

**LONDON BOROUGH OF TOWER HAMLETS**  
**RECORD OF THE DECISIONS OF THE CABINET**  
**HELD AT 5.34 P.M. ON TUESDAY, 27 JUNE 2017**

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

**Members Present:**

Mayor John Biggs	
Councillor Sirajul Islam	(Statutory Deputy Mayor and Cabinet Member for Housing)
Councillor Rachael Saunders	(Deputy Mayor and Cabinet Member for Health & Adult Services)
Councillor Rachel Blake	(Cabinet Member for Strategic Development & Waste)
Councillor Asma Begum	(Cabinet Member for Community Safety)
Councillor David Edgar	(Cabinet Member for Resources)
Councillor Abdul Mukit MBE	(Cabinet Member for Culture and Youth)
Councillor Joshua Peck	(Cabinet Member for Work & Economic Growth)
Councillor Amy Whitelock Gibbs	(Cabinet Member for Education and Children's Services)

**Other Councillors Present:**

Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Denise Jones	(Chair of the Overview and Scrutiny Committee)
Councillor John Pierce	(Mayoral Advisor on Anti-Social Behaviour)
Councillor Andrew Wood	

**Others Present:**

**Officers Present:**

Zena Cooke	(Corporate Director, Resources)
Ann Corbett	Divisional Director - Community Safety
David Courcoux	(Deputy Head of Mayor's Office)
Fiona Crehan	(High Streets and Town Centres Manager, Place)
Paul Dunn	ASB Consultants
Debbie Jones	(Corporate Director, Children's)
Nancy Meehan	(Interim Improvement Manager, Children's Social Care)
Maxine Moar	Program Manager
Neville Murton	(Divisional Director, Finance, Procurement & Audit)
Denise Radley	(Corporate Director, Health, Adults & Community)
Michael Ritchie	(Principal Officer - Place Shaping)
Andy Scott	(Head of Economic Development, Place)

Ann Sutcliffe	(Divisional Director, Property & Major Programmes)
Will Tuckley	(Chief Executive)
Owen Whalley	(Divisional Director, Planning & Building Control)
Graham White	(Acting Corporate Director, Governance)
Matthew Mannion	(Committee Services Manager, Democratic Services, Governance)
Nadir Ahmed	(Business Support Manager, Place)
David Knight	(Senior Democratic Services Officer)

## **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillor Amina Ali (Cabinet Member for Environment).

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

There were no Declarations of Disclosable Pecuniary Interests however Councillors Joshua Peck and Rachel Blake both declared personal interests in Agenda Item 5.3 (Revised Character Appraisals and Management Guidelines for Driffield Road and Medway Conservation Areas) and stated that they would leave the room for the duration of that item.

## **3. UNRESTRICTED MINUTES**

### **DECISION**

1. That the unrestricted minutes of the Cabinet meeting held on Tuesday 2 May 2017 be approved and signed by the Mayor as a correct record of proceedings.

## **4. OVERVIEW & SCRUTINY COMMITTEE**

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

A number of Pre-Decision Scrutiny Questions were submitted in relation to the following agenda items:

- 5.1 – Response to OFSTED SIF Inspection
- 5.4 – Town Centre Wifi Programme
- 5.5 – Update on the Civic Centre Project
- 5.9 – List of Executive Mayoral Decisions

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

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

Nil items.

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

### **5.1 Response to OfSted SIF Inspection**

#### **DECISION**

1. To note the contents of the report and approve the submission of the Improvement Plan to the Department for Education by the 20 July 2017.

#### **Action by:**

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

(Divisional Director, Children's Social Care (N. Meehan))

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

The Local Authority is required to submit to the Department for Education a "written statement of action" in response to the Ofsted report. Ofsted are not responsible for endorsing the plan, however they will write to the Director of Children's Services to confirm that the or improvement plan reflects the recommendations.

#### **Alternative options**

The local authority must submit a response to the inspection report to the Department of Education. However, Cabinet could decide to request further amendment prior to submission.

