

**LONDON BOROUGH OF TOWER HAMLETS**

**RECORD OF THE DECISIONS OF THE CABINET**

**HELD AT 5.30 P.M. ON MONDAY, 1 AUGUST 2022**

**C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,  
LONDON, E14 2BG**

**Members Present in Person:**

Mayor Lutfur Rahman	
Councillor Maium Talukdar	(Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning (Statutory Deputy Mayor))
Councillor Kabir Ahmed	(Cabinet Member for Regeneration, Inclusive Development and Housebuilding)
Councillor Ohid Ahmed	(Cabinet Member for Safer Communities)
Councillor Saied Ahmed	(Cabinet Member for Resources and the Cost of Living)
Councillor Suluk Ahmed	(Cabinet Member for Equalities and Social Inclusion)
Councillor Gulam Kibria Choudhury	(Cabinet Member for Health, Wellbeing and Social Care)
Councillor Abu Chowdhury	(Cabinet Member for Jobs, Skills and Growth)
Councillor Iqbal Hossain	(Cabinet Member for Culture and Recreation)
Councillor Kabir Hussain	(Cabinet Member for Environment and the Climate Emergency)

**Other Councillors Present in Person:**

Councillor Musthak Ahmed  
Councillor Peter Golds

**Other Councillors In Attendance Virtually:**

Councillor Sirajul Islam

**Others In Attendance Virtually:**

Fran Pearson	Independent Chair of the Safeguarding Adults Board
Mike Hamer	Acting BCU Commander

**Officers Present in Person:**

Stephen Bramah	(Corporate Head of Strategy and Improvement)
Janet Fasan	(Director of Legal & Monitoring Officer)
Sam Harney	(Mayor's Political Advisor)
Amy Jackson	Head of Mayor's Office - Strategy and Performance
Katie O'Driscoll	(Director of Adult Social Care)
Ann Sutcliffe	(Corporate Director, Place)

James Thomas	(Corporate Director, Children and Culture)
Will Tuckley	(Chief Executive)
Nisar Visram	(Director of Finance, Procurement & Audit)
Joel West	(Democratic Services Team Leader (Committee))

**Officers In Attendance Virtually:**

Jennifer Peters	(Divisional Director, Planning and Building Control, Place)
Sharon Godman	(Director, Strategy, Improvement and Transformation)
Steven Heywood	(Planning Officer, Plan Making Team)
Marc Acton-Filion	(Planning Officer (Plan Making Team))
Peter Maskell	(Interim Head of Procurement)
Steve Nyakatawa	(Director of Education)

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of

- Denise Radley, Corporate Director, Health, Adults and Community for whom Katie O’Driscoll, Director, Adult Social Care was deputising
- Kevin Bartle Interim Corporate Director – Resources for whom Nisar Visram, Director of Finance, Procurement & Audit was deputising.

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

There were no Declarations of Disclosable Pecuniary Interests.

**3. UNRESTRICTED MINUTES**

That the unrestricted minutes of the Cabinet meeting held on Monday 11 July be approved and signed by the Chair as a correct record of proceedings.

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

Please see the minutes.

**5. OVERVIEW & SCRUTINY COMMITTEE**

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

Nil items.

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

Nil items.

**6. UNRESTRICTED REPORTS FOR CONSIDERATION****6.1 Strategic Plan 2022-26 and Year 1 Delivery Plan- adoption****DECISION**

1. To approve the Tower Hamlets Council Strategic Plan for 2022 - 2026 (Appendix 1 to the report), and annual delivery plan for 2022/23 (Appendix 2 to the report).
2. Note the specific equalities considerations as set out in the plan and paragraph 4 of the report.
3. Delegate to the Director of Strategy, Improvement and Transformation in consultation with the Mayor and Chief Executive the development of indicators to monitor the impact of the annual delivery plan.

**Action by:****CHIEF EXECUTIVE (W. TUCKLEY)****(Director, Strategy, Improvement and Transformation, S. Godman)****Reasons for the decision**

It is important that the Council sets out its key priorities and how it will measure progress against them.

**Alternative options**

The Mayor may choose not to progress the Strategic Plan. This course of action is not recommended as the strategic plan is key to the council's policy and budget framework. Not progressing would leave the council with a significant planning gap: the Strategic Plan is a key element of the Council's business planning arrangements. It is important for the Council to articulate its priorities and to embed the administration's commitments into planning.

