

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.30 P.M. ON WEDNESDAY, 14 DECEMBER 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 Saied Ahmed	(Cabinet Member for Resources and the Cost of Living)
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)

Other Councillors Present in Person:

Councillor Musthak Ahmed
Councillor Peter Golds

Officers Present in Person:

Will Tuckley	(Chief Executive)
Ann Sutcliffe	(Corporate Director, Place)
Will Tuckley	(Chief Executive)
James Thomas	(Corporate Director, Children and Culture)
Warwick Tomsett	Joint Director, Integrated Commissioning
Jill Bayley	(Head of Legal Safeguarding)
Stephen Bramah	(Corporate Head of Strategy and Improvement)
Joseph Leach	(Business Intelligence and Performance Lead)
Susannah Beasley-Murray	(Divisional Director of Supporting Families)
Nji Oranu	(Service Manager, Children's Social Care)
Sam Harney	(Mayor's Political Advisor)
Joel West	(Democratic Services Team Leader (Committee))

Officers In Attendance Virtually:

Kevin Bartle	(Interim Corporate Director, Resources & Section 151 Officer)
Stephen Shapiro	(Acting Director of Property and Major Programmes)
Kevin Bartle	(Interim Corporate Director, Resources & Section 151 Officer)
Nisar Visram	(Director of Finance, Procurement & Audit)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of

- Councillors Kabir Hussain, Ohid Ahmed and Suluk Ahmed.
- Janet Fasan, Director Legal and Monitoring Officer for whom Jill Bayley, Head of Safeguarding was deputising.
- Denise Radley, Corporate Director Health Adults and Community for whom Warwick Tomsett, Joint Director of Integrated Commissioning was deputising.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no declarations of disclosable pecuniary interest.

3. UNRESTRICTED MINUTES

RESOLVED

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 30 November 2022 be approved and signed by the Chair as a correct record of proceedings.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

The Mayor highlighted that this was the last meeting of the Cabinet for Kevin Bartle, who would be stepping down as the Council's Corporate Director of Resources and Section 151 Officer. The Mayor and Cabinet Members thanked Kevin for his dedicated service and wished him well in his future endeavours.

The Mayor also highlighted that this was the last meeting of the Cabinet for Denise Radley, Corporate Director of Health Adults and Community, until she returned from extended leave in Summer 2023. The Mayor wished Denise a restful break and he looked forward to her return.

Will Tuckley, Chief Executive, echoed the comments of Cabinet members in thanking Kevin and Denise for their service.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions

No Pre-Decision Scrutiny Questions had been received.

Councillor Musthak Ahmed, Chair of the Overview and Scrutiny Committee, provided an update on the recent activity of his Committee. In particular he highlighted a recent investigation into food poverty. The Committee had conducted visits to food banks and met with key stakeholders to understand the level of challenge facing residents. He asked the Mayor and Cabinet to

take immediate and emergency action in the form of increased financial support for food banks and food pantries

The Mayor thanked Cllr Ahmed for his input and for the work of the Committee. He indicated he would respond to the matters raised in due course.

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

The Mayor and Cabinet noted that a call in on the 'Housing Revenue Account (HRA) 2022-25 Capital Programme: Latest position' decision made by Cabinet on 30 November had been accepted by the Monitoring Officer and would proceed to the Overview and Scrutiny Committee on 9 January 2023.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Strategic Delivery and Performance report (22/23) – Quarters 1&2

Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living, introduced the report that presented an update on the delivery and implementation of the council's Strategic Plan covering Quarters 1 and 2, 2022-23.

The Cabinet noted that the delivery plan set ambitious and progressive commitments to invest in services, promote the wellbeing of residents and protect residents against the cost-of-living crisis, some of which might require growth bids.

In response to questions from Cabinet members, officers provided more detail on how the performance statistics were collated and how and when targets were reviewed.

Will Tuckley, Chief Executive, asked the Cabinet to note that the period in the report straddled the transition between the former administration and this one. He explained that whilst only 2 of the indicators were currently not meeting target, the report provided a full explanation for each, as it did for those which currently had no data or no target. He was pleased to report that 17 measures were exceeding target and 7 more were exceeding the minimum expectation. Will also reported on provisional feedback from the Council's new 'Warm Hubs'. Over 1,000 residents had already used the hubs since their launch in early December 2022.

