs for community-based services.
3. To agree a cap on care charges of £250 a week to limit the maximum amount that could be charged to an individual user.
4. To agree that the local authority will not charge interest rates on deferred payments for residential and nursing care whilst the client remains in residential/nursing care.
5. To agree that the local authority will charge administration fees (set out in Appendix IV) in relation to deferred payments for residential or nursing care that reflect the actual costs incurred by the local authority.
6. To agree that the local authority will disregard 10 per cent of any rental income when calculating how much a person with a Deferred Payments Agreement needs to pay towards the cost of residential or nursing care.

7. To note that officers will provide the Mayor with regular monitoring information to enable issues to be highlighted as the implementation progresses.

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

(Project Manager (H. Donnellon))

**Reasons for the decision****Charging for community-based services**

The overarching reason for introducing charging for community social care charges is to manage growing cost pressures and rising demand for support (including from a population predicted to grow significantly), in the face of significant reductions in central government funding for local authorities.

Following the decision of Full Council in early 2016 to introduce charging for community adult care services, further work was undertaken to analyse the options for the detailed policy to support charging. As Tower Hamlets are the last local authority to introduce charging for community services<sup>1</sup>, charging policies for London Boroughs with similar profiles to Tower Hamlets were reviewed. These demonstrated a range of discretions applied making local policies more 'generous' than the national scheme. In line with the Mayor's priorities to tackle poverty, the application of discretions which provide further protection for those on low incomes was proposed. Proposals were drawn up and consulted on to gauge local views which have then informed the final proposals set out in the policy.

Additional allowance for utilities - the statutory framework for charging requires us to make allowances for housing costs. These amounts are deducted from income in deciding how much is available for charging. The regulations specify that these costs must include mortgage payments, rent, ground rent, council tax and service charges, meaning that these essential types of expenditure are protected from charging. Applying a standard allowance of £15 a week for all other utilities which will be deducted from the income available for charging is a discretion and is proposed to reflect consultation feedback and provide additional help to meet the cost of heating, lighting, water etc.

Survey responses and feedback from events with community groups has shown that a majority of people feel that an allowance should be made for other household costs. The response on what costs these should be has been varied although heating, electricity and water bills were cited most frequently. Setting a universal allowance to cover general household costs ensures that no one type of expense is prioritised over another and addresses the range of suggestions made.

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<sup>1</sup> All local authorities now charge for community adult care services with the exception of Hammersmith & Fulham – this Council used to charge but withdrew charging for community social care in recent years through a specific policy decision.

Application of this discretion is in line with the Council's objective to tackle poverty as it would benefit those on lower incomes, who often pay a "poverty premium" for water and other utilities as they are subjected to higher rates, and for whom these essential costs are a far higher proportion of their disposable income, compared to those on higher incomes. This discretion is applied by two of the seven Councils whose policies were considered to inform our policy.

The estimated impact of a £15 allowance for utilities is illustrated at Appendix 6. This shows that, depending on the level of service user income, the income forgone by the Council by adopting this discretion could be up to £1.9m.

Enhanced Minimum Income Guarantee - the statutory minimum income guarantee (MIG) is set at income support or pension credit levels plus 25% and is set at these levels in order to cover living costs. The MIG for each person will vary according to circumstances (Appendix 1 shows the current levels.) The minimum income guarantees as set by government are:

- under 25 £72.40
- over 25 but less than pension age £ 91.40
- over pension age £189

In addition, people eligible for certain disability benefits are entitled to a disability premium of £40.35 a week and enhanced disability premium of £19.70 a week

Using a basic MIG for adults under pension age which is equivalent to the rate for those over 25 but under pension age (£91.40) and adding amounts equivalent to disability premium (£40.35) and enhanced disability premiums (£19.70) would increase the MIG for all single people under pension age to at least £151.45 per week. This is similar to the policy in neighbouring Hackney.

Whilst this would have no effect on those already entitled to a MIG in excess of this amount either through the addition of disability premiums or because they are over pension age and in receipt of a basic MIG of £189, it would ensure that more single people under pension age on very low incomes are not charged at all. Setting the MIG at this level ensures there is a fairer approach to adults needing social care support whose needs are not recognised by the benefits system and would otherwise fall below this level. It also allows us to have a basis for uprating this amount each year in line with the statutory guidance

Exercising this discretion will ensure that service users will be able to keep more of their income and will benefit people who are in the lower income range, as they will keep a higher proportion of their disposable income. More people will be taken out of having to pay a charge at all. This discretion is applied by a number of the other Councils considered. Introducing this

discretion supports the council's strategic objective to tackle poverty. Analysis of the financial impact of charging and the discretions that have been recommended are included as Appendix 6. This suggests that the income forgone by the Council from this discretion could be up to £642k per year.

Weekly maximum charge - applying a cap of £250 per week on the maximum that could be charged would ensure that those who were assessed as having to pay and whose package of care was over £250 a week would make a maximum contribution to the cost of their care of £250 a week. This would particularly benefit those who have very complex needs and therefore a more expensive care package. Through the consultation, stakeholders and residents asked us to consider a cap on charges to avoid people with more complex needs being particularly penalised. A weekly charge of £250 per week is similar to the policy applied in Hackney.

