

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 2.04 P.M. ON TUESDAY, 4 OCTOBER 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 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 Amy Whitelock Gibbs (Cabinet Member for Health & Adult Services)

Other Councillors Present:

Councillor John Pierce

Apologies:

Councillor Rachael Saunders (Deputy Mayor and Cabinet Member for Education & Children's Services)
Councillor Joshua Peck (Cabinet Member for Work & Economic Growth)

Officers Present:

Zena Cooke (Corporate Director, Resources)
Aman Dalvi (Corporate Director, Development & Renewal)
Shazia Ghani Head of Community Safety
Shazia Hussain (Service Head Culture, Learning and Leisure, Communities Localities & Culture)
Christine McInnes (Service Head, Education and Partnerships, Children's Services)
Denise Radley (Director of Adults' Services)
Layla Richards (Service Manager, Policy Programmes and Community Insight)
Dean RiddickMcGregor (Political Adviser to the Labour Group)
Peter Robbins Head of Mayor's office
Graham White (Interim Service Head, Legal Services, Law, Probity and Governance)
Andreas Christophorou (Service Head, Communications & Marketing)
Afazul Hoque Interim Service Manager, Strategy, Policy &

Kelly Powell
Matthew Mannion

Performance
(Acting Deputy Service Head of Communications)
(Committee Services Manager, Democratic
Services, Law, Probity and Governance)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Rachael Saunders, Deputy Mayor and Cabinet Member for Education and Children's Services
- Councillor Joshua Peck, Cabinet Member for Work and Economic Development
- Will Tuckley (Chief Executive)
- Debbie Jones (Corporate Director, Children's Services) for whom Christine McInnes (Service Head Education and Partnership) was deputising.
- Roy Ormsby (Service Head, Public Realm)

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no Declarations of Disclosable Pecuniary Interests.

3. UNRESTRICTED MINUTES

RESOLVED

1. That the unrestricted minutes of the Cabinet meeting held on Tuesday 6 September 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-Decision Scrutiny Questions were received in relation to Agenda Items 5.3 (Waste Management Services – Contract Extension) and 5.9 (Contracts Forward Plan – Quarter 3). These were responded to during consideration of the respective items.

In addition, Councillor John Pierce, Chair of the Overview and Scrutiny Committee (OSC) provided an update on the OSC meeting the previous week. He explained that the Committee had examined a number of reports and issues including:

- The Strategic Monitoring Report (Q1) – with issues ranging from staff sickness through to affordable housing discussed.
- Corporate Budget Monitoring – especially in respect of required savings targets.
- Community Safety – including hearing from the Police Borough Commander and examining the Community Safety Partnership.

- Gambling Policy – with a focus on issues around Fixed Odds Betting Terminals.
- The Council's responsibilities around safeguarding vulnerable residents.

He also reported that the Committee had developed an OSC Toolkit to help Members and officers fully understand the role of OSC and how to engage it in decision making and policy development and review.

The **Mayor** thanked Councillor John Pierce for his update.

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

Nil items.

5. UNRESTRICTED REPORTS FOR CONSIDERATION

5.1 The Infrastructure Delivery Framework: Governance Proposals

Councillor Rachel Blake, Cabinet Member for Strategic Development, introduced the report. She explained that the report set out the new, transparent, process for allocating S106 and CIL funds. She highlighted the information contained in the Appendices including decision flowcharts, guidelines for identifying projects and the relationship with the Council's Commissioners.

The **Mayor** welcomed the report and the transparency it brought to the decision making process. He highlighted the need to balance spending on projects in direct proximity to a development against dealing with the wider impact on the Borough as a whole. He noted the delegation to officers of spending below £250k but highlighted that he still expected to be kept informed of those decisions. He **agreed** the recommendations as set out in the report.

RESOLVED

1. To approve the proposed timetable for reporting CIL and S106 income, allocation and expenditure information. It is proposed that quarterly reports will be provided on to Cabinet. Reporting to the Overview and Scrutiny Committee will be undertaken on an annual basis.
2. To note the latest positions regarding the Council's CIL and S106 income and expenditure information.