The Mayor welcomed the report and offered his thanks to officers, particularly for the way in which it mirrored his manifesto pledges. He hoped the performance framework would prove a tool by which residents would hold his administration accountable for delivery, but improvements also must be seen and felt by residents. He indicated the report demonstrated the Council was moving in the right direction, but stressed there was improvement yet to be realised. He hoped those indicators currently showing as red or amber would be turned green. Following discussion, he **agreed** the recommendations as

set out in the report.

RESOLVED

1. To note the summary status as set out at the beginning of the attached monitoring report;
2. To note the performance of the strategic measures in Q1/Q2, including those measures which are red or amber (and in these cases performance commentary has been provided); and
3. To note progress in delivering Strategic Plan activities at the mid-year point, including those activities that are flagged as delayed and overdue.

6.2 Budget Monitoring 2022/23 Quarter 2 including Capital

Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living introduced the report which presented the forecast outturn compared to the budget report 2022/23 as at Period 6 for the General Fund, Dedicated Schools Grant (DSG) Budget, Housing Revenue Account (HRA), progress made against savings targets and the council's capital programme. Councillor Ahmed explained some of the main areas of underspend, overspend and key pressures.

The Mayor welcomed the report and noted that some overspends and pressures, for example those for fuel costs and social care, were unavoidable in the current financial climate. He stressed the Council must look after its most vulnerable residents at this challenging time. Following discussion, he **agreed** the recommendations as set out in the report.

RESOLVED

1. To note the council's forecast outturn position against General Fund, Dedicated Schools Budget, Housing Revenue Account and earmarked reserves for 2022-23, based on forecasts as at 30th September 2022;
2. To note the progress made against the 2022-23 savings targets, based on forecasts as at 30th September 2022;
3. To note the council's forecast outturn position against General Fund and Housing Revenue Account capital programme approved budgets for 2022-23, based on forecasts as at 30th September 2022;
4. To note that there are no equalities implications directly resulting from this report, as set out in Section 4 of the report.

6.3 Development of London Dock School – Appropriation for Planning Purposes and use of Section 203 Powers (Rights of Light)

Councillor Saied Ahmed, Cabinet Member for Resources and Cost of Living introduced the report which sought the Mayor's agreement to authorise the Corporate Director of Place to appropriate for planning purposes property known as the London Dock School. Councillor Ahmed explained that this would allow payment of compensation for those whose right to light would be impacted by the development.

The Mayor welcomed the report which he hoped would expedite delivery of the new secondary school in Wapping. Following discussion, he **agreed** the recommendations as set out in the report.

RESOLVED

1. To delegate authority to the Corporate Director, Place to appropriate the Land for planning purposes in accordance with Section 122 Local LGA 1972 and the subsequent use of the Council's powers under s203-s206 of the Housing and Planning Act 2016 to override Rights to Light of neighbouring properties that may be infringed by the development of the Land.
2. To delegate authority to the Corporate Director, Place to agree any potential settlement of Rights of Light claims with an affected party, together with any associated/professional fees.
3. To authorise the Director of Legal to enter into any legal agreements considered necessary or desirable for the Council to put in effect the recommendations in this report.
4. To note that the cost of the proposed settlement of Rights of Light compensation payments and associated/professional fees will be met from the capital budget for the London Dock School scheme.

6.4 Planning for School Places 2022/23 - Review and Recommendations

Councillor Maium Talukdar, Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor) introduced the report which presented the annual review of the council's planning for school places. He highlighted that significant growth in some sectors required robust plans to increase provision, which the report would secure.

James Thomas, Corporate Director, Children and Culture highlighted the excellence of Tower Hamlets schools as demonstrated by Ofsted findings. He noted that Mayflower primary school in Poplar had topped the Sunday Times league table of 'parent power'.

Cabinet members noted that a report on the Council's school admissions policy would be coming to a future meeting.

The Mayor welcomed the report and highlighted the extremely complex and challenging nature of pupil projections and thanked the Lead Member and officers for their work. He stressed that education provided a vital opportunity to improve residents' life chances. Following discussion, he **agreed** the recommendations as set out in the report.