The Cabinet may choose to further amend the Strategic Plan. This would require further presentation to Cabinet at a later date, delaying the planning process and potentially the delivery of some actions. If the Plan is amended, regard would need to be given to the Council's medium term financial plan, as well as any impact arising from the changes.

**6.2 Leisure Recommissioning****DECISION**

1. Further to consideration of the options contained in the report, to agree that the insourcing option be progressed by officers.
2. To note the Equalities Impact Assessment set out in Paragraph 4.1 of the report.

**Action by:**  
**CORPORATE DIRECTOR, CHILDREN AND CULTURE (J. THOMAS)**  
**(Project Director – Leisure Capital Programme and Procurement, M. Coleman)**

**Reasons for the decision**

The Council's Financial Regulations and Procurement Rules require Cabinet approval for the appointment of services over £0.250m and works over £5.000m. The estimated annual value of the income generated by the Leisure Service contract is £9m based on the current estate.

**Alternative options**

Outsource the delivery of the service to a third party operator.

Insource the delivery of the service within the Council, as part of an existing directorate

Set up a wholly owned subsidiary of the Council (a Local Authority Trading Company), to run the estate at 'arm's length'.

Set up an independent trust (e.g. a charitable trust, or a Public Service Mutual).

Create a joint venture with a third party or parties, which could include other local authorities and/or one or more private sector providers.

Sell off the leisure centres and associated facilities.

Enter into a long-term lease for the buildings in the estate.

Extend the existing contract

**6.3 St George's Leisure Centre Investment Update**

**DECISION**

1. To confirm the building of a new leisure centre on the St George's Leisure Centre site, not a refurbishment. Given that the original funding allocation of £25.163m is not sufficient, a decision on how the shortfall will be funded will be made following a review of the overall capital programme. The totality of the required funding will need to be identified and approved before the procurement phase of the scheme can commence.
2. To confirm that officers should review the current housing programme to ensure that a housing scheme on the St George's Leisure Centre site is part of that programme, based on a funding requirement of up to £16m.

**Action by:**  
**CORPORATE DIRECTOR, CHILDREN AND CULTURE (J. THOMAS)**  
**(Project Director – Leisure Capital Programme and Procurement, M. Coleman)**

**Reasons for the decision**

The then Executive Mayor in Cabinet approved the decision to build a new leisure centre on the St George's site at the meeting held on 9 February 2022, subject to a review of the Friends of St George's refurbishment feasibility

option. This review has now been completed and it has been concluded that a refurbishment would not deliver the same value for money as a new build solution. Cabinet is, therefore, requested to confirm the original decision.

#### **Alternative options**

Cabinet could decide to require the refurbishment option to be explored further, to provide definitive confirmation of its cost and technical viability. This would delay the development of a long term solution for the provision of leisure facilities in the south-west of the borough.

Cabinet could overturn the original decision from 9 February 2022 entirely and seek a further review of the original options considered within the Council's original feasibility study and the business case completed in autumn 2021, or suggest additional options that have not yet been considered. Again, this would delay the development of a long term solution for this area of the borough.

### **6.4 Safeguarding Adults Board Annual Report 2021-22**

#### **DECISION**

1. To note the Safeguarding Adults Board Annual Report 2021-22.

#### **Action by:**

**CORPORATE DIRECTOR, HEALTH, ADULTS AND COMMUNITY (D. RADLEY)**  
(Director, Adult Social Care, K. O'Driscoll)

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

It is a statutory requirement to publish a Safeguarding Adults Board annual report. 2014 Care Act statutory guidance states that one of the three core duties of a Safeguarding Adults Board is: "It must publish an annual report detailing what the SAB has done during the year to achieve its main objective and implement its strategic plan, and what each member has done to implement the strategy as well as detailing the findings of any safeguarding adults reviews and subsequent action

#### **Alternative options**

The content and format of the Safeguarding Annual Report can be revised in line with feedback.

### **6.5 Tower Hamlets Safeguarding Children Partnership Annual Report 2021/22**

#### **DECISION**

1. To note the work that has been carried out by the Tower Hamlets Safeguarding Children's Partnership over the year 2021-22 and the outcomes that members would like to see from the THSCP over the next year.

