

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.31 P.M. ON WEDNESDAY, 16 DECEMBER 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	

Officers Present:

Kevin Bartle	(Interim Corporate Director, Resources)
Stephen Bramah	(Deputy Head of the Mayor's office)
Lucia Cerrada	(High Density Project Manager)
Andreas Christophorou	(Divisional Director, Communications)
David Courcoux	(Head of the Mayor's Office)
Michael Darby	(Head of Parking & Mobility Services)
Janet Fasan	(Divisional Director, Legal, Governance)
Sharon Godman	(Divisional Director, Strategy, Policy and Performance)
Steven Heywood	(Planning Officer, Plan Making Team)
Afazul Hoque	(Head of Corporate Strategy & Policy)
Dan Jones	(Divisional Director, Public Realm)

Adele Maher	(Strategic Planning Manager, Development and Renewal)
Filuck Miah	(Strategy and Policy Officer, Corporate Strategy and Policy Team)
Ralph Million	(Senior Strategic Asset Manager, Place)
Denise Radley	(Corporate Director, Health, Adults & Community)
Ann Sutcliffe	(Corporate Director, Place)
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 Interest.

3. UNRESTRICTED MINUTES

DECISION

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 25 November 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 tabled in relation to the following agenda items:

- 6.2 Adoption of High Density Living Supplementary Planning Document.
- 6.3 Spitalfields Neighbourhood Plan – Validation of Submission.
- 6.4 Local Government and Social Care Ombudsman, Determination of Outcome.

These were considered during discussion of the relevant items.

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

Nil items.

6. UNRESTRICTED REPORTS FOR CONSIDERATION**6.1 Land at Malcolm and Mantus Road; disposal to Tower Hamlets Community Housing****DECISION**

1. To agree that the Land shown on the plan in Appendix 1 to the report, is surplus to the Council's requirements and approve disposal to Tower Hamlets Community Housing (THCH) on a long lease at a peppercorn rent, subject to a premium payment.
2. To agree the main terms of the transaction as summarised at paragraph 3.7 of the report and at exempt Appendix 2 to the report.
3. To delegate authority to the Corporate Director of Place to agree minor variations to the terms and to agree any other terms necessary to conclude the agreement with THCH, including the grant of rights of access across the Council's retained land.
4. To delegate authority to the Corporate Director of Place to agree the grant of licences to THCH to carry out any works associated with the development on the Council's retained land and for the temporary use of the Council's land to facilitate the construction of a development.
5. To authorise the Corporate Director of Place to agree to any minor variations to the boundaries of the Land to be sold, in order to implement the recommendations above.
6. To authorise the Corporate Director of Place in liaison with the Corporate Director of Governance to enter into the necessary legal agreements required to implement the recommendations above
7. To agree to consider the information at Appendix 2 to the report as exempt under the provisions of section 100A, and paragraph 3 of Schedule 12A of the Local Government Act 1972.

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

(Divisional Director, Growth and Economic Development (V. Clark))

Reasons for the decision

The transaction will enable a narrow strip of Council land, which would be difficult to develop in isolation, to be redeveloped for housing.

The Council will obtain a capital receipt in exchange for the transfer of its land on a long leasehold basis.

Alternative options

The two main alternative options are to retain the Land in its existing state, or consider alternative uses for the Land in isolation from the adjoining THCH land.

In respect of the first option, no decision would need to be taken by the Council at this stage and future opportunities may arise. However, the current state of the Land is not benefiting the local environment, it has been subject to anti-social behaviour and is vulnerable to fly-tipping.

For the second option, the Land is vacant and could potentially be developed for a use supporting the neighbouring estate, such as amenity land or play space. However, there are no scheme proposals of this sort and any scheme would involve capital and revenue costs. The shape and size of the Land limits alternative uses, and it would be very difficult to take forward a built development in isolation.

In either alternative option, the current opportunity to facilitate new housing provision in partnership with THCH would be lost.

