

Overview & Scrutiny Committee

Agenda

Monday, 19 June 2023 6.30 p.m.
Council Chamber - Town Hall, Whitechapel

Members:

Chair: Councillor Musthak Ahmed

Vice Chair: Councillor Bodrul Choudhury

Councillor Ahmodur Khan, Councillor Abdul Malik, Councillor Abdul Mannan, Councillor Maisha Begum, Councillor Marc Francis, Councillor Asma Islam and Councillor Sabina Khan

Co-opted Members:

Jahid Ahmed and Halima Islam

Deputies: Councillor Shafi Ahmed, Councillor Saif Uddin Khaled, Councillor Amin Rahman, Councillor James King, Councillor Sabina Akhtar and Councillor Mohammad Chowdhury

[The quorum for this body is 3 voting Members]

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Town Hall, 160 Whitechapel Road, London, E1 1BJ
<http://www.towerhamlets.gov.uk/committee>



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A Guide to Overview and Scrutiny Committee

The Local Government Act 2000 established the overview and scrutiny function for every council, with the key roles of:

- Scrutinising decisions before or after they are made or implemented
- Proposing new policies and commenting on draft policies, and
- Ensuring customer satisfaction and value for money.

The aim is to make the decision-making process more transparent, accountable and inclusive, and improve services for people by being responsive to their needs. Overview & Scrutiny membership is required to reflect the proportional political makeup of the council and, as well as council services, there are statutory powers to examine the impact of work undertaken by partnerships and outside bodies, including the Crime and Disorder Reduction Partnership and local health bodies.

In Tower Hamlets, the function is exercised by the Overview & Scrutiny Committee (OSC). The OSC considers issues from across the council and partnership remit. The Committee has 3 Sub-Committees:

- Children & Education Scrutiny Sub Committee
- Health & Adults Scrutiny Sub Committee
- Housing & Regeneration Scrutiny Sub Committee

The committee's quorum is three voting members.

Public Engagement

OSC usually meets once per month (a few days before Cabinet, to allow scrutiny of decisions scheduled to be made there). These meetings are open to the public to attend, and a timetable for meeting dates and deadlines can be found on the Council's website. More detail of how residents can engage with Overview and Scrutiny are available here

[Overview and scrutiny \(towerhamlets.gov.uk\)](https://towerhamlets.gov.uk/overview-and-scrutiny)

London Borough of Tower Hamlets

Overview & Scrutiny Committee

Monday, 19 June 2023

6.30 p.m.

SECTION ONE

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST AND OTHER INTERESTS (PAGES 7 - 8)

Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.

Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests form and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

3. UNRESTRICTED REPORTS 'CALLED IN'

To consider any decisions that have been called in.

3.1 Housing Capital Strategy 2023/24: Delivering at pace to increase the supply of new homes (Pages 9 - 24)

4. APPOINTMENT OF FINANCE & RESOURCES LEAD

5. VERBAL UPDATES FROM SCRUTINY LEADS

To hear verbal updates from the Overview and Scrutiny Leads on their work across the Council.



6. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

To consider and agree pre-decision scrutiny questions/comments to be presented to Cabinet.

(Time allocated – 30 minutes).

7. OVERVIEW & SCRUTINY COMMITTEE QUERY AND ACTION LOG

To follow.

8. FORTHCOMING DECISIONS (PAGES 25 - 44)

To review the most recent publication of the Cabinet Forward Plan.

9. UNRESTRICTED MINUTES (PAGES 45 - 50)

To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 16 May 2023.

10. SCRUTINY SPOTLIGHT

Nil Items

11. UNRESTRICTED REPORTS FOR CONSIDERATION

Nil Items

12. REQUESTS TO SUBMIT PETITIONS

To receive any petitions (to be notified at the meeting).

13. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

To consider any other unrestricted business that the Chair considers to be urgent.

14. EXCLUSION OF THE PRESS AND PUBLIC

In view of the contents of the remaining items on the agenda the Committee is recommended to adopt the following motion:

“That, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the



Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government Act, 1972.”

EXEMPT/CONFIDENTIAL SECTION (Pink Papers)

The exempt committee papers in the agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

SECTION TWO

15. EXEMPT/ CONFIDENTIAL MINUTES

Nil Items.

16. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil Items

17. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL) CABINET PAPERS

Nil Items.

18. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS THAT THE CHAIR CONSIDERS URGENT

To consider any other exempt/ confidential business that the Chair considers to be urgent.

Next Meeting of the Overview & Scrutiny Committee

Monday, 24 July 2023 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



Agenda Item 2

DECLARATIONS OF INTERESTS AT MEETINGS, NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a DPI dispensation or for an interest to be treated as sensitive interest.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

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Further Advice contact: Janet Fasan, Interim Corporate Director, Governance and Monitoring Officer, Tel: 0207 364 4800.

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

<p>Non-Executive Report of the:</p> <p>Overview and Scrutiny Committee</p> <p>19 June 2023</p>	 <p>TOWER HAMLETS</p>
<p>Report of Janet Fasan Divisional Director Legal and Monitoring Officer</p>	<p>Classification: Unrestricted</p>
<p>Call in - Housing Capital Strategy 2023/24: Delivering at pace to increase the supply of new homes</p>	

Originating Officer(s)	Joel West, Democratic Services Team Leader (Committee)
Wards affected	All

CONSIDERATION OF THE CALL IN

A call in request has been received on the decision of Cabinet, 24 May 2023 on Item 6.5 Housing Capital Strategy 2023-26

In accordance with the Council’s call in procedure rules, the matter is referred to the Overview and Scrutiny Committee (OSC) for its consideration and to decide whether to refer the matter back to Cabinet for further consideration. The following procedure is to be followed by the Committee for consideration of the Call In:

- i. Chair to invite a call-in member to present call-in.
- ii. Chair to invite members of the Committee to ask question.
- iii. Chair to Invite Cabinet Member to respond to the call-in.
- iv. Chair to invite members of the Committee to ask questions.
- v. Followed by a general debate.

It is open to the OSC to either resolve to take no action (which would have the effect of endorsing the original Cabinet decisions), or to refer the matter back to the Cabinet for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

RECOMMENDATION

That the Overview and Scrutiny considers:

1. The contents of the attached report, review the Cabinet's decision (provisional, subject to call in) arising; and
2. Decide whether to accept the decision or to refer the matter back to the Cabinet with proposals and reasons.

INTRODUCTION

On 24 May 2023, the Mayor in Cabinet considered a report on Housing Revenue Account (HRA) 2022 - 25 Capital Programme: Latest position.

As a result of discussions on the report it was **RESOLVED**:

1. Note the alternative delivery approaches set out in the report.
2. To rescind the Cabinet decision of December 2021 to dispose the Bromley Hall/Lochnagar Street site and to instead include that site within the scope of the proposals in the report.
3. The Mayor will approve the Heads of Terms of the final agreements for each development package for the Joint Venture (JV) Development Agreements, following consultation with the Chief Executive and the interim Corporate Director of Resources.
4. Approve a revenue-funded budget allocation of £1.1m from the HRA to cover the professional fees for legal, and consultancy advice and any de-risking activity to potential sites being delivered through the JV Development Agreement approach to enable the alternative delivery route to be established and progressed to the issue of the tender prospectus.
5. Authorise the Chief Executive, in consultation with the Mayor and the interim Corporate Director of Resources, to substitute schemes within the Approved HRA Capital Programme.
6. After prior consultation with the Chief Executive and the interim Corporate Director of Resources, the Mayor will authorise them to take all necessary steps to deliver the approved capital programme, including but not limited to going out to tender, appointing consultants and contractors in accordance with the Procurement Procedures, acquiring land interests, appropriating land from the General Fund to the Housing Revenue Account (HRA) for the delivery of new council homes and exercising other rights of appropriation, subject to approved budget.
7. Note the Equalities Impact Assessment and specific equalities considerations as set out in Section 4 of the report.

The decisions above have been Called-In by Councillors James King, Amy Lee, Sirajul Islam, Shubo Hussain, and Asma Begum. This is in accordance with the provisions of the Overview and Scrutiny Procedure Rules of the Council's Constitution.