The regulations offer no protection on the cost of care so it is possible to charge the full cost of the care package. Anyone who has a high cost package of care who has to pay the full cost of that care could face a substantial bill and significant lifetime costs, especially those with a disability or health condition that starts at a young age. The Care Act guidance suggests that Councils should consider providing people with protection from unlimited care costs that could see them losing a large proportion of their assets in order to meet the costs of their care.

### **Deferring payments for residential and nursing care**

The Care Act 2014 requires local authorities to provide an option of Deferred Payments for those moving into residential and nursing care who own their own property. In these circumstances an agreement allows for charges to be deferred until the home is sold, at which point money is repaid to the Council. Local authorities have some limited discretions in relation to how Deferred Payments are operated locally.

Interest on Deferred Payments - not charging interest removes a barrier to taking up deferred payments, as interest rates can act as a disincentive. This approach mitigates against the risk that residents on lower incomes will not want to take a deferred payment – or will be reluctant to take up care – out of a real or perceived concern that they will not be able to afford later repayments. In order to mitigate the risk of long delays in sorting out a client's financial affairs following their death, it is proposed to start to charge interest after the point at which the deferred payment becomes due. This approach to charging interest after the point at which the deferred payment becomes due is in line with other local authorities

Administration Fees for Deferred Payment Agreements - Charging administration fees for deferred payments based on the actual amounts incurred will ensure the local authority is not at a financial disadvantage in this respect. This is in line with the approach taken by other local authorities.

Disregard for those Renting out their Property - Disregarding 10 per cent of any rental income when calculating how much a person with a Deferred Payment Agreement needs to pay towards the cost of residential or nursing care will enable residents to keep an amount of income that they are likely to need to keep their property insured and in good repair. This amount is a disregard and should not be confused with their Disposable Income Allowance, which is a fixed amount of money from a person's income that we must allow a person to retain to meet daily living costs. Disregarding 10 per cent of rental income is in line with the approach taken by other local authorities and is considered an appropriate amount for meeting the costs of insurance and repairs.

### **Alternative options**

#### **Charging for community-based services**

Generally, the council could decide not to charge for community-based services, but a previous decision was taken by Full Council to proceed with this policy, as charging would raise crucial income for the council at a time when it has to find £58m of savings in the next three years.

A number of different types of discretions were considered as set out below. In general, the proposed policy was constructed by trying to balance and take into account:

- *A strategic priority to tackle poverty and identify discretions which support those on lower incomes*
- *The experience of other, similar Councils in applying discretions within their charging policies*
- *Feedback from the consultation*
- *The potential impacts on different groups identified in the equality analysis*
- *The income that needs to be generated from charging as part of the agreed Council budget*
- *Financial modelling on the likely impact of different scenarios*

#### *Discretions relating to the assessment of income*

A percentage could be applied to income that is considered to be available for charging. This discretion was common in other councils but seems to have been phased out in recent years. We are only aware of one other borough (Hackney) that currently applies this. It would apply universally to clients with high and low incomes so would likely have a significant impact on council income and effectively benefits those on higher incomes more, as they are more likely to have 100% of their income eligible for charging.

*Discretions related to the assessment of capital*

The regulations specify that capital such as savings and other assets should be considered in carrying out a financial assessment. There are a range of capital sources that must be ignored, and these are attached as **Appendix 2**, other than that, the regulations specify that the first £14,250 of capital should be ignored entirely, and that service users should pay the full cost of care if they have more than £23,250 of capital. Between those two limits, tariff income of £1 per £250 of capital should be added to the assessed income level. For example someone with £20,000 in capital would have £23 added to their weekly income. This is calculated by the difference between £14,250 and £20,000 (£5,750) divided by 250. The Council could increase these thresholds, or reduce the amount of tariff income taken. Some other councils apply this discretion although we have been unable to identify any in London. Exercising this discretion would most benefit people with significant amounts of capital and is not therefore in line with the aim of protecting those on lower incomes. It should be noted that in relation to capital, the value of the home an adult occupies as their main residence is excluded from the assessment of capital.

*Discretions related to allowances*

In relation to disability related expenditure; the discretions that are applied in some other councils involve setting standard rates, with provision to individually assess expenditure for clients who believe they spend more. An example would be that £15 is automatically deducted from assessed income as disability related expenditure, but that any service users who spend more would have to have a full assessment of how much they actually spend. Some clients may benefit financially if their actual expenditure is below the standard rate. However, the standard rates tend to be low and it appears that this discretion is used as a way of making the assessment easier rather than to benefit service users financially. Since we will be carrying out individual financial assessments for all service users as part of the implementation of the charging policy (which will in turn generate data which can be used to estimate income going forward), any advantage through a simplified assessment is considered to be minimal.

*Discretions related to charges*

Discretions related to charges that are used in some other councils are to charge standard (rather than actual) rates for care. Standard rates will benefit clients who are receiving care where the actual cost is higher than the set standard rate and penalise those with actual care costs below the standard rate. This does not appear to be a commonly exercised discretion and may be contrary to the personalisation and choice agenda.

A period of free care could be applied when people first access care services, but this is a discretion that does not appear to be applied by other councils, since applying a number of weeks free care would make the assessment more complex and confusing for service users as there would be different periods with different amounts of charges. Everyone will continue to be

assessed and receive services based on need rather than ability to pay with a financial assessment taking place separately from the needs assessment and many of the services available to service users will continue to be free of charge (such as preventative services accessible to all).