6.2 Adoption of the High Density Living Supplementary Planning Document

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

DECISION

1. To approve the High Density Living SPD (appendix 1) for adoption and authorise officers to prepare an adoption statement and publish the Regulation 18(4)(b) Statement and adoption statement so it can be considered a material planning consideration in the assessment of planning applications for high density and high-rise buildings.
2. Authorise the Corporate Director of Place to make any necessary factual or minor editing changes prior to publishing the final High Density Living SPD.
3. To note the Equalities Impact Assessment as set out in appendix 2.
4. To note the Representation schedule summarising representations received during the consultation and the responses to these representations as set out in appendix 3.

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

(Strategic Planning Manager (A. Maher)

(High Density Development Project Manager (L Cerrada)

Reasons for the decision

Tower Hamlets has the highest housing target under in the current London Plan and this has been only moderately reduced in the new draft London Plan. With limited land available for new development, significant emphasis has been placed on optimising housing density to deliver sufficient new homes. Increasingly, planning policy and guidance has supported the delivery of housing at high densities. This narrative has continued in the draft London Plan, which unlike its predecessor does not set out target density ranges, and instead leaves upper density levels open, allowing boroughs to determine the appropriate development in the context of their existing character and densities.

The new Tower Hamlets Local Plan sets out how the borough will grow and develop from now until 2031. It recognises that during this time Tower Hamlets will continue to be home to diverse communities and that it is important to support existing residents and welcome new people to make their home within liveable, mixed, stable, inclusive and cohesive neighbourhoods, which contribute to a high quality of life. Among the many policies that will shape new development is one that seeks to manage the impacts of high density developments. This supports the Mayor of Tower Hamlets' manifesto commitment to continue to oppose development that is too tall or too dense.

The density of development has two important implications; it influences the number of people living in an area and it influences the nature of the urban form in which they are accommodated. Tower Hamlets has a rapidly growing population, with up to 400,000 new residents expected by 2031. However the land available for new development is decreasing. The borough has already undergone significant development in recent years limiting the number of sites that are available for redevelopment and intensification. This growth inevitably will result in an increase in residential densities that will focus in particular areas of the borough, such as the City Fringe, parts of the Isle of Dogs and Poplar Riverside. Increased densities will also mean that this growing population will be accommodated in a changing landscape of built form, particularly one that features an increased number of tall buildings. The Local Plan seeks to manage some of the implications of these changes, however given the cumulative number of high-density developments it was agreed that a more detailed knowledge of the experiences of those who live in high density developments was necessary in order to understand how we can ensure new development provides a good and sustainable quality of life.

Evidence gathered through surveys and interviews pointed to important design issues that impact residents' quality of life. The High Density Living Supplementary Planning Document provides a series of design recommendations to support residents' quality of life.

Alternative options

The new Local Plan provides a vision and strategic development principles for residential and tall buildings (among other policy themes and spatial guidance). An alternative option would be to rely on this document to support

and guide the development and assessment of high density and high-rise buildings in the Borough, without further detailed design guidelines.

This option was considered inadequate as it would not provide a sufficiently detailed understanding of the implications of high density and high-rise developments on resident's quality of life. Without the additional design guidelines provided by the SPD, the Local Plan does not provide in itself the necessary level of detail to secure exceptional architectural quality and innovative and sustainable building design.

6.3 Spitalfields Neighbourhood Plan – Validation of Submission

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

DECISION

1. To approve the Spitalfields Neighbourhood Plan to be submitted for examination, on the basis that it is compliant with the necessary regulations under the Neighbourhood Planning (General) regulations 2012.
2. To authorise the Divisional Director of Planning and Building Control, in consultation with the Cabinet Member for Planning and Social Inclusion, to provide comments on behalf of the Council on the submission version of the neighbourhood plan during the Regulation 16 publicity period.
3. To agree that the Council should proceed to appoint an examiner of the neighbourhood plan with the consent of the Spitalfields Neighbourhood Forum.
4. To note the Equalities Impact Assessment considerations as set out in Paragraphs 7.1 and 7.2 of the report.