In accordance with the OSC Protocols and Guidance adopted by the Committee at its meeting on 4th June 2013, any Member(s) who present(s) the "Call In" is (are) not eligible to participate in the general debate.

REASONS FOR THE CALL IN

The call in requisition from the Councillors noted above has provided reason(s) for the call-in. The reason(s) are replicated below:

The aforementioned Councillors, call in the above decision taken by Cabinet at its meeting on the 24/5/23, they do so on the following grounds:

1. It is in contravention to Part A, Article 3, Section 1, Subsections a, b, e, and h of the Borough of Tower Hamlets Constitution: 'Principles of Decision-Making':

A – **The action is not proportionate to the desired outcome**; many of the sites identified in the report have or have had previously been identified as sites suitable for social housing.

The earmarked sites would do more to satisfy Priority two of the corporate plan in tackling the "acute shortage of social homes" and the aprx. 20,000 households on the housing waiting list, if they were developed as full social housing schemes.

The land value of the estate owned by the borough that it will hand over to private developers is worth far more than what it receives in return. Comparatively the benefits the borough would receive from developing the earmarked sites itself greatly outweigh the benefits it receives from pursuing the developer led development detailed in the report.

With the desired outcome for this decision being the need to meet priority two of the corporate plan the course of actions set out in this report do not seem proportionate to satisfying that need.

B – **This action was taken without due consultation and the taking of professional advice from officers**; Some of the sites identified in this report already exist as social housing or deliver council services to the communities they are located in.

The report does not indicate whether affected tenants, residents, service providers or VCS orgs have been consulted on the proposals.

The comments from the 151 and monitoring officer only cover the legal/financial viability of the proposed scheme and does not include any other

detail. Ideally commentary on alternative courses of actions and the cost benefits associated would be appreciated – as well as any commentary on the impact these arrangements would have on residents/organisations that are tenants and would be affected by the proposals.

E – Lack of clarity of aims and desired outcomes: Across the 12 sites in the report, it states that up to 1000 new affordable homes *could* be delivered.

The lack of clarity and detail as to what will be delivered from this arrangement is concerning considering the council is helping developers profit from 12 pieces of prime, council-owned, real estate.

With the aim of this development being to tackle overcrowding in the borough as cited in the report and in statements delivered by members of the cabinet during the meeting itself further detailed is desired as to how this plan will specifically deal with the issue of overcrowding and whether this approach is the most effective method by which that aim could be realised.

There is a lack of clarity when referring to the types of desired development and housing within the report e.g.,

within the executive summary: the “1000 new homes could be delivered to the council’s target of 4000.”. – Presumably this is referring to the Council’s target of 4000 homes built for affordable rent over the course of a term. Elsewhere within the report there are references to:

“New council homes”, “new homes”, “affordable homes” are also referred to throughout the report – references to different housing models, delivery and budgetary targets require accurate and specific language to ensure that effective scrutiny can take place.

H – Failure to explain what options were considered and giving the reasons for the decision: At section 3 of the report, it details the other options considered for this type of development, but nowhere does it outline the pros/cons, costs/benefits of the different options to the JVDA and therefore not presenting cabinet with alternative options that could have been considered.

There is also no breakdown or explanation as to whether there was any flexibility or room within the HRA to part fund some of these schemes or other options/mechanisms that are available to local authorities to undertake expansion of its housing stock on land it already owns.

This call in is also concerned with the lack of accountability and scrutiny this report allows – whilst acknowledging the mayor amended the recommendations of this report from the floor of the cabinet meeting at R.2 and R.5 (to add himself and the chief executive respectively), there is a large amount of officer discretion afforded to dramatically altering 12 separate sites and the communities they exist in. This call in asks O/S to review whether more scrutiny and democratic accountability could be included in the process.

ALTERNATIVE COURSE OF ACTION PROPOSED

The call-in requisition from the Councillors noted above has provided a proposed alternative course of action. The proposed alternative course of action is replicated below:

- Revisit whether some of these schemes can be included within the HRA.
 - Provide the pros/cons of other methods considered.
 - Include more accountability/scrutiny into the report e.g., including ward cllrs into the approval process, community co-design etc.
 - Provide an estimate as to how many homes will be built by developers across the 12 sites.
-

Linked Reports, Appendices and Background Documents

Linked Report

- None


Appendices

- Appendix 1 - Housing Capital Strategy 2023-26

Local Government Act, 1972 Section 100D (As amended) List of “Background Papers” used in the preparation of this report

- None.