### **Deferred Payments**

The discretions set out in national guidance were considered. The local authority has discretion to charge interest up to a maximum rate that is based on the cost of government borrowing<sup>2</sup>. It also has discretion not to charge interest at all. The proposed application of charging interest following the death of the client aims to balance barriers to take-up of the scheme and prompt access to care with the councils' need to recoup charges incurred in a timely way. It should be noted that not charging interest is likely to have a negative financial impact on the local authority: whilst we recoup the actual amount spent through the deferred payment agreement, the value of the recoupment will diminish over time whilst the cost of services increases. Even though the charges will increase with the Council's charges, this does not account for the loss to the Council of paying for a service in advance of recoupment through the deferred payment agreement. Applying current national government borrowing rates to the average cost of residential and nursing care, the estimated lost income per client over 5 years would be £2,600.

The local authority has discretion to charge administration fees in relation to deferred payments. Not charging residents the actual cost incurred would leave the local authority at a financial disadvantage.

The local authority has discretion when it comes to offering deferred payments on "top-ups"<sup>3</sup>. Not offering deferred payments on top-ups may leave a number of residents with little option but to sell their home in order to pay for the top-up amount. However, it should be noted that offering deferred payments on top-ups will mean that the local authority will be taking on an increased level of financial risk as the amount of payments being deferred will be higher. Offering a deferred payment on a topped-up amount also presents a risk to the local authority of assets being depleted more quickly, and the authority having to pay a high-cost placement if the provider will not accept a

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<sup>2</sup> The maximum interest rate chargeable is derived by adding the weighted average interest rate on conventional gilts ("the gilt rate") to a 0.15 per cent default component. The gilt rate is set out by the Office for Budget Responsibility (OBR) twice a year in their Economic and Fiscal Outlook reports. The maximum interest rate changes every six months to track the gilt rate and it is fixed for six-monthly periods (1 January – 30 June and 1 July – 31 December). The relevant figure to use in calculating the interest rate for a given six monthly period is the gilt rate set out in the Economic and Fiscal Outlook report published most recently before the start of that period for the financial year in which the period is to start. From 1 January to 30 June 2016 the maximum chargeable was 2.15 per cent

<sup>3</sup> A "top up" is an amount of money that a social care user or a third party pays in addition to the contribution they have been asked to pay through a financial assessment. It is typically paid when someone wishes to use a particular service that costs more than the local authority has agreed to pay: That person is "topping up" their care package so that they can use a more costly service if this is in line with their preferences.

lower, non-private rate. Balancing all of these risks, the local policy does not provide for Deferred Payments on tops ups and families would need to take this into account if choosing a home above the fee levels paid by the local authority.

The local authority has discretion in relation to the amount of rental income someone with a deferred payment is able to retain. The local authority could ask residents to contribute less, more or all of their rental income towards the cost of residential or nursing care, but this would potentially leave residents with little resource to pay for insurance and repairs. However, it should be noted that Disposable Income Allowance (a fixed amount of money of a person's income which the local authority must allow the person the option of retaining) is intended to be used to meet daily living costs. Disposable Income Allowance could arguably be used to meet the costs of renting property, such as insurance and repairs.

## **5.5 Children & Young People's Mental Health Services, Scrutiny Challenge Session Report and Action Plan**

### **DECISION**

1. To note the scrutiny challenge session report as agreed by the Health Scrutiny Panel on 20th April 2016 (Appendix 1 to the report) and agree the 'Action Plan' in response to the review recommendations. (Appendix 2 to the report).

### **Action by:**

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

### **Reasons for the decision**

Children's and young people's mental health services provide crucial support in promoting and maintaining the wellbeing of young residents in Tower Hamlets. Many mental health conditions first present during childhood and if left untreated can develop into conditions which need regular care and have long lasting effects throughout adulthood.

In recent years Child and Adolescent Mental Health Services (CAMHS) across the country have been struggling to manage increasing referrals to their services within limited budgets. As a result, many areas have either tightened or redefined their eligibility criteria and have raised thresholds in order to manage demand.

The Health Scrutiny Panel undertook a challenge session on 25<sup>th</sup> February 2016 that brought together key stakeholders to explore the level of provision and the performance of children's and young people's mental health services in Tower Hamlets. This paper presents the report that emerged from that challenge session, and the 'Action Plan' for implementing its recommendations, which Cabinet is required to consider.

**Alternative options**

To take no action. This is not recommended as the scrutiny challenge session provides an evidence base for improving children's and young persons' mental health services in Tower Hamlets.

To agree some, but not all recommendations. All of the recommendations are achievable within existing resources as outlined in the action plan.

**5.6 Homelessness Scrutiny Challenge Session Action Plan****DECISION**

1. To note the report of the Scrutiny Challenge Session on homelessness as set out in Appendix 1 to the report.
2. To approve the action plan which sets out the Council's response to the recommendations of the Scrutiny Challenge Session in Appendix 2 to the report

**Action by:**

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

**Reasons for the decision**

This report outlines the findings and recommendations from the scrutiny challenge session on homelessness (Appendix 1) which was part of the OSC work programme for 2015/16 municipal year. The report was approved at OSC on 7<sup>th</sup> June. The Council's responses to these recommendations are outlined in the action plan in Appendix 2 and both documents are now due for consideration by Cabinet.

