

**LONDON BOROUGH OF TOWER HAMLETS**

**RECORD OF THE DECISIONS OF THE CABINET**

**HELD AT 5.32 P.M. ON WEDNESDAY, 23 SEPTEMBER 2020**

**ONLINE 'VIRTUAL' MEETING - [HTTPS://TOWERHAMLETS.PUBLIC-I.TV/CORE/PORTAL/HOME](https://towerhamlets.public-i.tv/core/portal/home)**

**Members Present:**

Mayor John Biggs	
Councillor Sirajul Islam	(Statutory Deputy Mayor and Cabinet Member for Housing)
Councillor Rachel Blake	(Deputy Mayor and Cabinet Member for Adults, Health and Wellbeing)
Councillor Asma Begum	(Deputy Mayor and Cabinet Member for Community Safety, Youth and Equalities)
Councillor Sabina Akhtar	(Cabinet Member for Culture, Arts and Brexit)
Councillor Danny Hassell	(Cabinet Member for Children and Schools )
Councillor Candida Ronald	(Cabinet Member for Resources and the Voluntary Sector)
Councillor Motin Uz-Zaman	(Cabinet Member for Work and Economic Growth)
Councillor Mufeedah Bustin	Cabinet Member for Planning and Social Inclusion (Job Share) - Lead on Social Inclusion
Councillor Asma Islam	Cabinet Member for Environment and Public Realm (Job Share) - Lead on Environment
Councillor Eve McQuillan	Cabinet Member for Planning and Social Inclusion (Job Share) - Lead on Planning
Councillor Dan Tomlinson	Cabinet Member for Environment and Public Realm (Job Share) - Lead on Public Realm

**Other Councillors Present:**

Councillor Peter Golds	(Leader of the Conservative Group)
Councillor James King	

**Others Present:**

**Officers Present:**

Adam Boey	(Senior Strategy & Policy Manager - Corporate)
Stephen Bramah	(Deputy Head of the Mayor's office)
David Courcoux	(Head of the Mayor's Office)
Thorsten Dreyer	(Head of Intelligence and Performance)
Emily Fieran-Reed	(Service Manager, Community Cohesion, Engagement and Commissioning, Strategy, Policy and Equality)
Sharon Godman	(Divisional Director, Strategy, Policy and

Rafiqul Hoque	Performance)
Asmat Hussain	Head of Housing Options (Corporate Director, Governance and Monitoring Officer)
Neville Murton	(Corporate Director, Resources)
Denise Radley	(Corporate Director, Health, Adults & Community)
Ann Sutcliffe	(Corporate Director, Place)
Karen Swift	(Divisional Director, Housing)
James Thomas	Corporate Director, Children and Culture
Will Tuckley	(Chief Executive)
Matthew Mannion	(Head of Democratic Services, Governance)

## **1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

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

There were no Declarations of Disclosable Pecuniary Interests, however there were 'other interests' declarations on Agenda Item 6.3 (Common Housing Register Allocations Scheme) by Councillor Sirajul Islam as a tenant of Tower Hamlets Homes and Councillor Motin Uz-Zaman as a leaseholder of Tower Hamlets Homes. Both Members took part in the discussion on that item.

## **3. UNRESTRICTED MINUTES**

### **DECISION**

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 29 July 2020 be approved and signed by the Chair as a correct record of proceedings.

## **4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR**

See the minutes.

## **5. OVERVIEW & SCRUTINY COMMITTEE**

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

Pre-Decision Scrutiny Questions and officer responses were received in relation to Agenda Items:

- 6.2 Annual Council performance and delivery report
- 6.3 Common Housing Register Allocations Scheme
- 6.4 Capital Programme 2020-21 to 2022-23
- 6.5 Seahorse Homes Limited
- 6.7 Contracts Forward Plan 2020/21 Q2

These were considered during discussion on the relevant items.

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

Nil items.

## 6. UNRESTRICTED REPORTS FOR CONSIDERATION

### 6.1 Our Tower Hamlets: A Plan for a More Cohesive Community 2020 - 2025

#### DECISION

1. To agree the London Borough of Tower Hamlet's Community Cohesion Plan, including the commitments under each of the priority areas (noting that the versions of the Plan that will be launched to the public will be in plain English).