### **5.2 Anti-Social Behaviour - A Blueprint for Local Action in Tower Hamlets**

#### **DECISION**

1. To approve the new approach to tackling anti-social behaviour set out in the document "Anti-Social Behaviour – A Blueprint for Local Action in Tower Hamlets" attached to the report.

#### **Action by:**

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

(Divisional Director, Community Safety, A. Corbett)

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

Anti-social behaviour and crime are the top priority concern for local people in Tower Hamlets. Tackling anti-social behaviour through a new approach is a key priority for the Mayor and is reflected in the Council's Strategic Plan.

Anti-social behaviour can have a devastating impact on residents, communities and businesses. The definition of anti-social behaviour includes a wider variety of behaviours and activities and individuals differ greatly in their views on what constitutes anti-social behaviour and what is acceptable and can be tolerated. Our new approach grapples with the definition and dilemmas this raises, some of which are particular to our diverse, vibrant

urban context. Residents, businesses and visitors should not have to tolerate anti-social behaviour and should be and feel safe within the borough. The new approach sets out how we will tackle both prevention and enforcement around anti-social behaviour which causes harm and distress.

Following a review of anti-social behaviour (Moar and Dunn, 2017), the document "Anti-social behaviour – A Blueprint for Local Action in Tower Hamlets" sets out what the Council and the Community Safety Partnership intends to do to prevent and tackle anti-social behaviour. The document provides a clear commitment to action with timescales and metrics which will be used to demonstrate our progress. Considerable change within Council services and ways of working across the Council and its partners will be required to achieve the outcomes.

### **Alternative options**

The Council could continue with its current arrangements for tackling anti-social behaviour however it is widely accepted that these are not sufficiently effective in preventing or addressing the range of anti-social behaviour issues that residents face. There is a clear need to improve the experience of residents and improve satisfaction rates. The review of anti-social behaviour confirms the case for significant change.

The Council could introduce a new approach without publishing a blueprint document however there is a need for a clear position statement and a commitment to action which is available to all residents and businesses and agreed across all partners. A short, focused blueprint document has been identified as the best way to address this.

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

The Mayor reviewed the options presented in the recommendations.

### **DECISION**

1. To pursue a more permissive approach to mansard roof extensions in the Driffield Road and Medway conservation areas by adopting the Revised Character Appraisals and Management Guidelines (Appendix 2A to the report) and the enhancement guidance documents (Appendix 2B to the report).

### **Action by:**

**ACTING CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)**  
(Divisional Director, Building and Planning Control (O. Whalley)  
(Place Shaping Team Leader (M. Ritchie)

### **Reasons for the decision**

Following the Cabinet decision on 6 December 2016, officers have examined ways in which the levels of quantifiable public benefit associated with mansard roof extensions could be increased. These mitigation measures were the subject of public consultation from 7 April to 14 May 2017. Officers

have considered the outcomes of this consultation and have reassessed the impact of a more permissive approach to mansard roof extensions in light of the proposed mitigation measures.

The Updated Assessment Report concludes that the proposed measures for increasing the level of quantifiable public benefit would mitigate harm to the historic environment to some degree. However, it also concludes that, overall, a more permissive approach to mansard roof extensions would still result in an unacceptable degree of harm to the character and appearance of the two conservation areas. In view of this, officers recommend that the Council not pursue a more permissive approach to mansard roof extensions due to the impact on the character and appearance of the conservation areas.

### **Alternative options**

The alternative option to that chosen was to determine that a more permissive approach to mansard roof extensions would result in a degree of harm in the short and medium term and so not to proceed with proposals to permit a more permissive approach.

## **5.4 Town Centre Wi-fi Programme**

### **DECISION**

1. To authorise the procurement of a Provider for the provision of free public Wifi network in the borough through the deployment of technology on Council-owned street furniture via a concession agreement;
2. To authorise Corporate Director, Place, following consultation with the Lead Member, to award a concession contract and approve other ancillary or related contractual documentation, on the basis of the most economically advantageous tender following a compliant procurement exercise;
3. To authorise Corporate Director, Governance, following consultation with Corporate Director, Place, to enter into and execute all necessary documents to give effect to recommendation 2;
4. To note that a further report will be presented to the Mayor in Cabinet regarding the proposed Fibre and Ducting concession agreement to be procured; and
5. To note that the delivery plan and outcomes for the Digital Inclusion Training programme and Project Manager role will be agreed with the Lead Member.