2. To note the specific equalities considerations as set out in paragraph 4.1 of the report.

**Action by:**

**CORPORATE DIRECTOR, CHILDREN AND CULTURE (J. THOMAS)  
(Strategy and Partnership Manager, L. Griffiths)**

**Reasons for the decision**

The Working Together 2018 Arrangements stipulates in section 41 -6 the safeguarding partners must publish a report within every 12-month period, and this should be shared through all agencies. The report will also go to the National Safeguarding Practice Review Panel, and the What Works Centre for Children's within 7 days of publication. The report was required to be signed off by the three partners including DCS for the Local Authority, Borough Commander for the Police and Chief Executive of the local CCG as well as the Independent Scrutineer.

The content of the Annual Report has been developed and agreed by the THSCP statutory partners from the local authority, clinical commissioning group and the borough police.

**Alternative options**

N/A

**6.6 SEND Improvement Board Annual Report 2021****DECISION**

1. To note the contents of the SEND Improvement Board Annual Report 2021/22.

**Action by:**

**CORPORATE DIRECTOR, CHILDREN AND CULTURE (J. THOMAS)  
(Director of Education, S. Nyakatawa)**

**Reasons for the decision**

Not applicable.

**Alternative options**

Not applicable.

**6.7 Report on outcome of the stage one consultation on the proposal to change the designation of George Green School Specialist Provision and increase Pupil Numbers****DECISION**

1. To move to the publication of a Statutory Notice for 28 days, in respect of the proposal to alter George Green's School with effect from 1st January 2023.

2. To note the Equalities Impact Assessment set out in Section 4 of the report and attached as Appendix 2 to the report.

**Action by:**

**CORPORATE DIRECTOR, CHILDREN AND CULTURE (J. THOMAS)**  
**(Director of Education, S. Nyakatawa)**

**Reasons for the decision**

The recommendation is made in order to determine the Council's response to the proposal for prescribed alterations to George Green's School.

The alterations will allow Tower Hamlets, as part of its SEND Strategy, to develop a world class provision, for children whose needs may not otherwise be fully met within the Borough.

The proposal is for the changes to take effect from the 1<sup>st</sup> January 2023 and the process is therefore being undertaken in accordance with Department for Education (DfE) guidance and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

The proposal will not have an impact on children currently attending the George Green's specialist provision as the school and officers will develop a transition plan to ensure that the needs of those children continue to be met by the school as it moves to the new designation.

As an inclusive maintained school, George Green's will continue to be consulted on placements for children with physical disabilities, in line with the Equalities Act (2010) and parental preference for George Green's School.

So far, an initial public consultation has been undertaken, and a report on the outcome of the consultation will be published on the Council and School website, following Cabinet's decision on whether to progress to Statutory Notice.

The Consultation Report is at Appendix 1 and includes feedback on the representations received following the conclusion of the stage one consultation on 17<sup>th</sup> June 2022. The representations received can be found at Appendix 5.

**Alternative options**

Option 1: to move to the publication of a statutory notice for 28 days, which is the next stage in the statutory consultation process. This will provide further opportunity for consultees to have their say and set legal objections against the proposal.

Option 2: not to move to the publication of a statutory notice, but to cease the proposal after stage one of the consultation period, this would mean not concluding the full statutory consultation process in order to take the decision to provide Autistic Spectrum Condition specialist support at George Green's School.

**6.8 Roman Road Bow Neighbourhood Plan – Examiner’s Report and Referendum****DECISION**

1. To note Appendix 1 of the report: Roman Road Bow Neighbourhood Plan Final Report of Examination and Appendix 3 of the report: Referendum Version of the Neighbourhood Plan, and the Examiner’s recommendation that the plan meets the basic conditions subject to modifications being made, can therefore proceed to referendum, and that the referendum area should be the same as the designated neighbourhood area.
2. To agree that Appendix 3 of the report: Referendum Version of the Neighbourhood Plan should proceed to referendum, with a referendum area that is the same as the designated neighbourhood area, in accordance with Schedule 4B of the Town and Country Planning Act 1990.
3. To note that under the Planning Policy Guidance on Neighbourhood Planning, the neighbourhood plan will have significant weight in the planning decision-making process for the designated neighbourhood area until the referendum can be held; and if the plan is successful at referendum it will have full weight in the planning decision-making process.
4. To note the specific equalities considerations as set out in Section 8 of the report.

