

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.35 P.M. ON WEDNESDAY, 28 OCTOBER 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 Rabina Khan	
Councillor James King	

Officers Present:

Kevin Bartle	(Interim Divisional Director of Finance, Procurement and Audit)
Adam Boey	(Senior Strategy & Policy Manager - Corporate)
Stephen Bramah	(Deputy Head of the Mayor's office)
Claudia Brown	(Divisional Director of Adults Social Care)
Sharon Godman	(Divisional Director, Strategy, Policy and Performance)
Anthony Harris	(Commissioning Manager)
Asmat Hussain	(Corporate Director, Governance and Monitoring Officer)

Christine McInnes	(Divisional Director, Education and Partnerships)
Neville Murton	(Corporate Director, Resources)
Ann Sutcliffe	(Corporate Director, Place)
Warwick Tomsett	Joint Director, Integrated Commissioning
Will Tuckley	(Chief Executive)
Joanne Starkie	(Head of Strategy and Policy - Health Adults and Communities)
Teresa Heaney	(Interim Customer Services Programme Director)
Michael Darby	(Head of Parking & Mobility Services)
Matthew Mannion	(Head of Democratic Services, Governance)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- James Thomas (Corporate Director, Children and Culture) for whom Christine McInnes (Divisional Director Education and Partnerships) was deputising.
- Denise Radley (Corporate Director, Health, Adults and Community) for whom Claudia Brown (Divisional Director, Adult Social Care) was deputising.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no Declarations of Disclosable Pecuniary Interests, but Councillor Rachel Blake noted there was a Pre-Decision Scrutiny Question on the Tower Project and the Council had appointed her to that body. She took part in the discussion of that item.

3. UNRESTRICTED MINUTES

DECISION

1. That the unrestricted minutes of the Cabinet meeting held on 21 October 2020 be approved and signed by the Chair as the 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 tabled in relation to all the reports on the agenda. These were considered during discussion of the relevant agenda items.

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

The **Mayor** deferred consideration of the Call-In report of the Common Housing Register Allocations Scheme (Post Consultation) decision taken at the Cabinet meeting held on Wednesday 23 September 2020.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Changes to Resident Parking Permit Terms & Conditions

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

DECISION

1. To agree to implement the proposed changes to the terms and conditions within the residents parking permit as set out in paragraph 3.5 of the report.
2. To note that in addition, officers will continue to review the operation of the new terms and conditions, invite feedback from affected residents and explore mitigation options which could include reviewing the boundaries between Zones C2/C4 and between C3/C4, widening buffers or merging zones.

Action by:

CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)

(Divisional director, Public Realm (D. Jones)

(Head of Parking Services (M. Darby)

Reasons for the decision

In 2019 the Council declared a Climate Emergency, recognising the urgent need to address the borough's contribution to global warming and that the air in the borough is toxic and damaging to health.

Tower Hamlets has one the worst air quality levels and one of the highest traffic flows in the UK. The recently adopted LBTH Transport Strategy identifies that the level of emissions of air pollutants including nitrogen dioxide remain high and that this has a negative effect on residents' health. . Air pollution can affect people throughout their lifetime and the health effects of air pollution are complex. However, there is increasing evidence of air pollution having a potential role in causing asthma and being a trigger that can make an asthmatic's symptoms worse. There is also evidence that the lung function growth process in children is suppressed by long-term exposure to air pollution. In Tower Hamlets, it is estimated that 77% of the population, including children, are exposed to pollution levels over the National Air Quality Objective levels. The 2011 Census shows that over 80% of 0-17 year olds in the borough were from an ethnic minority background, children from across our borough's diverse community are being harmed by air pollution.

Transport is the main source emissions for nearly 40% of carbon dioxide and almost half the nitrogen oxide in the borough.

The Outcomes within the Transport Strategy aim to improve the air quality levels within the borough and support an approach that promotes walking and cycling as the preferred mode of transport within the borough, whilst recognising that for some the use of a car or similar mode of transport is a necessity.