### **Action by:**

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

(High Street and Town Centre Manager (F. Crehan))

**Reasons for the decision**

The Public Wifi For All programme will deliver the Mayoral priority to provide free public Wifi across the borough, by leveraging investment in local connectivity infrastructure and thereby supporting economic growth by addressing local connectivity capacity issues and barriers to digital access.

**Alternative options**

Consideration has been given to the potential for Providers to invest in the local fibre infrastructure on their own.

Consideration was given to joining an existing connectivity framework set-up by London boroughs and Public bodies.

Consideration was given to the Council setting-up its own Wifi network and selling access to mobile phone and connectivity businesses.

These options are not being recommended as providers have limited commercial appetite for investing in the local connectivity infrastructure, current regional and national frameworks would not offer best value and the Council does not have the resource or experience to set-up its own Wifi network and sell services to mobile and connectivity businesses.

**5.5 Update on the Civic Centre Project**

The Mayor considered the report as well as the Exempt Appendix.

**DECISION**

1. To note the design development work to date (section 6 of the report) and the proposal for a different scheme to that which formed the basis of the November 2015 Cabinet report (section 5 of the report);
2. To note the cost update (section 7 of the report);
3. To adopt a capital estimate of £105 million for the construction and related costs associated with the building of the new civic centre;
4. To authorise the Divisional Director, Property & Major Programmes, to negotiate and agree a revised fee for the architect-led multi-disciplinary design team up to the end of RIBA Stage 3 (Developed design), subject to the agreed fee representing no more than 4% of the core construction cost of the project (para 7.18 of the report);
5. To authorise the Divisional Director, Property & Major Programmes, to issue a Voluntary Ex Ante Transparency (VEAT) notice to the OJEU if required and to enter into any contractual documentation to implement the above decision;

6. To note the updated financial appraisal and business case that sets out the positive Net Present Value on the civic centre project (section 8 of the report);
7. To note the update in relation to disposals (section 9 of the report)
8. To note the difference between assets that have been identified to be sold to support the funding of the civic centre project and those that will be realised solely and exclusively as a result of proceeding with the civic centre scheme (para 6.3);
9. To note the improved capital receipts from assets sold to date and forecast to be achieved (para 6.8 and exempt report);
10. To note that the funding available to support the development of the new civic centre from those assets identified in November 2015 for sale has, and is forecast to, grow and that the net borrowing requirement is reduced as a result;
11. To confirm that funding of the civic centre can be made available from either the utilisation of cash reserves, the asset sales identified in this paper, or from borrowing (or a combination of those three funding sources) with a final decision on funding and financing to be taken prior entering into the design and build contract in 2018;
12. To authorise the use of prudential borrowing to cover the gap between forecast project costs and other sources of capital including capital receipts;
13. To note the update on surveys, soft strip and asbestos (section 10 to the report);
14. To note the update in relation to procurement (section 11 to the report);
15. To authorise the Chief Executive, as Project Sponsor, to enter into a Pre-Construction Services Agreement, and subsequently the design and build contract, on the basis of the most economically advantageous tender submitted following a compliant procurement exercise, together with any other ancillary or related contractual documentation;
16. To authorise the Chief Executive to initiate an OJEU restricted procurement exercise for the design and build contractor if the outcome of the mini-competition under the Southern Construction Framework in terms of the lack of competition or inadequate bids returned is unsatisfactory (para 11.16 of the report);
17. To authorise the Chief Executive to procure and appoint an Employer's Agent on the basis of the most economically advantageous tender submitted following a compliant procurement exercise, together with other ancillary or related contractual documentation;

18. To note the update in relation to the proposed publicly-accessible local presence on the ground floor of the new civic centre (section 12 of the report);
19. To note the update in relation to planning and listed building consent (section 13 to the report);
20. To note the high-level programme (section 14 to the report)
21. To note the proposal in relation to communication and engagement (section 15 to the report); and
22. To note the key risks (section 23 to the report).