**Action by:**

**CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)  
(Planning Officer Plan Making Team, S. Heywood)**

**Reasons for the decision**

The Roman Road Bow Neighbourhood Plan has been the subject of an independent examination process. Following receipt of an Examiner’s report on 31 May 2022 the Council is required to consider the recommendations in the report and decide what action to take in relation to each. The Council must also come to a decision regarding whether the draft neighbourhood plan meets the basic conditions and legal requirements or could meet the basic conditions and legal requirements, if modifications were made to the draft Plan (whether or not recommended by the Examiner). If the Council decides that the Plan does or could, following modification, meet the basic conditions and legal requirements, the Plan must be taken to referendum. This decision must be made within 5 weeks of the receipt of the Examiner’s report.

**Alternative options**

The Council could decide that it does not agree that the plan meets the basic conditions after the making the modifications recommended by the Examiner.



The Council could decide that the plan does not meet the basic conditions and legal requirements, and cannot be modified to do so.

The Council could decide that the plan meets the basic conditions and legal requirements without the need for the modifications recommended by the Examiner.

While the Council is not bound by the Examiner's recommendations, a failure to accept them without good reason runs the risk of legal challenge and/or intervention by the Secretary of State for Levelling Up, Housing and Communities.

## **6.9 Making of Article 4 direction for the removal of permitted development rights for the change of use from E-class uses to residential (C3)**

### **DECISION**

1. To confirm the Article 4 direction made on 18<sup>th</sup> August 2021 which removes permitted development rights from Class E uses to residential (C3) within the areas shown on the map attached as Appendix 1 to the report;
2. Note that if confirmed, the Article 4 Direction will come into effect on 18<sup>th</sup> August 2022.
3. Note the Equalities Impact Assessment checklist attached as Appendix 3 to the report.

### **Action by:**

**CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)  
(Planning Officer Plan Making Team, M. Acton-Filion)**

### **Reasons for the decision**

Permitted development between offices (use class B1(a) at the time) and residential (use class C3) was introduced in May 2013. The Council objected to this form of permitted development, and in common with other inner-London boroughs was successful in gaining an exemption which covered the west of the borough (City Fringe) and the north of the Isle of Dogs. The areas of exemption covered most of the borough's designated office/employment locations which include areas of global economic significance (Canary Wharf) and a significant amount of office space (such as Aldgate). An unmanaged loss of office space in those locations could have a negative impact on the borough's supply of office floorspace, jobs and the ability to meet future office and employment growth projections as set by the London Plan.

### **Alternative options**

The Council could decide to cancel this Article 4 direction. This option is not recommended, as without the ability to effectively assess proposals for change of use from Class E uses through the planning system it is likely the borough's supply of office, industrial and retail floorspace and the success

and viability of town centres and key employment locations would be undermined.

The Council could decide to propose significantly amended boundaries for the Article 4 direction, or seek to extend it to cover the whole borough. This option is not recommended.

## **6.10 Contracts Forward Plan 2022/23 - Quarter 1**

### **DECISION**

1. To note the contract summary at Appendix 1 to the report.
2. To agree that all contracts set out in Appendix 1 to the report can proceed to contract award after tender.
3. To authorise the Director Legal Services (Monitoring Officer) to execute all necessary contract documents in respect of the awards of contracts referred to at (2) above.
4. To note the procurement forward plan 2022-2027 schedule detailed in Appendix 2 to the report.

### **Action by:**

**INTERIM CORPORATE DIRECTOR, RESOURCES (K. BARTLE)**  
**(Head of Procurement, P. Maskell)**

### **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 £1m, and any contract for capital works with an estimated value exceeding £5m shall be approved by the Cabinet in accordance with the Procurement Procedures" as amended by the General Purposes Committee held on 05 October 2021. This report fulfils these requirements for contracts to be let during and after quarter one 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****7.1 Annual strategic delivery and performance reporting – 2021/22****DECISION**

1. To note the performance against the strategic performance indicator set for 2021-22;
2. To note that this is the final report for the four-year delivery cycle from 2018-19 to 2021-22.

**Action by:****CHIEF EXECUTIVE (W. TUCKLEY)****(Director, Strategy, Improvement and Transformation, S. Godman)****Reasons for the decision**

Our Performance & Accountability Framework sets out the process for monitoring the timely and effective delivery of the Strategic Plan. In line with the framework, Cabinet receives regular update reports to ensure oversight of strategic performance.

This report for noting promotes openness, transparency and accountability by enabling Tower Hamlets residents to track council performance.

**Alternative options**

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

**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 7.20 p.m.

Mayor Lutfur Rahman