3. To agree that the Infrastructure Delivery Steering Group can recommend to the Corporate Director of Development and Renewal (or equivalent) the sign off of a 'Record of Corporate Director's Actions' form authorising the allocation of CIL and S106 as in I. and II. below:
 - I. The allocation of CIL and S106 funding of up to £250,000 to infrastructure projects ;
 - II. The allocation of S106 income where contributions are due to expire imminently;
4. For all approvals granted in accordance with recommendation 3 above, to approve the implementation of a process to allow the Mayor to review the decision made.
5. To approve the proposed approach to engaging with the Commissioners where decisions sought involve the provision of grants.
6. To approve the proposal to integrate the process for completing 'Records of Corporate Director's Actions' forms into the IDF approval process.
7. To approve the proposal to integrate the adoption of Capital budgets of up to £1 million by the Mayor in Cabinet into the IDF approval process.
8. To approve the proposal to integrate the adoption of Capital budgets of over £1 million by Full Council into the IDF approval process. This does not apply in the case of the adoption of Capital budgets through the Council's annual budget-setting process.
9. To note and approve the proposed approach to approving the funding and delivery of infrastructure projects through the IDF approval process.
10. To approve the proposals for enabling the identification of new infrastructure projects by the Mayor and Councillors who attend the Infrastructure Delivery Board. Approve the process proposed that will enable officers to seek initial views on infrastructure projects from the Infrastructure Delivery Board.
11. To approve the Terms of Reference, along with any proposed amendments, for the Infrastructure Delivery Steering Group; and the Terms of reference for the Infrastructure Delivery Board. These documents will reflect the decisions made in respect of this report.
12. To note that proposals for the Local Infrastructure Fund are currently proposed to follow to the next Cabinet meeting. The Local infrastructure fund will enable localities to more directly inform

spending decisions in respect of a proportion of CIL income collected.

5.2 Approval of the allocation of S106 Funding to projects including Pocket Parks: Cabinet Report

Councillor Rachel Blake, Cabinet Member for Strategic Development, introduced the report proposing a number of projects to receive S106 and CIL funding. Individual Cabinet Members then briefly introduced the projects that related to their areas of responsibility.

There followed a brief discussion about the projects noting a number of points including that:

- It was important to work with the CCG to ensure the right sort of investment in health infrastructure. In particular it was noted that the Council was doing well in developing new health centres.
- In relation to the Chicksand East pocket park, Tower Hamlets Homes did not expect a significant impact on service costs or charges.
- Designing out crime was a key factor in developing the pocket parks and officers were also looking to ensure communities were involved in the developments as that helped encourage self-policing.

The **Mayor** thanked officers for their work in preparing the proposals and he **agreed** the recommendations as set out.

RESOLVED

1. To approve the capital allocation of £3,780,580.42 S106 and CIL funding to the projects set out in Table 1 of the report and profiled in the Project Initiation Documents attached at Appendices A to E and as set out below:
 - a) Idea Store Interactive Learning Project: **£232,342**
 - b) Mile End Pavilion Air Conditioning: **£30,000**
 - c) Idea Stores Technology Refresh: **£249,238.42**
 - d) Pocket Parks Programme: **£150,000**
 - e) Wellington Way Health Centre: **£3,119,000**
2. To approve the adoption of a capital budget in respect of the projects set out in four of the PIDs, equating to an amounts as follows:
 - a) Idea Store Interactive Learning Project: **£232,342**
 - b) Mile End Pavilion Air Conditioning: **£30,000**
 - c) Idea Stores Technology Refresh: **£249,238.42**
 - d) Pocket Parks Programme: **£150,000**
3. To approve the referral of a proposed grant allocation of £30,000 to Poplar HARCA for improvements to open space in the vicinity of the A12 Highway as part of the Pocket Parks Programme through the Commissioners' decision making process as required.

4. To approve the referral of a proposed grant allocation of £3,119,000 for the development of a new dedicated GP surgery facility at Wellington Way (including enabling works at Mile End Hospital to facilitate the relocation of the existing health facility at Wellington Way) to the Commissioners for formal confirmation whether Commissioners' approval is required and approve the allocation to proceed through the Commissioners' decision making process if required.