#### Action by:

##### CHIEF EXECUTIVE (W. TUCKLEY)

(Divisional Director, Strategy, Policy and Performance (S. Godman)

(Strategy and Policy Manager (I. Raakin)

(Senior Strategy and Policy Manager (E. Fieran-Reed)

#### Reasons for the decision

The Council wants the Borough to continue to be a place where people feel they belong and where people feel they get on well together and have an equal voice. *Our Tower Hamlets: A plan for a more cohesive community* is a five year plan which sets out our approach to do that.

In order to meet our obligations under the Equalities Act, the Council is required to set and publish equality objectives that are specific and measureable which we will achieve, including against the aspect of the Equalities Act about cohesion - the duty to "foster good relations between people who share a protected characteristic and those who do not."

Our engagement has revealed that many people in Tower Hamlets feel that they are leading parallel lives -living alongside each other but not truly mixing, nor building strong and positive relationships.

#### Alternative options

Do not develop a London Borough of Tower Hamlets Community Cohesion Plan and continue to include community cohesion objectives within the Strategic Plan and engage with the Government and the Greater London Authority where opportunities arise to do so in the delivery of their respective social integration strategies, as well as deliver all actions we are mandated to by Government. However, without a clear commitment to cohesion and how we will approach this in the borough, the risk is that this would be disjointed and lacking in purpose and therefore impact.

## 6.2 Annual council performance and delivery report 2019/20

The Pre-Decision Scrutiny Questions and officer responses were noted.

### DECISION

1. To note the Annual council performance & delivery report 2019/20
2. To note the performance of the strategic measures at the end of the year, including those measures where the minimum expectation has been missed; and
3. To note progress in delivering the Strategic Plan.

### Action by:

#### CHIEF EXECUTIVE (W. TUCKLEY)

(Divisional Director, Strategy, Policy and Performance (S. Godman)

(Head of Intelligence and Performance (T. Dreyer)

### Reasons for the decision

The council's Performance & Accountability Framework sets out the process for monitoring the timely and effective delivery of the Strategic Plan to improve outcomes for residents. In line with the framework, the Mayor in Cabinet receives regular update reports, including an annual report, to ensure oversight of pace, delivery, performance and improvement at Cabinet level.

This report promotes openness, transparency and accountability by enabling Tower Hamlets residents to track progress of activities that impact on their lives and the communities they live in.

### Alternative options

The Mayor in Cabinet can decide not to review the delivery and performance information. This is not recommended as Members have a key role to review and challenge underperformance and to utilise performance information to inform resource allocation.

## 6.3 Common Housing Register Allocations Scheme (Post-Consultation)

The Pre-Decision Scrutiny Questions and officer responses were noted.

The original recommendations were amended and then agreed.

### DECISION

1. To note the outcome of the consultation on the Council's proposed amendments to the Allocations Scheme and the Equality Analyses at Appendices 2 and 4 of the report.
2. To approve the proposed amendments to the Allocations Scheme as set out in paragraph 3.3 to 3.7 of the report.

3. To approve the proposal to remove existing social housing tenants under the age of 50 from Band 3 of the Common Housing Register.
4. To authorise the Corporate Director Place to develop an Intermediate Housing Register.
5. To authorise the Corporate Director Place to determine the eligibility criteria for the first three months of marketing any new Intermediate Housing projects, (fully or partially funded by the GLA), following consultation with the Mayor and Cabinet Member for Housing and Regeneration.
6. To agree that the maximum household income threshold for eligibility to join the Common Housing Register be increased to £90,000 as set out in paragraph 3.10 of the report and authorise the Corporate Director Place to increase this figure as and when the GLA amends its maximum household income threshold for eligibility to access shared ownership products.
7. To approve the miscellaneous amendments and revisions to the policy as detailed in paragraph 3.11 of the report.
8. To ratify and/or authorise all past, present and future exercises of its functions under Part 6 of the Housing Act 1996 (as permitted by Article 2 of the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions) Order 1996) by, or by employees of, the RP partners from time to time to the Common Housing Register, including but not limited to the following: Arhag Housing Association, Clarion Housing, Eastend Homes, Gateway Housing Association, London & Quadrant, Metropolitan Thames Valley, Network Homes, Newlon Housing Trust, North London Muslim Housing Association, Notting Hill Genesis, One Housing, Peabody, Poplar HARCA, Providence Row HA, Southern Housing Group, Spitalfields Housing Association, Swan Housing Association, Tower Hamlets Community Housing or their successors in title or any other RPs or bodies that the Council may choose to partner with from time to time.
9. To authorise officers retrospectively to contract out the exercise of the Council's functions referred to in point 8 above.
10. To review the policy annually and offer the Overview and Scrutiny Committee a report on the implementation of the changes made one year after their implementation (expected to be one year after 1 April 2021),