**Alternative options**

Cabinet may decline not to agree the action plan. This is not recommended as the report outlines work undertaken by Councillors and officers to identify areas of improvement and the Council's response which identifies actions it will take to implement these recommendations.

**5.7 Tower Hamlets Homes Agreement****DECISION**

1. To extend the Council's Management Agreement with Tower Hamlets Homes (THH) for two years to 7<sup>th</sup> July 2020.

**Action by:**

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

(Interim Head of Strategy, Regeneration, Sustainability and Housing Options  
(M. Baigent)

**Reasons for the decision**

Since 7<sup>th</sup> July 2008, Tower Hamlets Homes (THH), a 100% council owned organisation has provided the council's housing services under a Management Agreement. The council's Management Agreement with the THH is due to expire on 7<sup>th</sup> July 2018.

**Alternative options**

The council can bring THH back in house which some local authorities have done; or tender the service THH currently provides. However, this would require an extensive options appraisal of housing management alternatives; it would also need to mitigate the potential for a decline in performance as staff morale suffers in the transitional period. It would also deplete in-house management capacity at a time when senior management resources in THH are already fully engaged with the THH Transitional Change Programme (see section (6) which the Council fully supports.

The decision of whether to extend the management agreement or to take an alternative approach is highly dependent on the local context. The decision is driven by the wider housing strategy of the borough, the nature of the local housing market and the need for councils to deliver services more efficiently. THH is a key Council partner in mitigating some of the risks to the HRA over the next few years particularly, in relation to the revised rent legislation within the Welfare Reform and Work Act, and policies included in the Housing and Planning Act.

**5.8 Revised Character Appraisals and Management Guidelines for Driffield Road and Medway Conservation Areas**

The recommendations were amended and then agreed.

**DECISION**

1. To note that:
  - The Assessment Report highlights significant harm arising out of the proposals in respect of mansard roofs in the short and medium term and potentially in the long term.
  - Officers' recommendation is to not proceed with these proposals based on the findings from the Assessment Report.
2. To agree 'Option 1' of the Alternative Options listed in part 2 of the report. Namely the 'Packaged Approach' to increase the level of quantifiable public benefit to help mitigate harm. Within Option 1, agree Option 1a 'Integrated Approach' as set out in paragraph 2.12 of the report.
3. To consider the revised Character Appraisals and Management Plans for Driffield Road and Medway Conservation Areas alongside relevant measures for mitigating harm as one single 'package' in Summer 2017

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

(Team Leader, Place Shaping Team (S. Sudhakar))

**Reasons for the decision**

This report follows from the Overview and Scrutiny Challenge Session on *Planning in Conservation Areas: The implications of Conservation Areas on the extension of family homes* which went to Overview and Scrutiny Committee (OSC) in January 2015. The Challenge session identified six recommendations that were agreed by the Overview and Scrutiny Committee (OSC) and Cabinet (The Action Plan setting out the various recommendation is set out in **Appendix 1**).

**Recommendation 3** was to individually refresh the Conservation Area Character Appraisal and Management Documents for the eight Conservation Areas with a predominantly residential character where householders submit the most planning applications, and pressure to provide increased family accommodation is greatest. The eight areas concerned were Chapel House, Driffield Road, Fairfield Road, Jesus Hospital Estate, Medway, Tredegar Square, Victoria Park and York Square Conservation Areas. The actions required included:

- Appraising properties within each Conservation Area and categorising them according to their suitability for extensions;
- Identifying criteria where it would be possible to build additional roof storeys and back extensions and possible restrictions;
- Detailed technical notes for repairs and restoration work and for extensions, backed up by photo visuals to avoid ambiguity.

Of the eight areas, Addendums for Chapel House, Fairfield Road, Jesus Hospital, Tredegar Square, Victoria Park and York Square Conservation Areas were adopted by the Mayor in Cabinet on 26<sup>th</sup> July 2016. The proposals in the Addendums, recommended by officers, identified locations for roof extensions without causing harm to the Conservation Areas. As part of the adoption process officers were asked to consider the possibility of the Council taking an even more flexible approach to roof extensions within the other two areas - Driffield Road and Medway Conservation Areas.

Heritage and design consultants were appointed to explore further opportunities for roof extensions in Driffield Road and Medway Conservation Areas, looking at the most sympathetic form that a roof extension might take. A review of existing Character Appraisal and Management Guidelines for the two Conservation Areas were carried out by the project team. The revised Character Appraisals acknowledge the key positive characteristics, while maintaining the overall structure of the report. The report identifies threats, pressures and opportunities for the Conservation Areas. The revised Management Guidelines provide more guidance on how to implement the opportunities for enhancement and manage development. The Management Guidelines considers how to manage change in the Conservation Area in the short, medium, and long term. It also includes draft prototype designs for mansard roof extensions in the Conservation Areas. For continuity and ease,

the Management Guidelines is integrated into the same document as the Character Appraisal for each Conservation Area. The proposals were subject to an inclusive public consultation between 25<sup>th</sup> July – 11<sup>th</sup> Sept 2016. Officers reviewed all the consultation responses and prepared a detailed assessment of the significance of the impact of a more flexible approach to mansard roofs upon the character and appearance of the two Conservation Areas and the potential public benefits associated with such works in the Assessment Report (Appendix 5).