5.3 Waste Management Services - Contract Extension

Councillor Ayas Miah, Cabinet Member for Environment, introduced the report. He noted the Pre-Decision Scrutiny Questions and the answers tabled by officers. In respect of Member engagement it was noted that there were plans for workshops to engage with all groups when preparing the new long-term contract.

Members then discussed the report during which it was noted that the Borough needed to explore more innovative solutions to waste problems including new ways of storing, collecting and disposing of waste at many locations and especially with respect to new-build developments.

The **Mayor** noted the discussion and the particular issue around waste transfer stations. He thanked Fiona Heyland (Head of Waste Management), Roy Ormsby (Service Head, Public Realm) and their officers for their work and **agreed** the recommendations as set out.

RESOLVED

1. To approve the revised contracting timetable set out in Table 1 at paragraph 3.7 of the report.
2. To authorise the Corporate Director, Communities, Localities and Culture to complete negotiations with Veolia to extend the Refuse Collection, and Street Cleansing Contract through until 31st March 2020, and to agree and enter into (following consultation with Service Head, Legal Services) the necessary contract extension agreement.
3. To agree that the procurement of the Interim Recycling collection Contract, which will expire on 30 September 2018 (and which Cabinet approved in July 2015), be amended to allow for an optional 18 month extension period up to 31 March 2020 and authorise the Corporate Director, Communities, Localities and Culture to agree and enter into (following consultation with Service Head Legal Services) the necessary contract documentation to give effect to this.
4. To authorise the Corporate Director, Communities, Localities and Culture to complete negotiations with Veolia to extend the waste

disposal contract until 30th September 2017, and to agree and enter into (following consultation with Service Head, Legal Services), the necessary contract documentation to give effect to this.

5. To agree that the Council continues with the procurement process for a new waste disposal contract for an initial period of 9 years and 6 months with a further extension of up to 8 years and authorise the Corporate Director of Communities Localities and Culture to award the contract following consultation with the Service Head, Legal Services.
6. To authorise the Corporate Director, Development and Renewal (following consultation with the Service Head, Legal Services) to agree the terms of and enter into a new short-term excluded lease or tenancy at will for Northumberland Wharf Waste Transfer Station so that it is co-terminus with the expiry of the waste disposal contract on 30th September 2017.
7. To agree that a number of workshops are held with Members, across all parties, to redesign a future service, ensuring the Council provides best value for our residents.

5.4 Community Safety Partnership Plan 2013-16 Year 4 (2016/17)

Councillor Shiria Khatun, Deputy Mayor and Cabinet Member for Community Safety, introduced the report. She highlighted that it was a statutory duty to review the plan based on the previous years' performance.

The **Mayor** highlighted that it was an important report for dealing with crime and anti-social behaviour and that it would be having a more comprehensive revision next year. It was noted that the report would be presented to Council for approval.

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

RESOLVED

1. To note the content of the Community Safety Partnership Plan 2013-16 Year 4 (2016/17) included as appendix 1 to the report
2. To note the content of this report and the decision made by the Partnership to:
 - 2.1. include Prevent as a standalone CSP Priority for 2016/17
 - 2.2. remove the duplication between current Priority Themes by absorbing the Serious Acquisitive (Property) Crime under the MOPAC 7 Cross-cutting Priority Theme for 2016/17

3. To agree this report and the CSP Plan 2013-16: Year 4 (2016/17) and recommend to Full Council that the Year 4 Plan be adopted.

5.5 Violence Against Women & Girls Strategy

Councillor Shiria Khatun, Deputy Mayor and Cabinet Member for Community Safety, introduced the report on the Violence Against Women and Girls (VAWG) Strategy. In particular she highlighted the commitment of the Council's partners in tackling VAWG and how the new strategy had been developed following analysis of the effectiveness of the previous strategy and from consultation feedback.

The **Mayor** welcomed the report making clear that it was important to change expectations and attitudes around acceptable behaviour. He also reported that he would like to make a further study into the impact of domestic violence leading to homelessness. He thanked the Lead Member and Shazia Ghani (Head of Community Safety) and **agreed** the recommendations as set out.