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Cabinet	 TOWER HAMLETS
24 May 2023	
Report of: Ann Sutcliffe – Corporate Director of Place Caroline Holland – Interim Corporate Director of Resources	Classification: Unrestricted
Housing Capital Strategy 2023-26	

Lead Member	Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding
Originating Officer(s)	Rupert Brandon, Head of Housing Supply
Wards affected	All wards
Key Decision?	Yes
Forward Plan Notice Published	25 April 2023
Reason for Key Decision	To set out the alternative delivery approaches for increasing the supply of homes in the borough which will incur expenditure in excess of £1,000,000.
Strategic Plan Priority / Outcome	2. Providing homes for the future

Reasons for Urgency

This report was unavailable for publication within the statutory 5 working day timescale as officers were unable to consult with all necessary consultees in time. The report must be presented to this Cabinet meeting to ensure timely delivery of the Mayor’s priorities for house building.

Executive Summary

In November 2022, the Approved Capital Programme was refreshed to reflect the priorities of the new administration. On 1st March 2023, Full Council approved the HRA Capital Programme of **£389.625m** for 2023-26, including **£311.357m** for the delivery of 1,080 new homes, with an increased number of family-sized homes to help tackle overcrowding and **£94.611m** for capital works on the council’s existing stock.

There remains an unfunded pipeline of schemes, which currently cannot be accommodated within the existing approved HRA capital budgets. Of those sites and including those in this report, up to 1,000 new homes could be delivered towards the Council’s target of 4,000) . As stated in the November 2022 Cabinet report, alternative

delivery routes that limit the use of HRA funding have been explored to maximise the development of additional social homes for rent. The suggested approach to increasing delivery and the resources required to ensure its success is presented in this report.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Note the alternative delivery approaches set out in this report
2. Approve the Heads of Terms of the final agreements for each development package for the Joint Venture (JV) Development Agreements , following consultation with the Corporate Director of Place and the interim Corporate Director of Resources.
3. Approve a revenue-funded budget allocation of £1.1m from the HRA to cover the professional fees for legal, and consultancy advice and any de-risking activity to potential sites being delivered through the JV Development Agreement approach to enable the alternative delivery route to be established and progressed to the issue of the tender prospectus
4. Authorise the Corporate Director of Place, in consultation with the Mayor and the interim Corporate Director of Resources, to substitute schemes within the Approved HRA Capital Programme.
5. After prior consultation with the Corporate Director of Place and the interim Corporate Director of Resources, the Mayor will authorise them to take all necessary steps to deliver the approved capital programme, including but not limited to going out to tender, appointing consultants and contractors in accordance with the Procurement Procedures, acquiring land interests, appropriating land from the General Fund to the Housing Revenue Account (HRA) for the delivery of new council homes and exercising other rights of appropriation, subject to approved budget.
6. Note the Equalities Impact Assessment and specific equalities considerations as set out in Section 4.

1. REASONS FOR THE DECISIONS

- 1.1 The available budget of **£311.357m** for the delivery of the new homes programme is insufficient, within the affordability constraints of the current 30-year HRA Business Plan, to fund the development of new homes on identified sites in the pipeline programme. To enable additional homes to be delivered on council-owned sites, alternative delivery models which minimise the use of HRA funding are required to enable supply to be increased in parallel with the direct delivery route.

- 1.2 Funding required for activities which will enable the delivery of new homes through the use of JV Development Agreements will be funded by HRA revenue, subject to funding availability. The estimated cost of these activities is £1.1m, of which £0.700m is for site de-risking/preparatory works, £0.300m is for legal advice and £0.100m for consultancy advice from Local Partnerships LLP and Judith Atkinson MRICS. Legal services will be procured through a competitive RFQ process.

2. ALTERNATIVE OPTIONS

- 2.1 The council is unable to approve a capital programme which it cannot fund. The capital programme approved in March 2023 allocated the funding available from each source, meaning that if new homes are to be developed on any of the further sites identified for development, these would have to be funded by a new source, without drawing on capital funding from the HRA.