The Assessment Report highlights the significant and potentially harmful impact of the proposals on the Driffield Road and Medway Conservation Areas in the short and medium term and long term and concludes that the public benefits associated with the proposals may be given only limited weight and do not outweigh the harm identified, particularly in the short to medium term.

In order to inform the decision making process, officers have sought legal advice from Counsel about the lawfulness of taking such a permissive approach whilst acknowledging the potentially harmful impact on the two Conservation Areas in the short and medium term. Counsel advice acknowledges officers' recommendation to not progress with a permissive approach to mansard roof extensions in the absence of significant public benefits associated with the proposals to mitigate harm to the two conservation areas. A summary of this feedback is set out in the body of this report and also in Section 2.

This report sets out officers' recommendation to not proceed with the proposals due to their impact on the character and appearance of the two Conservation Areas.

### **Alternative options**

Note – these were the alternative options set out in the report. The final decision was to take Option 1 of the two listed here. The original officer recommendation in the report was to not proceed with the proposals in respect of mansard roofs due to the harmful impact on the character and appearance of the Conservation Areas.

- 2.1 As set out in the body of this report and detailed in the Assessment Report (Appendix 5), a more permissive approach to mansard roof extensions will cause harm to the character and appearance of the Driffield Road and Medway Conservation Areas. Public benefits associated with such a permissive approach are largely personal and not public and this is identified in the Counsel advice. Officers' recommendation is to not pursue a more permissive approach to mansard roof extensions as this will compromise the Council's statutory duty to preserve and enhance the character and appearance of the two Conservation Areas. If the Mayor agrees with the officer recommendation and decides not to take forward the proposals having regard to the significant and harmful impacts on the two Conservation Areas, then the proposals as prepared will be withdrawn and the detailed design guidance prepared for the mansard roof extensions will

be removed from the Character Appraisal and Management Plan document. The revised appraisals without the mansard roof guidelines are still recommended for adoption. Roof extensions will then be determined on a case by case basis based on existing local plan policies.

- 2.2 Should the Mayor and Members decide to pursue a more permissive approach to mansard roof extensions in these two areas, officers have identified options for consideration. The options set out below have been informed by independent Counsel advice. Officers have also taken legal advice from the Council's Legal Team in formulating these options.

**Option 1 –‘Packaged Approach’: Increasing the level of quantifiable public benefit to help mitigate harm**

- 2.3 One option available for taking a more permissive approach is to mitigate the level of harm identified in this report and in the Assessment Report (Appendix 5). To help mitigate the level of harm to the Driffield Road and Medway Conservation Areas, the level of public benefit secured through a permissive approach to mansard roof extensions would need to be increased substantially. One way in which this might be achieved is to introduce a package of measures to secure such benefits as part of a planning application for mansard roof extensions. This approach is referred to as a *‘packaged approach’* to mansard roof extensions in the two Conservation Areas.
- 2.4 It is proposed that such a *packaged approach* to mansard roof extensions would comprise of a planning application for mansard roof extensions which includes other improvements to the appearance of the dwelling, along with other contributions to mitigate the harm identified in the Assessment Report secured through the planning application and through an accompanying legal agreement. Together this would include:
- *Enhancement works*: Works to address issues arising in respect of the dwellings concerned including reinstating cornices, redoing brick work, reinstalling timber sash windows etc. Works will be specific to the property / application site.
  - *Limited off-site contributions*: This would include financial contributions for improving the character and appearance of the relevant conservation area within which the application site is situated and to contribute to monitoring of the conservation area.
- 2.5 The revised Character Appraisals and Management Guidelines for the Driffield Road and Medway Conservation Areas (Appendix 2) identify opportunities for enhancement within the two areas and these include - works to enhance the facade brick work, the repair and reinstatement of railings, the restoration of cornices and works to improve the public realm. A packaged approach will focus on guidance supporting the approval and development of mansards as part of a package with (a)

works to address issues arising in respect of the dwelling concerned (and its current contribution to the character and appearance of the conservation area concerned) and (b) some limited off-site contributions. Such an approach would allow the Council to mitigate harm to some degree. Enhancement works would thus be expected to form part of the planning application. For example, an application for a mansard roof may include reinstatement of the parapet cornice.

- 2.6 In terms of the off-site contribution, financial contributions may be secured through a legal agreement proportionate to the increased floor area of the planning application towards public realm enhancement in the conservation area. This for example could contribute towards improving the streetscape, street lighting etc.
- 2.7 In order for the 'packaged approach' to be effective, the mechanism for securing such enhancement works and off-site contributions needs to be secured in advance of applications for mansard roof extensions coming forward in the Driffield Road and Medway Conservation Areas. The 'packaged approach' did not form part of the original consultation when the proposals were presented to residents in summer 2016 and therefore further work would need to be undertaken to establish the mechanism and process for implementing a 'packaged approach'. This should be subject to re-consultation with residents.
- 2.8 The 'packaged approach' raises financial implications, along with other considerations for applicants. It is considered important that the implications are clearly identified, and the public are consulted in advance of such proposals coming into force in order to hear their views and to ensure that the Council is not subject to any future challenge. Officers therefore recommend a 6 week consultation period to be undertaken. Public consultation will focus on the proposed 'packaged approach' to seek feedback on the proposed approach to mitigate a degree of harm through the necessary 'enhancement works' and 'financial obligations'.
- 2.9 The consultation will also provide an opportunity to identify how to streamline applications for consideration - for example: how applicants will know what specific 'enhancement works' will need to be identified in the submission; what level of financial contribution will be expected from applicants will be identified and will be set out clearly such as £ per sqm. This is important for transparency and clarity for everyone involved.
- 2.10 The consultation will also provide an opportunity for local people in the Driffield Road and Medway Conservation Areas to identify priority public realm projects in their area towards which contributions could be secured and a timescale for their implementation and monitoring can be agreed.
- 2.11 Sections 2.1 - 2.10 above are essential in establishing how public benefits in the area can be augmented and how they can serve as a