Outcome 2 of the Strategy specifically aims to reduce car use in favour of active, efficient and sustainable transport. Whilst it is recognised that a significant proportion of car journeys are made through the borough by commuter traffic, there are still many short car journeys (less than 2km) made by residents where an alternative mode of transport could be used. These short trips often in local, residential streets are made possible by the Resident Permit holders being entitled to park unrestricted in relatively large parent zones, and for up to three hours, in any other parent zone. This has allowed a significant level of unrestricted travel around the borough. As the number of car users increased over the years, this use of the car for shorter, in-borough travel is contributing to serious problem with poor air quality and congestion, making the environment less safe and Tower Hamlets a less attractive place to live, work and visit.

As highlighted, as part of the Transport Strategy, reducing traffic movement within the borough is critical to improving air quality. Therefore, the Council has committed to taking steps to support wider efforts to improve the health of Tower Hamlets residents.

On 28th July 2020 the council wrote to all resident permit holders advising them of changes to the terms and conditions of their resident parking permit. On 26th August we wrote to all resident permit holders again reminding them of the changes and informing them that we will not be enforcing the new rules for the month of September to allow them to adjust to this. At the 30th September Council meeting a decision was made to refer this decision to Cabinet for further discussion in advance of a decision. The proposed changes aim to continue to support residents who own a car by enabling them to park close to their home, whilst tackling the problem of poor air quality by limiting the ability to make shorter car journeys within the borough, and support a behavioural change amongst residents, particularly for in-borough commuting, in favour of walking, cycling and public transport.

The importance of the ability for residents who must use a car to continue accessing services and visiting family and friends has also been considered to ensure they are not unduly disadvantaged. Many residents will continue to benefit from free Visitor Vouchers for Carers and the free Over 60 years Visitor Voucher. No changes are proposed for Blue Badge permits. No changes to the three-hour parking concession are proposed.

Alternative options

Three alternative options were considered: to make no change to the Cross Zonal Parking Concession, solely remove the 3-hour concession in other parent parking zones, or to have a concession between the hours of 11am – 2pm.

6.2 Revised approach to Ideas Stores & Library Service

Pre-Decision Scrutiny Questions and officer responses were noted.

The recommendations were amended and then approved.

DECISION

1. To note the proposed programme of consultation and engagement on the Idea Store service, to commence in late November 2020,
2. To note the proposed future model for the Idea Store service, subject to refinement pending the outcome of the consultation. A future key decision on this issue will be returned to Cabinet in early 2021.

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

(Interim Divisional Director Customer Programme (T. Heaney)

Reasons for the decision

The shift in resident behaviour (pre-covid) towards using self-service machines and other digital options mean our overall staffing requirement has reduced.

Furthermore, the pandemic has changed the Idea Stores service and the way it is delivered; accelerating the change in the way that residents choose to interact with us.

We are facing significant financial pressures which have only worsened due to Covid.

We need not only to deliver savings that are already planned, but to offer options that would support the council to meet the additional financial challenge.

Alternative options

Keep services unchanged. This is not recommended and would result in a budget shortfall for the service in 21/22 and an increased pressure on other services to identify additional savings.

Deliver a similar level of saving by permanently ceasing Idea Store services at Cubitt Town Library, Bethnal Green Library and IS Watney Market. This option is not recommended as we believe the impact on service users and local communities would be unacceptable.

Develop an alternative option. This report gives a rationale for the proposed solution and an alternative (above). However, it is important to note that the proposal will be subject to a public consultation and that the final proposal that comes back will take the findings from this into account.

6.3 Revised approach to day support in adult social care

Pre-Decision Scrutiny Questions and officer responses were noted.

DECISION

1. To note the proposed programme of consultation and engagement on day support services, to commence on 1st November 2020,
2. To note the proposed future model for day support services in adult social care, subject to refinement pending the outcome of the consultation. Any future key decisions on this issue will be returned to Cabinet in early 2021.

Action by:

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

(Head of Strategy and Policy – Health, Adults and Communities (J. Starkie))

Reasons for the decision

Our current approach is not fully in line with our strategic aims. These aims can be summarised as follows:

- The role of adult social care is to empower people who need support to be as independent as possible (promoting independence)
- We should be as concerned with people's strengths and the things they can contribute to society as we are with the things they need support with (strengths-based practice).
- Our society should be inclusive of people with support needs - social barriers can disable people (social model of disability)
- When it comes to support, one size does not fit all (personalisation)

We are facing significant financial pressures that have been worsened as a result of the COVID-19 pandemic.