RESOLVED

That the Cabinet notes:

1. factors influencing pupil population change in Tower Hamlets;
2. latest pupil roll projections for Tower Hamlets and options for future school development sites to provide additional places, should they be required;
3. progress on the development of new and existing secondary school sites;
4. latest figures on SEN, current provision and sufficiency plan;
5. plans for the implementation of the council's School Organisation and Capital Investment Strategy;
6. the specific equalities considerations as set out in Paragraph 5 of the report.

6.5 Secure Children's Home for London and Pan-London Commissioning Vehicle

Councillor Maium Talukdar, Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor) introduced the report which proposed that a pan-London company be established to oversee the development and running of new secure children's home provision. Councillor Talukdar highlighted the relatively high cost of providing this service to the current 15 children from the Borough with such complex needs. He suggested the proposal presented an opportunity for longer-term savings

In response to questions from Cabinet members, Susannah Beasley-Murray, Divisional Director of Supporting Families) provided further detail on the Council's financial commitments to the proposed company. Susannah noted that the Council's financial contribution would not be required until the third year of the contract when the proposed facility would become operational and all capital costs were to be met by the Department for Education.

Mayor welcomed the report, in particular the pan-London partnership approach which he hoped would increase the quality of secure home provision to some of London's most vulnerable residents. Following discussion he **agreed** the recommendations as set out in the report.

RESOLVED

1. To agree to the Borough becoming a member of the jointly owned Pan London Vehicle for Commissioning.
 - a. The Pan London Vehicle ("PLV") will be a company limited by guarantee ("CLG") and owned by the London local

authorities. The PLV will not be focussed on profit generation, and it is intended that any surplus generated by the PLV will be reinvested into its activities.

- b. Be part of the PLV, secure children's home provision for a five-year period from 1st April 2023 to 31st March 2028, with a break-point after two years once the refreshed business case has been developed to include service pricing structure, commissioning approach, practice model and location, the 20k per year membership payable for five years, has now been removed for the development stage (first two years) of the PLV, which will be funded by the Department of Education grant.
- c. Collaborate with other PLV members on future joint commissioning programmes.
- d. Commits in principle to joint oversight and risk/benefit sharing, through the PLV, of the secure children's home provision, for a five-year period to 31st March 2028, including the build, service development and service commissioning phases, subject to ratification after the revision of the secure children's home business case, and renewable on a ten yearly cycle thereafter, with break-point after five years.
- e. Delegates authority to the Corporate Director, Children and Culture, in consultation with The Mayor to:
 - i. finalise the legal documents required to set up, join and run the PLV and
 - ii. make the final determination on the Council's membership of the PLV, following completion of the revised secure children's home business case and, if appropriate, enter into all the legal agreements, contracts and other documents on behalf of the Council required to implement and run any aspect of the PLV arrangements.

- 2. To note the Equalities Impact Assessment as set out in Section 4 of the report.

6.6 Homecare for Adults- contract extension

Councillor Gulam Kibria Choudhury, Cabinet Member for Health, Wellbeing and Social Care introduced the amended report which proposed the extension of existing contractual arrangements for the provision of homecare services for adults to 31 December 2023. Councillor Choudhury explained the proposals would help to enable adults with complex needs to continue to live within the community.

The Cabinet noted that a new procurement exercise was to be undertaken in 2023 and asked that smaller providers are provided opportunity to bid.

Members felt that increasing competition in this way would deliver better value for money. Members also felt the Council had a role to empower smaller providers, who sometimes lost out to big players in the care industry.

The Mayor welcomed the report, though asked that the new procurement process is concluded as swiftly as possible and that it include opportunities for new and smaller providers to bid. Following discussion, he **agreed** the recommendations as set out in the amended report.

RESOLVED

1. To authorise the Corporate Director Health Adults and Communities and Deputy Chief Executive to agree with the existing providers to extend the current contracts to ensure continuity of services to protect vulnerable people until the 31 December 2023 in order to recommission, procure and mobilise the newly procured contracts aligned to the Administration priorities. During the one-year contract extension, the Council will invite new providers (especially small and/or specialist providers) to provide spot care or to offer services to those residents who are commissioning their own care through personal budget arrangements.

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 6.35 p.m.

Chair, Mayor Lutfur Rahman
Cabinet