useful tool when assessing planning applications for roof extensions in the two Conservation Areas. It is important to note that should an application for a mansard roof be submitted in the absence of the above mentioned packaged approach (i.e. prior to the Council carrying out further work and adopting guidance on this) the application will be assessed on a case by case basis against existing local plan policies.

2.12 Officers would like to bring to Members' attention the timescales for adopting such a 'packaged approach' to mansard roof extensions. It is important to note that there are two options for progressing such a packaged approach. These are set out in detail in Appendix 9.

- Option 1a is an **integrated approach** that involves further work to establish a mechanism to secure a package of contributions and undertaking public consultation with a view to taking a decision whether or not to adopt in June 2017. In this approach, the principle of mansard roof extensions in Driffield Road and Medway Conservation Areas could be considered and a decision taken whether to adopt the revised documents alongside the relevant measures for mitigating harm as one single 'package' by Cabinet in June 2017.
- Option 1b is a **two-pronged approach** that involves approving the principle of mansard roof extensions at the 6<sup>th</sup> December 2016 Cabinet whilst acknowledging the need to undertake further work to establish the mechanism for securing additional public benefits and the adoption of a package of measures by Cabinet in July 2017 if they are deemed acceptable at that time. In this approach, principle of mansard roof extension will be agreed at December Cabinet. Additional work will involve establishing a mechanism to secure a package of contributions and undertaking public consultation and adoption in July 2017. It is important to note that until mitigation measures are adopted, applications for mansard roof extension will be determined on the basis of existing planning policy.

2.13 It should be noted that whilst this approach will help to mitigate the level of harm to the Driffield Road and Medway Conservation Areas to some degree, harm will still result under this approach.

#### **Option 2 – Accept Harm**

2.14 This option involves Cabinet considering officers' advice and reaching a conclusion about the level of harm that they have assessed would be suffered as a result of a decision to take a more permissive approach, and, subject to the below, accepting this level of harm because they believe there will be significant public benefits. In taking a decision to accept harm to the Driffield Road and Medway Conservation Areas members are entitled to consider the public benefits that would be secured, however, in the determination of applications for development in Conservation Areas or in the exercise of any functions under the planning Acts (including in taking decisions in relation to conservation

areas), statute specifically requires the Council to pay special attention to '*the desirability of preserving or enhancing the character or appearance of that area*'. As a statutory obligation this requirement to preserve or enhance the character or appearance of the conservation areas must be given considerable importance and weight when balancing the harm against any public benefits, and it is not enough to simply ask whether the benefits of the policy outweigh the harm. Providing members have paid special attention to the desirability of avoiding that harm and have acted lawfully in all other respects (see the Legal Comments in Section 5 of this report), Cabinet are entitled as a matter of law to take decisions that would result in harm in this context.

- 2.15 It is considered that the content of this report and accompanying appendices details how the Council has paid special attention to this consideration and has acted lawfully.
- 2.16 This approach is not recommended by officers for reasons set out in Section 3 paragraphs 3.30 to 3.55 of the report.

## **5.9 Area Profiles and choice of Pilot Town Centre**

### **DECISION**

1. To note the contents of the draft Area Profiles and key findings (see Appendix 1 to the report) and that the performance matrix for all town centres is made available for consideration when available.
2. To delegate authority to the Corporate Director Development and Renewal to oversee the completion of these Area Profiles, including the development of the performance matrix and the delivery of digital maps for all Town centres as part of the #Shoptowerhamlets retail promotion project being delivered in November/December 2016.
3. To agree to the establishment of local partnerships in identified town centres: – building on the Business Forum in Bethnal Green, the regeneration activity in Whitechapel and developing new partnerships in Roman Road West and Watney Market. These partnerships will take ownership of developing the vision and offer in town centres and of monitoring performance in achieving this vision and the objectives.
4. To agree that the pilot proposals identified in paragraph 4.2 of the report in respect of revenue funding and 4.3 in respect of capital funding are agreed in principle for the identified town centres.
5. To request officers to identify and align complementary projects such as improving Wi-Fi access in town centres, developing cultural trails

and potential match funding to maximise the impact of the pilot programme.

6. To agree that specific elements of revenue and capital work identified commence – including any procurement activity and/or commissioning activity required, working in partnership with other Council departments and external stakeholders.