The COVID-19 pandemic has changed day support - and how we use buildings overall - over the last six months. The coming six months gives time to shape a new day support model that is more aligned to our strategic aims and what service users and carers want a day support model to look like in a post-COVID era.

Some in-house day services were underutilised prior to the COVID-19 pandemic (please see section 3.2 of the report)

Alternative options

Do not endorse the proposal. This is not recommended due to the reasons given above.

Suggest an alternative proposal. The report includes a rationale for the detail of the proposal.

6.4 Community Charging Consultation – Outcome Report

Pre-Decision Scrutiny Questions and officer responses were noted.

DECISION

1. To agree Option 2 from the adult social care community charging consultation for implementation: Reducing the Standard Utilities Allowance from £15 per week to £5 per week, raising the maximum possible contribution from £250 per week to £1000 per week and providing respite and carer relief free of charge following a Carer Assessment.
2. To agree to implement the agreed option from December 2020. Note that this is three months' later than the date originally agreed in the Medium-Term Financial Strategy savings proposal, which is due to the consultation being paused then relaunched as a consequence of the COVID-19 pandemic

Action by:

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

(Divisional Director, Adults Social Care (C. Brown))

Reasons for the decision

Option 2 was the preferred option of 15% of consultation respondents who selected an option¹. The Equality Analysis identifies that removing the Standard Utilities Allowance entirely (as per Options 1 and 3) will have a bigger impact on adult social care users who have less disposable income² and this has been reinforced in consultation responses. Option 2 is therefore recommended as this takes account of views expressed in the consultation alongside the impact of removing the Standard Utilities Allowance on people with comparatively less disposable income. Providing respite and carer relief where this is in place to meet the needs of a carer will provide significant benefit to unpaid carers in the borough who need a break from caring responsibilities.

This consultation was carried out following agreement at Cabinet in January 2020 to identify a £263,000 saving which would be realised through a change

¹ 22% of all consultation respondents did not select option 1, 2 or 3

² 1304 people estimated to be impacted by this. Raising the cap to £1000 per week (as per Options 1 and 2) will have a bigger impact on an estimated 28 people who have more disposable income

to our charging policy for community-based adult social care. This saving is part of the Medium-Term Financial Savings proposals which have been drawn-up in response to the Councils current financial position.

The report sets out the final options for agreement, to enable the change to be implemented from December 2020.

Alternative options

To select an alternative option. This is not recommended for the reasons outlined above.

Not to change the charging policy. This is not recommended. The saving proposal was agreed in early 2020 following full consideration of possible alternatives. As part of the consultation, respondents were asked if there were any alternative proposals to generate a saving. The suggestions made in this feedback are either already being considered or are not viable proposals.

6.5 COVID-19 Adult Social Care Winter Plan

Pre-Decision Scrutiny Questions and officer responses were noted.

DECISION

1. To endorse and approve the revised Travel Assistance Policy, which can then be implemented fully by the end of 2020.

Action by:

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

(Head of Strategy and Policy – Health, Adults and Communities (J. Starkie))

Reasons for the decision

Winter is typically a period of increased pressure and demand on health and social care services. The interplay between this and the impact of the COVID-19 pandemic means winter preparedness is a key issue for adult social care.

It is a requirement for each local authority to develop an Adult Social Care Winter Plan by 31st October 2020. This requirement is described in the national Adult Social Care Winter Plan, published on 18th September 2020.

Alternative options

The Adult Social Care Winter Plan can be amended in line with feedback.

6.6 London Borough of Tower Hamlets Travel Assistance Policy

Pre-Decision Scrutiny Questions and officer responses were noted.

DECISION

1. To endorse and approve the revised Travel Assistance Policy, which can then be implemented fully by the end of 2020.

Action by:

CORPORATE DIRECTOR, CHILDREN AND CULTURE (J. THOMAS)
CORPORATE DIRECTOR, HEALTH ADULTS AND COMMUNITY (D. RADLEY)

(Divisional Director, Youth and Commissioning (R. Martins-Taylor)

(Interim Head of Service, Children's Integrated Commissioning Team (A. Harris)

Reasons for the decision

To provide Tower Hamlets with a single, cohesive Travel Assistance policy, formally agreed by Lead Members. This will replace the current disparate policy positions in place across the Council and will support new and improved ways of working.

