

**LONDON BOROUGH OF TOWER HAMLETS****RECORD OF THE DECISIONS OF THE CABINET****HELD AT 5.35 P.M. ON WEDNESDAY, 15 DECEMBER 2021****C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,  
LONDON, E14 2BG****Members Present in person:**

Mayor John Biggs	
Councillor Rachel Blake	(Deputy Mayor and Cabinet Member for Adults, Health and Wellbeing)
Councillor Motin Uz-Zaman	(Deputy Mayor and Cabinet Member for Work, Economic Growth and Faith)
Councillor Sabina Akhtar	(Cabinet Member for Culture, Arts and Sports)

**Members In Attendance virtually:**

Councillor Asma Begum	(Statutory Deputy Mayor and Cabinet Member for Children, Youth Services, Education and Equalities)
Councillor Mufeedah Bustin	(Cabinet Member for Social Inclusion (Job Share as part of wider Social Inclusion and Public Realm portfolio)
Councillor Kahar Chowdhury	(Cabinet Member for Highways and Public Realm (Job Share as part of wider Social Inclusion and Public Realm portfolio)
Councillor Danny Hassell	(Cabinet Member for Housing)
Councillor Asma Islam	(Cabinet Member for Environment and Planning)
Councillor Sirajul Islam	(Cabinet Member for Community Safety)
Councillor Candida Ronald	(Cabinet Member for Resources and the Voluntary Sector)

**Other Councillors In Attendance virtually:**

Councillor Mohammed Pappu	(Chair of the Overview and Scrutiny Committee)
Councillor Gabriela Salva Macallan	

**Officers Present in person:**

Will Tuckley	(Chief Executive)
Janet Fasan	(Director of Legal and Monitoring Officer)
Matthew Mannion	(Head of Democratic Services)
Dean RiddickMcGregor	(Deputy Head of the Mayor's Office)

**Officers In Attendance Virtually:**

Jane Abraham	(Head of Capital Delivery)
Kevin Bartle	(Interim Corporate Director, Resources and

	Section 151 Officer)
Stephen Bramah	Head of the Mayor's office)
Rupert Brandon	Interim Head of Housing Supply
Imelda Burke	(Regeneration Officer, Place)
Mohammed Chibou	(Principal Transport Planner)
Vicky Clark	(Director of Integrated Growth and Development)
Billy Finnegan	(Youth Offending Service)
Sharon Godman	(Director, Strategy, Improvement and Transformation)
Afazul Hoque	(Head of Corporate Strategy & Policy)
Dan Jones	(Director, Public Realm)
Abdul Khan	(Service Manager - Energy & Sustainability)
Ann Sutcliffe	(Corporate Director, Place)
Karen Swift	(Divisional Director, Housing and Regeneration)
James Thomas	(Corporate Director, Children and Culture)
Warwick Tomsett	Joint Director, Integrated Commissioning
Abad Uddin	(Graduate Management Trainee, Human Resources)
Nisar Visram	(Director of Finance, Procurement & Audit)
James Walsh	(Housing Regeneration Officer, Major Project Development, Development & Renewal)

## 1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Denise Radley (Corporate Director, Health, Adults and Community) for whom Warwick Tomsett (Joint Director of Integrated Commissioning) deputised.

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

There were no Declarations of Disclosable Pecuniary Interests.

## 3. UNRESTRICTED MINUTES

### DECISION

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 24 November 2021 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 respect of the following agenda items.

- 6.1 Net Zero Carbon Partnership Action Plan
- 6.3 Liveable Streets Shadwell consultation outcome report
- 6.4 Harriott, Apsley and Pattison Houses Regeneration Scheme
- 6.8 Disposal of Bromley Hall School and associated land
- 6.9 Canon Barnett Primary School Academy Conversion

In addition, as part of the Budget and Policy Framework, the Overview and Scrutiny Committee's response to the report on the Annual Plan for the Youth Justice Board 2021-22 was tabled.

These documents were considered in relation to the discussion of the relevant agenda items.

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

Nil items.

## 6. UNRESTRICTED REPORTS FOR CONSIDERATION

### 6.1 Net Zero Carbon Partnership Action Plan

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

#### **DECISION**

1. To note that the council has signed up to the UK 100 Net Zero Pledge to become a Net Zero Borough by 2045 at the latest.
2. To note that Net Zero Carbon Partnership Action Plan (live document) is agreed by the PEG and launched to coincide with the international climate event COP (Conference of Parties) 26.
3. To note next steps for a partner's initiative to establish a Climate Alliance and development of the Net Zero Carbon Borough Action Plan.