Plus Recommendations from the Exempt Appendix:

1. To adopt the capital estimate set out in the Exempt Appendix as a client-held contingency.
2. To authorise the Chief Executive, in his capacity as the Project Sponsor, to consider and approve requests for draw-down against the proposed client contingency fund, subject to a report to the Project Board.
3. To note the exempt information relating to the financial appraisal and business case.
4. To note the exempt disposal values.
5. To note the update in relation to business continuity.

**Action by:**

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

(Divisional Director, Property and Major Programmes (A. Sutcliffe))

**Reasons for the decision**

With the impending lease expiry at Mulberry Place, the council needs accommodation for its administrative functions as well as its civic offices (Council chamber and accommodation for elected members).

Following the development of a series of feasibility studies, options appraisals and businesses cases, the former Royal London Hospital site was determined to be the preferred location for the council's new civic centre.

This was based on an analysis of the technical condition and constraints of the council's existing portfolio, the affordability of the proposal (on a net present value basis), the delivery of housing units resulting from the disposal

or redevelopment of vacant (or to-be vacated sites), and the long-term revenue savings that the proposal would bring to fruition.

The recommendations in this report support the continued delivery of this project and seek key approvals that are required at this stage.

### **Alternative options**

The council could seek a further lease extension or alternative rented accommodation elsewhere in the borough. This is not recommended, as this option would provide less value for money than the redevelopment of the former Royal London Hospital site.

The council could pursue the development of an alternative council-owned site. However, an exhaustive review and analysis was carried out in the run up to the November 2015 Cabinet report that determined that there were no other suitable council-owned sites that could accommodate the council's needs.

## **5.6 Strategic Performance and Corporate Revenue and Capital Budget Outturn 2016/17**

### **DECISION**

1. To note the Council's provisional revenue outturn position as at 31 March 2017 as detailed in Sections 3 to 5 of the report.
2. To note the Council's provisional capital outturn position as at 31 March 2017 as detailed in Section 6 of the report.
3. To note the position in achieving approved savings in 2016-17.
4. To note the key Balance Sheet indicators.
5. To note that the position set out in this report is subject to the preparation of the Council's statutory financial accounts and external audit processes.

### **Action by:**

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

(Chief Accountant (K. Miles))

### **Reasons for the decision**

The provisional outturn report sets out the position at the end of the financial year; this gives Members an opportunity to consider the final outturn position against the information provided during the course of the year and also to evaluate the Council's overall financial performance.

Set alongside other performance outcome measures it gives the opportunity to establish whether the objectives set by Members have been achieved within the financial resources allocated.

#### **Alternative options**

The production of the Council's Statement of Account is a statutory requirement and, whilst there may be changes to the position reported here as a result of finalising the accounts and undertaking the external audit, there is no scope other than to report the position reflected on the Council's financial system.

Any remedial action will need to be considered as part of the 2017-18 position including specifically where savings proposals have not been delivered and have slipped into 2017-18. In previous years' the level of amendment made following audit has been minimal.

### **5.7 Clear Up Project Final Report**

#### **DECISION**

1. To note the report.

#### **Action by:**

**ACTING CORPORATE DIRECTOR, GOVERNANCE AND INTERIM MONITORING OFFICER (G. WHITE)**

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

The Council has stated publicly that it would publish the final report of the Clear Up Project and this is the opportunity to do so.

#### **Alternative options**

The Council could choose not to publish but as the Council has stated that it is committed to publishing the final report of the Clear Up Project then the option of not doing so would be inappropriate.

### **5.8 List of Corporate Directors' Decisions**

#### **DECISION**

1. To note the decision taken which are set out in Appendix 1 to the report.

#### **Action by:**

**CORPORATE DIRECTOR, RESOURCES (Z. COOKE)**  
(Accountant – Financial Planning (A Miah))

**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 ensures 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 to do so, therefore this report is presented for noting by the Mayor in Cabinet as set out in the financial regulations.

**5.9 List of Executive Mayoral 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.

**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 7.30 p.m.

Mayor John Biggs