Alternative options

Continue with existing policies or revise an adult focused Travel Assistance policy.

6.7 Budget Monitor as at P5 for 2020/21

Pre-Decision Scrutiny Questions and officer responses were noted.

DECISION

1. To note the Council's projected outturn position against General Fund, Dedicated Schools Budget, Housing Revenue Account and earmarked
 - a. reserves for 2020-21, based on forecasts as at 31st August 2020;
2. To note the Council's projected outturn position on the capital programme;
3. To note that there are no equalities implications directly resulting from this report, as set out in Section 4 of the report.

Action by:

CORPORATE DIRECTOR, RESOURCES (N. MURTON)

(Interim Chief Accountant (T. Harlock)

Reasons for the decision

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 to 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 Leadership Team (CLT) 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 issues and proposed solutions as part of their decision making.

Alternative options

The regular reporting of Revenue and Capital Budget Monitoring information through the year and the preparation of the provisional outturn position after the year end 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.

Further information across the Council's key financial activities is also included to ensure that CLT and Members have a full picture to inform their consideration of any financial decisions set out in this report and also their broader understanding of the Council's financial context when considering reports at the various Council Committees.

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; CLT and Members have a key role in approving such actions as they represent changes to the budget originally set and approved by them.

6.8 Billingsgate Market - Update on Joint Working with the City of London Corporation

Pre-Decision Scrutiny Questions and officer responses were noted.

The exempt appendix was noted.

DECISION

1. To note the position with respect to the future of Billingsgate Market and the joint working with the City of London Corporation (the City) in relation to its future redevelopment.
2. To approve the terms of a Cooperation Agreement between the Council and the City as outlined in paragraph 3.7 of the report, to be entered into on or before the laying of the draft Bill in Parliament by the City on the 27 November 2020, in accordance with the heads of terms included in the exempt Appendix 2 to the report.
3. To approve the statement of support for the future redevelopment of Billingsgate Market attached at Appendix 1 to the report.

4. To approve the Qualifying and Abortive Costs set out in the exempt Appendices 2 and 3 to the report.
5. To agree to delegate authority to the Corporate Director of Place, in consultation with the Corporate Director of Governance to agree minor changes to the heads of terms as may be appropriate in the light of further negotiations, and to complete the Cooperation Agreement.
6. To note the financial risk to the Council set out in paragraph 6 of the report and in the exempt Appendix 3 to the report.

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

(Divisional Director Property and Major Programmes (M. Rourke))

Reasons for the decision

The future of the Billingsgate Market site is of strategic importance for the Council. It is jointly owned with the City. Officers have been working with the City on arrangements for the future joint disposal of the site and a Cooperation Agreement is being developed. The heads of the terms for the agreement have been provisionally agreed, subject to approval under this report, and these will form the basis of the Cooperation Agreement. There are financial implications of entering into the Agreement. At the same time, it is appropriate for Cabinet to receive an update on other matters related to the site.

As part of the Parliamentary process associated with relocating the Market, the City has asked the Council to provide a Statement of Support, in the form of a letter, which has been drafted in consultation with the Mayor's office and the City.

The Mayor/Cabinet will be asked to make future decisions as the project develops, in particular, about a future marketing and disposal agreement, outside of the scope of officers delegated authority, which will be based on the principles contained in the proposed Cooperation Agreement.

Alternative options

The main alternative options to the single comprehensive Agreement proposed are to enter into a series of detailed legal agreements with the City, or not to enter into an agreement at all. Given that the process for relocating the Market will take several years and involves Parliamentary approval, it would be difficult to devise multiple detailed legal agreements to cover the variety of potential situations that could arise. Therefore, an overarching agreement is required. The absence of any agreement with the City would be problematic, as joint working with the City is imperative to establish the framework of future negotiations in order for an alternative future for the site to be realised, given that the Council is a joint owner of the site.

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

8. EXCLUSION OF THE PRESS AND PUBLIC

Nil items.

9. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

10. OVERVIEW & SCRUTINY COMMITTEE

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

A Pre-Decision Scrutiny Question and officer response to the exempt appendix to Agenda Item 6.8 (Billingsgate Market – Update on Joint Working with the City of London Corporation) was noted during discussion of that item.

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 8.27 p.m.

Mayor John Biggs