#### **Action by:**

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

(Director of Public Realm (D. Jones)

(Head of Energy, Sustainability and Private Sector Housing (A. Khan)

(Strategy and Policy Manager (Place) (A. Kamali)

**Reasons for the decision**

The Council declared a Climate Emergency in 2019 and committed to becoming a Net Zero Carbon Council by 2025 and a Net Zero Carbon Borough by 2050 or sooner (since updated to 2045 or sooner). In May 2021, the PEG commissioned the council to set up the Task Force to commence development of a 3–5-year Net Zero Carbon Partnership Action Plan for the borough (live document). This is the PEG's first step in its collaborative journey and a statement of intent towards becoming a Net Zero Carbon Borough. This report attaches the Action Plan with indicative resources required.

**Alternative options**

The Council declared a 'Climate Emergency' at Full Council meeting on 20th March 2019 and made two ambitious commitments. Firstly, for the council to become net zero carbon council by 2025 and secondly, for borough to be net zero carbon by 2050 or sooner (since updated to 2045 or sooner). Tower Hamlets Cabinet adopted a Net Zero Carbon Plan which is a statement of intent on the commitments made. The agreement of the Action Plan supports delivery of the commitment made for the borough.

The Task Force has worked in collaboration to develop the Action Plan for the borough, which begins the journey toward delivering on the ambition to meet the 2045 commitment. A failure to implement the Action Plan would cause significant environmental, public health, reputational damage, and risk.

**6.2 2022-23 Budget Consultation Outcome****DECISION**

1. To note the outcome of the Council's 2022-23 budget consultation with business ratepayers, residents and other key stakeholders.

**Action by:**

**INTERIM CORPORATE DIRECTOR, RESOURCES (K. BARTLE)**

(Head of Strategic 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.

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.

### **6.3 Liveable Streets Shadwell consultation outcome report**

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

#### **DECISION**

1. To note the results of the engagement and public consultation of Shadwell Liveable Streets
2. To note the proposed scheme design for the Shadwell area as part of the Liveable Streets programme (Appendix B to the report) and summarised in section 3.3 of the report.
3. To approve the use of existing frameworks or term contracts to award an order up to the value determined for completion of the works.
4. To approve the use of traffic orders to facilitate the proposals set out in this report.

#### **Action by:**

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

(Director of Public Realm (D. Jones)

(Team Leader – Programme Commissioning and Monitoring (M. Chibou)

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

This project will make fundamental improvements to infrastructure on the street, public spaces and change the travel behaviour of residents, businesses, and visitors to the Shadwell area. These changes seek to address the following:

- A School Street on Bigland Street to improve road safety for students and families.

- Creating more space for pedestrians to improve access on Watney Street.
- Enhancing the neighbourhood with improved accessibility, lighting, planting, public art, and traffic calming measures.
- Reducing cut through traffic in the area during morning peak periods.
- Improving the pavements on Cannon Street Road for pedestrians.

An extensive engagement process has been undertaken over the past year and a half involving residents, businesses, key groups, emergency services and internal council services.

As part of the 30 October 2019 Cabinet approval, the decision making for the Liveable Streets programme is:

- Under £250k – decision to be made by Divisional Director, Public Realm.
- Over £250k-below £1 million – Decision to be made by Director of Public Realm in consultation with the Mayor and Lead Member.
- Over £1 million or significant impact on two or more wards – decision to cabinet for political decision.

### **Alternative options**

Through the public consultation, all responses will be reviewed, and any suggestions or alternative proposals presented by the community were assessed by the project team for viability and alignment with the Liveable Streets objectives. This assessment is set out in Appendix E to the report.

## **6.4 Harriott, Apsley & Pattison (HAP) Houses Regeneration Scheme**

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

### **DECISION**

1. To approve the budget allocation of £86.000m to fund the first three years of the delivery programme, to include land assembly costs and settlements, such as leaseholder buy-backs, tenant decants and relocation of non-residential interests; fees associated with design, procurement and legal activities; and delivery of the first phase of the development comprising in the region of 100 new council homes and a new community centre, subject to planning.
2. To note that approval will be sought from the Common Housing Register Forum for decant status for tenants be granted to allow secure tenants that want to move off the estate the opportunity to do so, via the Choice Based Lettings system.
3. To agree a Demolition Notice be implemented across the estate to allow land assembly and to ensure there are no further Right-to-Buy applications, as acquisitions of the existing leasehold properties takes place.