**Action by:**

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

(Business and Town Centre Manager (M. Aust))

**Reasons for the decision**

The Thriving High Streets project was approved by the Greater London Authority (GLA) in 2015 to be funded from the top-sliced New Homes Bonus funding. The key deliverables of the project include the appointment of the Town Centre team (completed in June 2016), the completion of a Town Centre Strategy (consultancy support procured in July 2016 and Strategy due to be submitted for approval in March 2017), the development of Area Profiles (underway) and the delivery of a pilot programme of activity (to be agreed and procured as required following approval of this report).

Funding for the project is, therefore, subject to the contractual agreement with the GLA (as funding body) that the Council signed in August 2016. Approval of this report and its recommendations will ensure that funds are expended and key deliverables achieved in accordance with this agreement.

The revenue and capital funding associated with the project totals £2.3m. This now requires the formal approval of the Council to meet its Financial Regulations.

**Alternative options**

Consideration has been given to the scope of the pilot activity and how it should be expended. In order to maximise impact across all key town centres it is proposed that 7 District Centres should benefit from revenue supported activities. For the capital expenditure it is proposed that 3 of 9 areas should be prioritised, where there has not been significant capital spend to date. This should help to develop specific tailored responses to locally identified needs rather than a 'one size fits all' approach across the borough.

## 5.10 The Infrastructure Delivery Framework: Projects for Approval

### DECISION

1. To approve the allocation of £2,380,080 of S106 funding to the projects set out in Table 1 of the report and profiled in the Project Initiation Documents attached at Appendices A to C to the report and as set out below:
  - a) Hackney Wick Station Improvements: £1,000,000
  - b) Regenerating Brick Lane: £985,280
  - c) TfL Commercial Road A13 and Watney Market Urban Realm and Safety Improvements: £394,800
2. To approve the adoption of capital budgets in respect of the projects set out in the three PIDs and incorporate them into the Council's capital programme. The capital budgets equate to:
  - a) Hackney Wick Station Improvements: £1,000,000
  - b) Regenerating Brick Lane: £589,000
  - c) TfL Commercial Road A13 and Watney Market Urban Realm and Safety Improvements: £394,800
3. To approve entering into a funding agreement within the London Legacy Development Corporation (LLDC) for the Hackney Wick Station improvements project.

### Action by:

#### **CORPORATE DIRECTOR, DEVELOPMENT AND RENEWAL (A. DALVI)**

(Service Head, Planning and Building Control (O. Whalley)

(Acting Service Head for Economic Development (A. Scott))

### Reasons for the decision

Approval is sought to deliver these projects for the following reasons:

1. They help contribute to the delivery of positive improvements to people's lives that will underpin the Community Plan themes of:
  - A Great Place to Live;
  - A Fair and Prosperous Community;
  - A Safe and Cohesive Community.
2. They will improve the public realm, accessibility, and wellbeing of residents and workers; improve economic activity, and employment and enterprise opportunities, as well as overall levels of public participation.

Please refer to the attached Project Initiation Documents (PIDs) for more information about the projects.

**Alternative options**

The projects within the attached PIDs can be individually or collectively approved. The only alternative option is to not allocate the funding to some or any of these projects. It should be noted that, with regard to the 'TfL Commercial Road A13 and Watney Market Urban Realm and Safety Improvements' project, the funding intended to be used was collected by the Council on behalf of TfL so this funding will need to be provided onto TfL in any event.

It should be noted that the use of S106 funding proposed for allocation in this report is restricted, as it must be spent in accordance with the terms and conditions of its expenditure pertaining to a specific S106 agreement related to the development from which it originates. This may restrict the spend of S106 funding for certain infrastructure types or projects and also by the geographic location of the project.

Any alternative spend of this funding would have to be on the projects that would meet the requirements of the relevant S106 agreement.

**5.11 The Infrastructure Delivery Framework: Neighbourhood Portion of CIL****DECISION**

1. To approve the adoption and implementation of the LIF process as proposed in Figures 1 & 2 of the report.
2. To approve the apportionment of 25% of LBTH CIL receipts resulting from development to the LIF across the whole borough.
3. To approve the adoption of the boundaries as proposed in Section 6 of this document and displayed in Appendix A to the report.

**Action by:**

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

(Service Head, Planning and Building Control (O. Whalley))

**Reasons for the decision**

There are multiple reasons for the implementation of this process of allocating funding to infrastructure projects:

- a) To ensure that regulatory requirements regarding the CIL Neighbourhood Portion are met, including the engagement of local people regarding the spend of LIF;
- b) To ensure that decisions relating to the allocation and expenditure of the LIF are subject to appropriate oversight;
- c) To ensure that relevant decisions are appropriately transparent and comply with the aims of the Mayor's Transparency Protocol;

- d) To ensure that the delivery of infrastructure in the borough accords with the Council's Best Value objectives as set out in the LBTH Best Value Strategy and Action Plan (2015);

### **Alternative options**

It is not considered that there is any substantially different alternative to the process recommended for dealing with engagement on the CIL Neighbourhood Portion. The Council is obliged by Government Guidance (Section 4) to undertake engagement. There are however alternatives to the proportion of CIL allocated as Neighbourhood Portion and the proposed consultation boundaries as set out below:

Alternative Option 1: Allocate a lower proportion of CIL to infrastructure projects funded through the Local Infrastructure Fund (LIF).