**Action by:****CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)**

(Divisional Director, Housing and Regeneration (K. Swift)

(Strategy and Policy Officer, Place (U. Bedford)

**Reasons for the decision**

The Council's Allocations Scheme was last reviewed in 2016. The drivers which have been considered for this revision include:

- The Homelessness Reduction Act (2017), which was enacted in 2018. This placed a legal duty on Local Authorities to ensure reasonable preference is given to applicants either threatened with homelessness or homeless before a full housing duty is owed.
- The various Codes of Guidance on Allocations Schemes as issued by the Government. In particular, the Guidance issued in November 2018 'Improving access to social housing for victims of domestic abuse'.
- Ensuring that the Allocation Scheme meets the current needs of our residents and key aspirations and objectives of the Council.
- Enabling the Council to make the best use of social housing stock within the Borough and to better manage the expectations of residents.

**Alternative options**

To do nothing: this is not an option as it is a legal requirement for the Council to have an allocation scheme in place as a way of prioritising applicants to vacancies in social housing.

Continue with the existing allocation scheme: this is outdated and does not reflect the Council's new duties under the Homelessness Reduction Act (2017) or emerging local priorities.

**6.4 Capital programme 2020-21 to 2022-23**

The original recommendations were amended and then agreed.

The Pre-Decision Scrutiny Questions and officer responses were noted.

**DECISION**

1. To approve the 3-year General Fund and Housing Revenue Account Capital Programme 2020-23 as set out in Appendix 1a and Appendix 1f to the report.
2. To approve the budget allocation for schemes in the programme, including the Local Infrastructure Fund Programme 2, subject to sign off through the capital governance process and agreement to proceed given by the Corporate Director of Place and Corporate Director of Resources and that schemes funded by future capital receipts, s106 and/or CIL will not go ahead until such funds have been securely received
3. To approve the new additions to the Annual Rolling Programme, subject to Recommendation 2, as set out in Appendix 1c to the report.
4. To approve the Invest to Save programme, subject to business cases being approved by the Corporate Director of Place and Corporate

Director of Resources and Recommendation 2, as set in Appendix 1d to the report.

5. To approve the use of 5% of CIL or £1.500m whichever is the lower for use on feasibility studies and associated surveys for infrastructure projects as set out in paragraph 7.5.7 of the report.
6. To approve the funding principle that Education schemes should not be funded by council borrowing or by non-Education capital receipts, unless Members have taken into consideration the impact on other priority schemes and the extent to which DfE funding will meet basic needs requirements alongside any relevant S106 or CIL receipts.
7. To approve delegated authority to the Corporate Director of Place and Corporate Director of Resources for all activities required to deliver e.g. go out to tender, appoint consultants and contractors, acquire land interests, appropriate land from the General Fund to the Housing Revenue Account (HRA) for the delivery of new council homes, subject to approved budget
8. To approve the following specific recommendations:
  - i. The transfer of funding for Angela Court from the General Fund to the Housing Revenue Account as set out in paragraph 11.3.13 of the report;
  - ii. The expansion of Beatrice Tate School to provide an additional 45 spaces for pupils with special needs; Approve the expansion of alternative provision at Harpley School to provide additional spaces for KS4 and post-16 pupils as set out in paragraphs 10.5.4 and 10.5.7 of the report respectively;
  - iii. Realign the previously approved budgets streams in relation to buyback programme, as set out in paragraph 11.3.26 of the report;
  - iv. Disposal of assets, as set out in paragraph 7.6.2 of the report;
9. To note the consideration of the financing options and proposals for the uncommitted and new schemes, as set out in Appendix 1e to the report, will be brought forward in January 2021
10. To note the development of the medium term and long-term Prioritisation and Financing Delivery Plan for Infrastructure (PFDP) identifying priorities beyond 2023 to 2030
11. To note Capital Governance changes contained in section 14 designed to support further improved monitoring and management of the capital programme.

**Reasons for the decision**

The provisional capital programme approved in January 2020 did not fully capture all of the council's capital requirements over the 3 years and a review was needed to ensure that all known requirements were captured, prioritised and assessed against existing and planned resources. The HRA 30-year Business Plan also needed to be robustly reviewed.