3. DETAILS OF THE REPORT

3.1 BACKGROUND

In March 2023, Full Council approved the HRA Capital Programme of **£389.625m** for 2023-26, including **£311.357m** for the direct delivery of 1,080 new homes, with an increased number of family-sized homes to help tackle overcrowding. The budget of **£311.357m** is insufficient to fund the development of new homes on identified sites in the pipeline programme, because this is the maximum that the 30-year HRA Business Plan demonstrates can be afforded. In order to enable the delivery of additional homes on council-owned sites, alternative delivery models which minimise the use of HRA funding are required to enable supply to be increased in parallel with the direct delivery route.

The council considered a number of alternative delivery routes, including Investment Partnerships, **Joint Venture Development Agreements (JVDA)**s and leaseback arrangements. The delivery route considered the most appropriate for the council-owned sites in the pipeline programme was the JVDA, where the council enters into an agreement with a private sector development partner (PSP) to undertake development work, sharing the risks and obligations.

4 DELIVERY MODEL: JOINT VENTURE DEVELOPMENT AGREEMENT (JVDA)

JVDAs are contracts that bring together a landowning Local Authority with a selected **private sector delivery partner (PSP)**. They are a tried and tested delivery mechanism used in local government which are familiar to many potential partners and where precedent documents exist. Risks and obligations are shared between the parties and the council is proposing to utilise a passive model where the council's share of risk is limited to its land value and where most of the executive actions needed to generate and implement schemes are an obligation of the PSP.

The key features of the JVDA that will be used to secure delivery of the new homes on the unfunded pipeline are:

- The sites to be included in the JVDA will be specified in a prospectus that will be used to formally procure the PSP. JVDAs can incorporate packages of multiple sites or single site programmes. Both packages and single site JVDAs will be used for this pipeline.
- The council will set out its expectations, especially its objective of securing larger affordable homes of 3 and 4 bed units.
- The JVDAs are not an exclusive right to acquire council land. The freehold interest in the sites will be retained by the council and the details of the agreed arrangement will take place at construction completion. This enables the council to preserve control over the performance of its partner PSP.
- The council's obligation to obtain best consideration for its land is protected as any land interest transferred to the PSP will be at market value reflecting consented schemes. The council will appoint an independent valuer.
- The council will have the right but not the obligation to acquire affordable homes, above the value of the land interest. This control mechanism will enable the council to take decisions site by site on whether it is able to fund such acquisitions.
- All development finance will be provided at risk by the PSP. This includes the costs of appointing a design team, making planning applications, obtaining all regulatory approvals and employing building contractors.

It is proposed to select delivery partners via a Public Contracts Regulations compliant route, the Competitive Procedure with Negotiation (CPN). This route has been found to be proportionate and appropriate to be used by councils in seeking to appoint delivery partners for housing development land. Furthermore, this process enables the council to satisfy the requirements of Subsidy Control.

Private sector partners will require a profit margin in recognition of the commercial risks and costs they are investing. The level of profit will be established in the competitive selection process. The realisation of this profit margin will be at the risk of the Private Sector Partner.

4.1 JVDA Heads of Terms

Where the JVDA encompasses multiple sites, it will comprise two separate contracts: an Overarching Development Agreement (ODA) and a Phase Residential Agreement (PRA). The ODA will set out the terms that apply to all sites within the package. The PRA deals with terms for each specific site.

As part of the compliant procurement process, bidders will submit a concept scheme and financial appraisal for one site (the same site in each multiple site package). This case study will be used to evaluate bids from quality and price perspectives (which takes into account community benefits). The case study

submission from winning bids will be used to finalise the commercial terms of the JVDA.

The **Overarching Development Agreement (ODA)** includes terms for:

- Conditionality
- Reporting and meetings
- Mechanism for calling down a site
- Disputes and termination
- Package programme with target dates
- Template financial appraisal
- Template PRA.

The **Phase Residential Agreement (PRA)** includes terms for:

- Sale and purchase
- Risk and insurance
- Vacant possession
- Title guarantee
- Development obligations
- Termination for breach.