4. To agree to the payment of Home Loss payments and other good practice compensation for decanting tenants and for leaseholder buy-back purchases, ahead of any CPO process being progressed by the council (these are statutory payments under CPO legislation).
5. To delegate to the Corporate Director of Place the authority to appoint external consultants to assess and agree any compensation due to the neighbouring residents or interests; and thereafter to enter into any documentation to extinguish and/or to settle compensation for any infringement by the development of property rights benefitting neighbouring properties (including Rights to Light).
6. To delegate authority to the Director of Place and the Director of Legal Services to agree the terms of and enter into any documentation required to settle any property matters necessary to progress the regeneration scheme.
7. To note the intention to bring a further report to Cabinet in 2022 on the use of Compulsory Purchase Order (CPO) powers, which will empower the Council to acquire all land and property interests within the Order Land necessary to facilitate the delivery of the scheme, the use of s203 of the Housing and Planning Act 2016 and the use of s19 of the Land Acquisition Act 1981
8. To agree the principle of relocating the Redcoat Community Centre and Mosque in accordance with the approach set out in section 7 of the report and to delegate the terms of an agreement for lease of a new facility to the Corporate Director of Place, with terms agreed to be included in the scheme's next report to Cabinet in 2022.
9. To agree the relocation of Vibrance to the proposed Pritchards Road site and the associated fit-out works required to make it fit for purpose. Delegate the terms of an agreement for the lease to the Corporate Director of Place, with terms agreed to be included in the scheme's next report to Cabinet in 2022.
10. To agree the proposed procurement route to secure a suitable developer partner or build contractor to deliver the scheme through an open negotiated tender route, as set out in section 9 of the report.
11. To delegate authority to the Corporate Director of Place and the Corporate Director of Resources to ensure the HRA Business Plan can support the delivery of the scheme before any development agreement or build contract are entered into.

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

(Interim Head of Housing Supply (R. Brandon)

(Housing Project Manager (J. Abraham))

**Reasons for the decision**

The decisions sought in this report are to enable the delivery of more than 400 new homes and a new community centre, subject to planning approval, on council-owned land currently occupied by seven housing blocks (known collectively as Harriott House, Apsley House and Pattison House), comprising 100 flats and maisonettes, and two community buildings.

The proposed regeneration of the site was subject to a resident ballot in March/April 2020, where residents voted in favour of the redevelopment of the estate and the provision of new well-designed, energy efficient homes set in a high-quality environment.

The regeneration of HAP (Harriott, Apsley and Pattison Houses) has been identified as a priority in the new council homes programme, subject to funding being identified and allocated, as set out in this report.

The scale and value of the project means that Cabinet approval is required on a number of matters, without which the development will not be able to proceed.

**Alternative options**

The alternative approach would be to not to develop the site, retain the existing housing blocks and continue to maintain them as part of the cyclical programme, including fire and building safety works, major works and net zero carbon improvements. Following the positive ballot outcome, the expectation of the local community is that the redevelopment will proceed, subject to funding being identified and allocated, as set out in this report.

**6.5 Learning Disability Health Overview & Scrutiny Committee Challenge Session: Update and Action Plan****DECISION**

1. To note the report of the Adults Learning Disability Health Scrutiny Challenge Session Report and agree the action plan in response to the report recommendations.

**Action by:**

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

(Commissioning Manager (M. Clavier)  
(Commissioning Manager (A. Gosling)

**Reasons for the decision**

This is an update and action plan following the Feb 2021 and March 2020 Health & Adults Scrutiny Challenge Sessions, including consideration around the impact the pandemic has had on the learning disability population.

This report seeks the endorsement of Cabinet for the challenge session recommendations. The Council's constitution requires the Executive to

respond to recommendations from scrutiny and this report fulfils that requirement.

**Alternative options**

Not applicable.

**6.6 Annual Plan for the Youth Justice Board 2021/22**

Considered under the Budget and Policy Framework.

The response of the Overview and Scrutiny Committee was noted.

**DECISION**

1. To note the contents of the Annual Youth Justice Plan 2021/22 for Tower Hamlets and the City of London which will be progressed to Full Council for approval in accordance with the Council's Budget and Policy Framework procedure rules.

**Action by:**

**CORPORATE DIRECTOR, CHILDREN AND CULTURE (J. THOMAS)**

(Director of Supporting Families (R. Baldwin)

(Acting Head of Youth Justice and Young People's Service (B. Finnegan)

**Reasons for the decision**

Arising from the Crime and Disorder Act (1998) all local authorities in England and Wales are required to produce an Annual Youth Justice Plan and for the Youth Justice Management Board to be satisfied with the said plan.

**Alternative options**

Not complete a plan:

- **Annual Youth Justice Plan:** This is not deemed to be a viable option given the statutory requirement for the local authority to produce an Annual Youth Justice plan. Failure to produce an annual Youth Justice plan can impact the release in the grant funding supplied by the Youth Justice Board.

The option of not completing a plan is not recommended

## 6.7 Letting of Bromley Public Hall

The exempt appendix was noted.

### DECISION

1. To grant the Corporate Director of Place delegated authority to conclude the letting of Bromley Public Hall after advising the Mayor and Lead Member.

#### Action by:

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

(Head of Asset Management (S. Shapiro))

#### Reasons for the decision

Under the Council constitution, we are required to seek authority for entering a tenancy with an annual rent in excess of £100,000 per annum. From the current levels of interest from applicants when wanting to take the whole of Bromley Public Hall, this level will be breached.