The level of funding attributed to the LIF could be the same as that detailed within the CIL regulations (Reg. 59A and 59F). This would mean that in areas where development takes place that have no Neighbourhood Plan in place, 15% of the CIL receipts collected would be allocated to the LIF, subject to a cap of £100 per Council Tax dwelling.

This option is not considered appropriate because in areas where there is no Neighbourhood Plan in place, the residents would be at a disadvantage compared to those residents living in areas where there is a Neighbourhood Plan in place. This would be a less equitable approach.

Alternative Option 2: Use alternative boundaries.

The approach to the boundaries proposed in Section 6 and Appendix A could be altered in order to utilise the existing Ward boundaries. This option is not considered the ideal approach, as the scale of development and impact of infrastructure is not restricted to an area as small as a Ward area.

A further alternative could be to use the entire borough as the 'area' and not use boundaries. This option is not considered appropriate as the size of the area would not allow the consideration of the local impacts of development on infrastructure and it would be contrary to the intention of the Government Guidance (Section 4).

## **5.12 Boishakhi Mela**

### **DECISION**

1. To review the options for the future delivery of the Mela.
2. To approve the recommendation that the 2017 and 2018 Mela is delivered in house whilst we market test other options outlined in this report.
3. To agree to provide funding up to £170k for the in-house management of the Mela.

**Action by:**  
**CHIEF EXECUTIVE AND ACTING CORPORATE DIRECTOR,**  
**COMMUNITIES, LOCALITIES AND CULTURE (W. TUCKLEY)**  
 (Head of Arts, Parks and Events S. Murray)

### Reasons for the decision

Officers recommend that by agreeing to keep the delivery of the Mela in house for 2017 and 2018 this would allow a reasonable length of time to give full consideration to the options on future delivery and test the market.

### Alternative options

For future delivery of the Mela we proposed the following 4 options for consideration:

**Option 1** - The tender out as a commercial event opportunity to run a Mela in Weavers Fields or Victoria Park with little or no subsidy from the council.

It is unlikely that any commercial promoters would tender for an opportunity to run the Mela unless they were permitted to ticket the event or elements of the event, as the scope for raising funds through sponsorship and trading is probably not sufficient to generate a reasonable profit. This view is based in part on previous production spend on the Mela against sponsorship and trading income, achieved both when delivered in house and by third party. Also we can find no examples of unticketed commercial run events of similar nature that run without any element of public subsidy.

Pros of commercial tender	Cons of commercial tender
Commercial organisations likely to have experience of managing large outdoor events and have access to the appropriate level of professional expertise	Limited take up of tender opportunity unless allowed to ticket the event. Numbers attending would drop if ticketed. (this happened at London Mela in 2015 which has now stopped)
May find it easier to secure artists	May have to have a looser event spec in order to allow the company more freedom to scope their own delivery model
Likely to have marketing expertise and good access to marketing channels	Fairly specialist area in the world of outdoor music/cultural events which would limit the number likely to be interested.
Less cost to the Council	Would likely lessen the engagement with the local community unless provided with a financial incentive to do so.
May be a good way to widen the audience base for the Mela by more diverse programme	Would be difficult to control artistic content which might not work with core audience

**Option 2** - Tender out as a community event with some subsidy from the council

When the event was previously tendered out to community organisations there was only one response, BMCT. There would be more of a challenge for council in ensuring a safe event and transparency around finances with regard to audit requirements not being met. It is noted that the event took place in 2015 with no grant, just the cost of in kind delivery by Arts and Events detailed above. However it is unlikely that there would be many community organisations with the capacity to cover the costs in this way from the off even if they could obtain grants from bodies such as the Arts Council. Grants of this nature have largely come to an end in recent times.

<b>Pros of community tender</b>	<b>Cons of community tender</b>
Community ownership and local knowledge	Can be divisive if there are competing elements within the borough
More likely to provide employment and opportunities for training for local residents than a commercial organisation.	Limited number of organisations with capacity and knowledge to take on such a large event and could fail to obtain a licence if plans not robust
	Ongoing costs to Council
	Is likely to be seen as a grant and an earlier decision by the Commissioners was that any grants of this nature should go through the Mainstream Grants process.

**Option 3** Keep the delivery of the Mela in house

<b>Pros of in house delivery</b>	<b>Cons of in house delivery</b>
Proven track record of effective delivery so lessens risks of poor or no event and community division.	Community may be split over whether this should be a community run event
Enables Council to have maximum control over content and delivery framework	Ongoing costs to council though there is scope for improved sponsorship and trading income over 2016 event – less like for sponsorship if a council event
Ensures effective community engagement	If the event had to be cancelled due to lack of funds available then this could cause reputational damage.

**Option 4 – Do nothing**

The Council could after the delivery of the 2016 Mela announce that it did not have the resources going forward to either deliver the Mela itself or provide the required level to a third party to deliver the event. This would not stop any organisation coming forward with their proposals to deliver a Mela without funding support which could be evaluated on merit with regard to use of Council parks space.

**5.13 Mayor's Individual Executive Decisions – List of Recently Published Decisions****DECISION**

1. To note the Individual Mayoral Decisions set out in the Appendices 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.

**5.14 Corporate Directors' Decisions****DECISION**

1. To note the Corporate Directors' decision 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.

**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 7.38 p.m.

Mayor John Biggs