RESOLVED

1. To note the content of the VAWG Strategy (appendix 1 to the report).
2. To agree that the VAWG Strategy is recommended to Full Council for approval.

5.6 Gambling Policy 2016-19

Councillor Shiria Khatun, Deputy Mayor and Cabinet Member for Community Safety, introduced the report on the Gambling Policy for 2016/19. She highlighted that this was a statutory policy and would be presented to Council for final approval. The policy was generally considered fit for purpose but had received updates in relation to statutory changes.

During discussion of the report it was noted that the issue of fixed odds betting terminals was being actively considered and that Councils in London were asking the government to look at this issue again.

The **Mayor** welcomed the report and noted his support for efforts to tackle fixed odds betting terminals and also his concern on overseas based online gambling. He **agreed** the recommendation as set out.

RESOLVED

1. To recommend to Full Council the adoption of the revised Gambling Policy.

5.7 Food Law Enforcement Service Plan 2016/2017

Councillor Ayas Miah, Cabinet Member for Environment, introduced the Food Law Enforcement Service Plan report. He highlighted the importance of this work in ensuring residents were protected. The report looked at a number of issues such as substitution of foods and monitoring of different types of premises.

During discussion officers highlighted that they were reducing work on lower risk premises and focussing on higher risk operators. Officers also agreed to provide Members with more information on how market stalls were monitored.

The **Mayor agreed** the recommendation as set out.

RESOLVED

1. To approve the Tower Hamlets Food Law Enforcement Plan 2016/2017 and Food Sampling Policy attached at the Appendix of the report.

5.8 Academy Conversions - Mulberry School for Girls and Ian Mikardo High School

The **Mayor** presented the report on two Academy conversions of local schools. He noted the updated tabled report presented with additional financial information.

He explained that the report set out how assets were to be transferred during the process and how the school grants were dealt with. It was noted that the Council was not in favour of schools converting to Academy status but that it was a decision for the schools to make.

RESOLVED

1. To note that the land disposal for both schools is subject to the Commissioners' consent;
2. To approve that the appropriate lease arrangements should be entered into for both schools;
3. To approve the Council to enter into commercial and staffing transfers for both schools;
4. To approve the Council to enter into all other necessary documentation to ensure the liabilities under the PFI arrangements for Mulberry School for Girls are transferred to the Academy;
5. To authorise the Corporate Director Children's Services, in conjunction with both the Corporate Director Law, Probity and Governance and the Corporate Director Resources to enter into and undertake any remaining issues associated with the conversion of the two schools;

6. To authorise the Corporate Director Law, Probity and Governance to execute all documentation required to implement those decisions at 2 to 5;
7. To authorise the Section 151 Officer to execute the Local Government (Contract) Act 1997 Certificate required to implement the decisions at 2 to 5.

5.9 Contracts Forward Plan - Quarter 3 (2016-2017)

Councillor David Edgar, Cabinet Member for Resources, introduced the report. He highlighted that this was an opportunity for Cabinet Members to request specific reports on individual contracts before they were awarded. He noted the Pre-Decision Scrutiny Questions and in particular the need to ensure contracts paid the London Living Wage.

The report was discussed by the Cabinet. It was suggested that updates on the contract process for CS5124 (Young People's substance misuse and sexual health service) and AHS5111 (Generic Floating Support) should be extended to more Cabinet Members (as set out below). It was also requested that a briefing note for Cabinet Members be prepared in relation to Contract CLC5149 (Framework Agreement for Landscape and Play Installation Works). The **Mayor** agreed the above, noted there were no requests for full reports to Cabinet on any of the contracts and **agreed** the recommendations as set out below.

RESOLVED

1. To ensure that briefings on the high level specifications on contract (CS5124 Young people's substance misuse and sexual health service) be received by the Cabinet Members for Health & Adults Services, Education & Children's Services and Community Safety.
2. To ensure that briefings on the high level specifications on contract (AHS5111 Generic Floating Support) be received by the Cabinet Members for Health & Adults' Services and Housing Management & Performance.
3. That a briefing for Executive Members on contract CLC 5149 – Framework Agreement for Landscape & Play Installation Works be prepared before contract award.
4. That all other contracts be approved to proceed to contract award after tender.
5. To authorise the Service Head, Legal Services to execute all necessary contract documents in respect of the awards of contracts referred to at Recommendation 2 above.
6. To note the forward plan schedule detailed in Appendix 2.