Action by:

CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)

(Strategic Planning Manager (A. Maher)

(Planning Officer (S. Heywood)

Reasons for the decision

Tower Hamlets Council has received a submission of a draft Spitalfields Neighbourhood Plan under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ('the 2012 Regulations').

The Council is required to consider whether the submission of the neighbourhood plan meets the legal requirements for such plans under Schedule 10 of the Localism Act 2011. If the submission meets those requirements, the neighbourhood plan should be taken forward to formal consultation and examination.

Officers have assessed the submission against the relevant legislation and regulations and are satisfied that the Spitalfields Neighbourhood Plan as submitted meets the requirements to proceed to consultation and examination. This is the reason for recommendation 1 above.

Under Regulation 16 of the 2012 Regulations, the Council must publicise and consult on the submission documents 'as soon as possible' after receiving them (assuming they meet the requirements of the legislation).

The Council organises the consultation under Regulation 16, but is also able to respond to that consultation as an interested party. An adopted neighbourhood plan will form part of the Council's development plan and will have full weight in decision making on planning matters in the neighbourhood plan area. This is the reason for recommendation 2 above.

Schedule 10 of the Localism Act 2011 requires an independent examiner of the neighbourhood plan to be appointed, who will examine the plan following the Regulation 16 consultation. This person should be appointed with the consent of the neighbourhood forum. This is the reason for recommendation 3 above.

Alternative options

The Council may decline to consider a neighbourhood plan submission if it is considered a repeat submission; or can decline to take forward a neighbourhood plan if it considered not to meet the legislative requirements. If the neighbourhood plan submission meets the legislative requirements and does not meet the definition of a repeat proposal, it must be taken forward.

Officers consider that the submission meets the legislative requirements, and it is the first submission of a Spitalfields Neighbourhood Plan and cannot be considered a repeat proposal, and therefore must be taken forward to consultation and examination. Consequently, there is no alternative option provided.

6.4 Local Government and Social Care Ombudsman, Determination of Outcome

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

DECISION

1. To note the content of the report.
2. To note the actions being taken by Parking Services to remedy the situation.

Action by:

CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)

(Head of Parking (M. Darby))

Reasons for the decision

The Council accepts the Local Government Ombudsman's findings and will implement the recommendations made.

Alternative options

The Council does not wish to challenge the decision of the Local Government Ombudsman, which is the only alternative option available.

6.5 2021-22 Budget Consultation Outcome**DECISION**

1. To note the outcome of the Council's 2021-22 budget consultation with business ratepayers, residents and other key stakeholders.

Action by:

ACTING CORPORATE DIRECTOR, RESOURCES (K. BARTLE)

(Head of Strategic and Corporate Finance (A. Bannin))

Reasons for the decision

The Council has a statutory duty to carry out budget consultation with businesses and it is considered good practice to also consult with residents and key stakeholders.

Due to the impact of the Covid-19 pandemic, Tower Hamlets now finds itself in a materially changed environment from that which existed in February 2020 when the budget and medium term financial strategy were approved by the Council.

The Council is under a duty to set a balanced and sustainable budget and maintain adequate reserves such that it can deliver its statutory responsibilities and priorities.

The setting of the budget is a decision reserved for Full Council. The Council's Budget and Policy Framework requires that a draft budget is issued for consultation with the Overview & Scrutiny Committee to allow for their comments to be considered before the final budget proposals are made to Full Council.

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

Alternative options

Whilst the Council will adopt a number of approaches to the identification of measures aimed at delivering its MTFs it must set a legal and balanced budget and maintain adequate reserves.

The Council is required to set an affordable Council Tax and a balanced budget, while meeting its duties to provide local services. This limits the options available to Members. Nevertheless, the Council can determine its priorities in terms of the services it seeks to preserve and protect where possible, and to the extent permitted by its resources, those services it wishes to prioritise through investment.

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

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 6.48 p.m.

Mayor John Biggs