Templates for these contracts will be drafted in advance of the CPN tender process. Bidders will be expected to submit a mark-up of these documents as part of their bid submission and bid evaluation scoring will take these responses into account.

4.2 Delivering the unfunded sites pipeline through a JVDA

All sites in the pipeline have been assessed from a delivery perspective. This assessment has recognised the need to increase the quantity of new homes being delivered in the borough over the next four years and that additional delivery will rely on the investment of private finance.

Multiple site packages aim to include a blend of attractive, larger flagship schemes, smaller infill projects, sites that can come forward in an immediate time frame and others that may need some commercially creative pre-development work to release their potential.

Single sites which will utilise stand-alone JVDAs have unique characteristics that mean their potential is best released by niche market specialist developers and/or where a site involves a third-party interest.

A series of investable propositions has been defined which are:

Package 1: John Onslow House, land at Frimley Way & Globe Road, Strout's Place, 33-37 The Oval.

Package 2: Car pound Commercial Road, Bromley Street, 20 Three Colt Street, Tent Street.

Single site: Jack Dash House. A long lease to a charity means dialogue to agree the terms for any development, which may eventually become a tripartite JVDA.

Two sites: Southern Grove and Waterloo Gardens. The combination of historic building refurbishment with new build at Southern Grove means that specialist development and design skills are required which may not be realised by inclusion in a package which is otherwise all new build.

Single site: Bromley Hall School/Lochnagar Street. A historic building with unique architectural features which could appeal to niche developers, along with adjoining land.

Once the route map to utilisation of JVDAs and the CPN process is mainstreamed in the council, it can be reused if other pieces of council land come to light that cannot otherwise be incorporated into the direct build programme.

4.3 Resources required to implement delivery through the JVDA approach

The council has insufficient internal capacity and the specific skill set required to implement a series of compliant tenders leading to several JVDAs, especially if delivery of the unfunded pipeline is to be accelerated at pace, in parallel to the direct delivery programme. The following external resources have been identified and the costs relating thereto are set out in this report:

- Specialist sector expertise to be provided by Judith Atkinson FRICS who has an established track record in establishing public private joint ventures for councils. She was until recently the Strategic Director for Housing and Regeneration at Local Partnerships (LP) and is now a freelance advisor to local government. Judith will strengthen the council's client-side role.
- Local Partnerships will provide both programme management/administrative support to multiple strands of work and produce outputs including a financial appraisal template, pricing scorecard and advice relating to the financial aspects of bidder submissions.
- External lawyers to draft template contracts in line with commercial heads of terms and advice on procurement and Subsidy Control.
- This report includes a recommendation for £0.400m for the consultancy activities listed above.
- There are expected to be some revenue costs, associated with de-risking sites to enable accelerated delivery, for example, the cost of demolishing the empty office building on the Southern Grove site and buildings at Waterloo Gardens. This report includes a recommendation for £0.700m for these activities.

5 DELIVERY TIMETABLE

An indicative timetable for the implementation of the JVDA process is:

Date	Activity
April – May 2023	Title and utility reports, topographical surveys, desk top SIs, base scheme concept plans/capacity studies for unfunded pipeline schemes being updated
24 May 2023	Report to Cabinet setting out alternative approach to delivery for unfunded pipeline schemes, including Heads of Terms for Development Agreement
End May 2023	Appointment of external commercial support to prepare tender documentation
Mid-June 2023	Appointment of external legal advisor to draft Development Agreements
May – Sept 2023	Preparation of technical packs, prospectus, draft JVDAs etc. for procurement of development partner for agreed packages. Informal market engagement with potential delivery partners
Early Sept 2023	Tender/s launched
Late October	First stage submissions received
Nov 2023	First stage submissions evaluated, and full tender packs issued to shortlist/s
January - February 2024	Full tenders evaluated and approvals sought
Jan – April 2024	Development of scheme designs for early phase planning applications
May – Sept 2024	Planning determination process
Late 2024	First schemes start on site: new build programmes will vary depending on size of site from 12 – 36 months
Late 2025	First completions

Adherence to this indicative timetable will be reliant on both external and internal resources and the appetite of potential delivery partners. The Government's Outsourcing Playbook recommends market testing prior to tender launch to gauge this appetite. This exercise will be undertaken during the summer of 2023.