**Alternative options**

The council is required to approve a capital programme that it can demonstrate it can fund. Funding sources are identified for all schemes listed in the draft capital programme presented in this report.

The alternative option would be to increase the capital programme, which would increase the level of borrowing and put additional pressure to increase the level of capital receipts and the identification of other funding sources. This would make increase the financial burden on revenue budget and be undeliverable in terms of resources available for delivery.

**6.5 Seahorse Homes Limited - Shareholder Representative Report and Loan Facility**

The Pre-Decision Scrutiny Questions and officer responses were noted.

**DECISION**

1. To agree to authorise the Divisional Director, Finance, Procurement and Audit to increase the credit facility of Seahorse Homes Limited up to £150,000 and agree the corresponding repayment terms.

**Action by:**

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

(National Management Trainee (N. Klinger))

**Reasons for the decision**

On 7<sup>th</sup> February 2017, Cabinet agreed to provide Seahorse Homes Limited with a credit facility of up to £50,000 for use as working capital. Seahorse Homes Limited has received £100 in share capital and borrowed £29,900 from LBTH to date. In the main this has been used to commission legal advice in relation to a property acquisition that did not ultimately progress.

The Board has developed an operating budget for the year ending 31<sup>st</sup> March 2021. This includes a budget for a Housing Company Manager role, for Seahorse Homes Limited to develop its identity, and for Seahorse Homes Limited to commission legal advice relating to future acquisitions.

To fund the operating budget, the Company will require additional working capital.

This will enable Seahorse Homes Limited to operate and develop its infrastructure whilst it is not generating income.



**Alternative options**

The credit facility of Seahorse Homes Limited could remain at a maximum of £50,000.

However, this would limit Seahorse Homes Limited's ability to further its activities and develop its infrastructure.

**6.6 Nomination to Outside Bodies****DECISION**

1. To agree the nominations to outside bodies as shown in Paragraph 3.3 of the report.

**Action by:**

**CORPORATE DIRECTOR, GOVERNANCE AND MONITORING OFFICER  
(A. HUSSAIN)**

(Head of the Mayor's Office (D. Courcoux))

**Reasons for the decision**

Having representatives on outside bodies increases the Council's engagement with the local community and improves its potential to offer leadership and guidance in relation to activities taking place in the borough.

London-wide initiatives can also offer considerable benefits that promote delivery of the Council's key priorities. Conditions of some London-wide partnerships and trusts are that the Council is represented on their boards.

**Alternative options**

The Mayor could decide not to make appointments to outside bodies at all. However, this is not recommended as it would reduce the Council's opportunity to be involved in and to support good work within the community and it would also reduce the Council's leadership opportunities. There are also a number of bodies where the Council is required or expected to provide a representative.

**6.7 Contracts Forward Plan 2020/21 – Quarter Two**

The Pre-Decision Scrutiny Questions and officer responses were noted.

**DECISION**

1. To note the contract summary at Appendix 1 to the report and agree that all listed contracts may proceed to contract award after tender.
2. To authorise the Divisional Director, Legal Services to execute all necessary contract documents in respect of the awards of contracts referred to at recommendation 1 above
3. To note the procurement forward plan 2020-2022 schedule detailed in Appendix 2 to the report.

**Action by:****CORPORATE DIRECTOR, RESOURCES (N. MURTON)**

(Head of Procurement (Z. Ahmed))

**Reasons for the decision**

The Council's Procurement Procedures require submission of a quarterly forward plan of contracts for Cabinet consideration, and it is a requirement of the Constitution that "The contracting strategy and/or award of any contract for goods or services with an estimated value exceeding £250K, and any contract for capital works with an estimated value exceeding £5m shall be approved by the Cabinet in accordance with the Procurement Procedures". This report fulfils these requirements for contracts to be let during and after quarter two of the current financial Year.

**Alternative options**

Bringing a consolidated report on contracting activity is considered the most efficient way of meeting the requirement in the Constitution, whilst providing full visibility of contracting activity; therefore no alternative proposals are being made.

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

Nil items.

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

Nil items.

**9. EXEMPT / CONFIDENTIAL MINUTES****DECISION**

1. That the exempt/confidential minutes of the Cabinet meeting held on 29 July 2020 be approved and signed by the Chair as a correct record of proceedings.

**10. OVERVIEW & SCRUTINY COMMITTEE**

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

Nil items.

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

Nil items.

**11. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION**

Nil items.

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

Nil items.

The meeting ended at 7.28 p.m.

Mayor John Biggs