5.10 Medium Term Financial Strategy 2017 - 2020

Councillor David Edgar, Cabinet Member for Resources, introduced the report. He highlighted the £58 million funding gap and associated savings targets. He also asked Cabinet to note the uncertainty on certain funding streams where the Council were looking to the Chancellor's Autumn Statement for more clarity.

Cabinet reviewed the report and noted the planned consultation process, in particular in respect of the Overview and Scrutiny Committee and with service users on specific savings proposals. Finally, Members also noted the potential impact of the review of Business Rates with the Council now likely to become a net donor to this fund.

The **Mayor** noted the government proposal to provide a reduced, four-year funding settlement. This would provide the Council with certainty on that funding even if the amount received was reducing. He **agreed** the recommendations as set out.

RESOLVED

1. To note the changes to the draft budget position for 2017-8;
2. To note the early indications of the financial position 2018-19 onwards, subject to the Autumn Statement and Local Government Finance Settlement;
3. To note that the financial position is subject to volatility and that developments in Government policy and their implications on MTFS planning assumptions will be monitored closely and reported back at regular intervals;
4. To agree to accept the Government's 4 year funding Settlement Offer and delegate authority to the Director of Resources to submit a request for a Four Year guarantee for Tower Hamlets together with an Efficiency Plan;
5. To agree the consultation approach set out in section 3.20 and appendix 5 to the report;
6. To agree to commence formal budget consultation with residents, businesses and other key stakeholders and to receive feedback on the consultation at Cabinet in December.

5.11 Corporate Budget Monitoring - Month 4 (Q1 2016/17)

Councillor David Edgar, Cabinet Member for Resources, introduced the report. He highlighted the value in using the report to review how different services were managing under the growing budgetary pressures. He noted underspending on Capital budgets that he would monitor.

During discussion it was noted that there were still some savings to find, for example in Adults' Services and that some reserves may need to be used. Upcoming government announcements may also have an effect, for example on housing policy and this would be kept under review.

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

RESOLVED

1. To note the Council's revenue and capital financial 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.

5.12 Strategic Performance Monitoring - Q1 2016/17

The **Mayor** introduced the Strategic Performance Monitoring Report. He noted that it had been scrutinised at the recent Overview and Scrutiny Committee meeting where a number of challenging targets were noted and there was a particular discussion on staff sickness levels.

During discussion Members asked for more information around adoption & fostering and homeless households indicators. Officers explained that adjustments to the thresholds on taking children into care had impacted on the fostering and adoption numbers but that this was likely to settle down again.

The **Mayor agreed** the recommendation as set out.

RESOLVED

1. To note progress in delivering the strategic measures at the quarter 1 stage (appendix 1 to the report) and final outturns and commentary for 2015/16 (appendix 2 to the report);

5.13 Transparency Commission Action Plan and Transparency Protocol

The **Mayor** introduced the report. He welcomed it and indicated he was happy to accept the recommendations as set out.

Councillor John Pierce, Chair of the Overview and Scrutiny Committee (OSC), addressed Cabinet. He explained that OSC had reviewed the report and welcomed the actions taken in response to the original recommendations. A key target over the next period was to advance the work on becoming an Open Data Champion and in particular ensuring data was accessible.

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

RESOLVED

1. To note the progress in delivering the actions set out in the Mayor's Transparency Protocol (Appendix A to the report);
2. To approve the actions in response to the Transparency Commission's recommendations (Appendix B to the report).

5.14 Corporate Directors' Decisions

The **Mayor** introduced the report and **agreed** the recommendation as set out.

RESOLVED

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

5.15 List of Executive Mayoral Decisions

The **Mayor** introduced the report and **agreed** the recommendation as set out.

RESOLVED

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

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 3.41 p.m.

MAYOR JOHN BIGGS