6 EQUALITIES IMPLICATIONS

- 6.1 The Equality Act 2010 requires the Council, in the exercise of its functions to have due regard to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

- 6.2 With the diversity and rapid growth of the borough, ensuring equality is embedded throughout Council plans, services and activities is a key priority and at the heart of all decision making. To help meet its duty under the Equality Act the Council undertakes equality impact assessments to analyse a proposed change to assess whether it has a disproportionate impact on persons who share a protected characteristic.
- 6.3 As part of the process of establishing a housing capital programme, an equality impact assessment checklist is carried out on all new proposals and schemes to determine if a full equality impact assessment needs to be carried out. Full equality impact assessments are carried out for each new build scheme as part of the governance process. This process prevents any proposal which amounts to discrimination from being implemented and any project which is likely to lead to a differential impact is varied to mitigate the differential impact.
- 6.4 It is intended that the housing capital programme, as a whole, reduces inequality, fosters cohesion and has a positive impact for residents and organisations in the borough.

7 OTHER STATUTORY IMPLICATIONS

- 7.1 Under Section 17 of the Crime and Disorder Act 1998, the council is under a legal duty when exercising its various duties to have due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area, including anti-social behaviour adversely affecting the local environment and quality of life of residents; the misuse of drugs, alcohol and other substances and re-offending. It is anticipated that a number of the capital schemes proposed will have beneficial consequences for crime and disorder in the borough through providing new and improved homes, enhancing the public realm and improving life chances for children and young people.
- 7.2 Any safeguarding implications of individual proposals in the budget are set out in the papers relating to those proposals.

8 COMMENTS OF THE CHIEF FINANCE OFFICER

- 8.1 This report seeks approval for a revenue budget allocation of £1.1m from the HRA to cover the professional fees for legal, and consultancy advice and any de-risking activity to potential sites being delivered through a JV Development Agreement approach to enable the alternative delivery route to be established and progressed to the issue of the tender prospectus
- 8.2 Further details of the nature of the works are detailed in section 4.3 of the report, 'Resources required to implement delivery through the JVDA approach'.

- 8.3 The revenue budget allocation will need to be funded and contained within existing approved HRA revenue budgets and/or reserves to ensure the overall affordability of the HRA

9 COMMENTS OF LEGAL SERVICES

- 9.1 The Council has the legal power to enter into the arrangements described in this report.
- 9.2 The Council has the legal duty to achieve Best Value in terms of economy efficiency and effectiveness. The Council will be appointing a development partner following a tender exercise with the winning bidder being the most economically advantageous tenderer based on a preadvertised blend of quality and price. This will assist in the demonstration of compliance with this duty.
- 9.3 The Council has a legal duty to comply with the Public Contracts Regulations 2015. The Council will run a tender and appointment process in accordance with these regulations. The report highlights the use of the Competitive Procedure With Negotiation. The Council may use this route as the report demonstrates that the contract *“cannot be awarded without prior negotiation because of specific circumstances related to the nature, the complexity or the legal and financial makeup or because of risks attaching to them”*.
- 9.4 Section 123 of the Local Government Act 1972 enables a local authority to dispose of land provided it achieves the best consideration reasonably obtainable. Each proposed disposal will be considered to ensure this obligation is attained and the joint venture will seek to ensure that the commercial arrangements take into account the proper commercial value of the land. In the case of HRA land, the Council will need to comply with the requirements of section 32 of the Housing Act 1985 and obtain the consent of the Secretary of State as appropriate. With regards to appropriation, where land is no longer required for the purposes for which it is held, a local authority may appropriate it for any purpose for which the authority is authorised to acquire land. Where the land consists of or forms part of an open space, the proposed appropriation must be advertised for two consecutive weeks in a newspaper circulating in the area in which the open space land is situated.

Linked Reports, Appendices and Background Documents

Appendices

- None

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

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FORTHCOMING DECISIONS PLAN

8 June 2023

Website

Current and previous Forthcoming Decision Plans are available on the Council website and new decision notices are published as soon as they are known. The website also contains agendas and reports for all Council Committees, Mayor and Councillor details and more.