#### Alternative options

**Continued Use by the Council** – the decision to close the site was initially made at Cabinet on 29 January 2020, where it was discussed under agenda item 6.5 - The Council's 2020-21 Budget Report and Medium Term Financial Strategy 2020-23. It was then ratified by Council on 19 February 2020.

During this period no other part of the Council expressed any interest in using the building for their use.

**Letting in two parts** – the building was advertised on the basis that we would consider a letting on the whole or in part. The preference was to let to a single tenant, but consideration would be given to two separate organisations taking space.

This would result in more intensive management of the building, including the splitting of services, as well as the requirement to have a manned reception desk, at the cost to the Council. However, each letting would be under the Delegated Authority threshold.

## 6.8 Disposal of Bromley Hall School and Associated land at Aberfeldy

The exempt appendix was noted.

Pre-Decision Scrutiny Questions and officer responses were noted.

### DECISION

1. To agree authority to dispose of the vacant Bromley Hall School and land adjacent on a freehold or long leasehold basis.
2. To authorise the Corporate Director, Place to enter into a direct negotiation with Poplar HARCA.
3. To agree that if an acceptable proposal cannot be agreed with Poplar HARCA, or the discussions are becoming protracted, to authorise the Corporate Director, Place to market the site and dispose on the open market.
4. To note the Equalities Impact Assessment.

#### Action by:

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

(Interim Asset Manager (T. Parsonage)

(Head of Asset Management (S. Shapiro)

#### Reasons for the decision

The school has not been used for any purpose for over 10 years and is deteriorating as well as becoming a potential site for Anti-Social Behaviour (ASB), therefore the site should be held surplus and disposed to benefit from a capital receipt.

24-hour manned security is currently carried out on a daily basis to ensure there are no anti-social behaviour activities associated with the site. Security costs are currently £130,000 pa. The cost of managing and maintaining the site is draining resources as the building continues to deteriorate and become more of a health and safety concern.

An application in 2016 was consented for reuse of the building as a 2 FE Primary school and associated nursery. This included demolition of the 1970's extension to the school and construction of a new one storey building on the land east of the school previously used as a playground. Land north of the school was proposed as the new playground. Works began in 2017 but were halted during strip out due to changing demand for the school. The building has been left vacant ever since.

Reasons to declare the site surplus and market are due to the cost of maintaining a dilapidated building and the health and safety issues posed. Limited funding for the redevelopment of the site and planning constraints in the area due to the Grade II listed status of the building which reduces the Council's ability to redevelop the site independently.

When the adjacent vacant site is disposed of the buyer will re-develop the site into commercial, residential, or potentially mixed-use accommodation. This will provide new homes for the Borough and employment space.

### **Alternative options**

Leave the site vacant and unused for the foreseeable future. The vacant site results in annual security costs of £130,000 and will continue to require more funding for maintenance of the listed building and surrounding boundary walls.

## **6.9 Canon Barnett Primary School Academy Conversion**

The Pre-Decision Scrutiny Question and officer response was noted.

### **DECISION**

1. To authorise the grant of a 125-year lease to the Mulberry Schools Trust for Canon Barnett primary school
2. To authorise the Corporate Director, Place, to agree final terms and conditions for the grant of the new lease.
3. To authorise the execution of any other land related agreement to allow for the Mulberry Schools Trust operation of the Academy from the transfer date
4. To authorise the council to enter into commercial and staffing transfer agreements on suitably agreed terms.
5. To authorise the Corporate Director, Children and Culture, after consultation with the Corporate Director, Resources, and Director of Legal, to enter into and undertake remaining issues and/or agreements associated with the conversion.
6. To authorise the Director of Legal (Monitoring Officer), to execute all documentation required to implement the decisions.
7. To authorise the Corporate Director, Resources, to execute the Local Government (Contract) Act 1997 Certificate required to implement the decisions.
8. To note the equalities considerations as set out in Paragraph 5.1 of the report.

#### **Action by:**

**CORPORATE DIRECTOR, CHILDREN AND CULTURE (J. THOMAS)**  
(Head of Strategy and Policy – Children and Culture (L. Richards))

**Reasons for the decision**

Canon Barnett is a maintained community primary school and received an academy order from the Secretary of State for Education on 24 June 2021.

The school intends to join the Mulberry Schools Trust (a multi-academy trust or MAT).

The school, which is judged to be good by Ofsted, has indicated its wish to convert to academy status on 1 February 2022.

**Alternative options**

There is no alternative option to the planned course of action. Once applications from school governing bodies have been approved by the Secretary of State the expectation is that local authorities will work with schools on all transfer matters.

**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 6.43 p.m.

Mayor John Biggs