To visit the web pages go to: www.towerhamlets.gov.uk/committee
For smart phone/tablet users scan the QR code to the right.



Tower Hamlets Council **Forthcoming Decisions Plan**

What is this document?

The Forthcoming Decisions Plan (or 'Forward Plan') contains information on significant decisions that the Council expects to take over the next few months.

As a minimum this will include notice of:

- All **Key Decisions** to be taken by the Mayor, Cabinet or Commissioners
 - This could include decisions taken at public meetings or taken individually at other times.
- Budget and Policy Framework Decisions (for example the Budget Report itself and major policies to be agreed by Council as set out in the Constitution)

In addition the Council aims to publish:

- All other decisions to be taken by the Mayor and/or Cabinet
- All other decisions to be taken at the Commissioners' Decision Making Meetings

Key Decisions

The Council is required to publish notice of all key decisions at least 28 days before they are taken by the Executive or Commissioners. Key decisions are all those decisions which involve major spending, or savings, or which have a significant impact on the local community. The precise definition of a key decision adopted by Tower Hamlets is contained in Article 13.03 of the [Constitution](#). Key Decisions can be taken by the Mayor, Cabinet or by the Commissioners individually or in formal meetings

Publication of Forthcoming Decisions

Individual notices of new Key Decisions will be published on the website as they are known on the 'Forthcoming Decisions' page, whilst this 'Forthcoming Decisions Plan' collating these decisions will be published regularly, as a minimum at least, 28 days before each Cabinet meeting. The Plan will be published on the Council's website and will also be available to view at the Town Hall and Libraries, Ideas Centres and One Stop Shops if required.

Urgency

If, due to reasons of urgency, a Key Decision has to be taken where 28 days' notice have not been given. Notice will be published (on the website) as early as possible and Urgency Procedures as set out in the Constitution have to be followed.

Make your views known

The most effective way for the public to make their views known about a Forthcoming Decisions is to contact the lead officer, or Cabinet Member (where stated), listed. You can also view the Council's [Consultation Calendar](#), which lists all the issues on which the Council and its partners are consulting.

Information about the Decision Makers

Further information on the Mayor and Members of the Cabinet can be found on the Council [website](#). The Commissioners are Sir Ken Knight, Chris Allison, Max Caller and Alan Wood. They have been appointed by the Secretary of State for Communities and Local Government to carry out certain functions of the Council. Details are set out in Part One of the [Constitution](#).

Notice of Intention to Conduct Business in Private

The Council is also required to give at least 28 days' notice if it wishes to consider any of the reports on the agenda of an Executive meeting (such as Cabinet) in private session. The last row of each item below will indicate any proposal to consider that item in private session. Should you wish to make any representations in relation to item being considered in private please contact Democratic Services on the contact details listed on the front page.

The notice may reference a paragraph of Section 12A of the 1972 Local Government Act. In summary those paragraphs refer to the following types of exempt information (more information is available in the Constitution):

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority handling the information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:-
 - a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Contact Details for this Plan

Contact Matthew Mannion
Officer: Democratic Services
Email: matthew.mannion@towerhamlets.gov.uk
Telephone: 020 7364 4651
Fax No: 020 7364 3232

Forthcoming Decisions Plan June 2023

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* New Issues published since the last Forward Plan

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Title of Report	Neighbourhood Planning: Determination of Roman Road Bow Neighbourhood Forum Redesignation Application	Ward(s) Bow East; Bow West	Key Decision? Yes
Summary of Decision	Neighbourhood forum designations expire five years after they are initially granted. The Roman Road Bow Neighbourhood Forum designation expired on 16 August 2022. The Forum has submitted an application for the designation to be renewed. This report assesses the application against the relevant legislation and guidance.		

Decision maker Date of decision	Cabinet 21/06/23
Community Plan Theme	A council that works for you and listens to you
Cabinet Member	Cabinet Member for Regeneration, Inclusive Development and Housebuilding
Who will be consulted before decision is made and how will this consultation take place	<p>All people who have asked to be added to the planning policy database have been sent an email regarding the consultation; all local councillors have also been contacted. A public notice has been placed in the East End Advertiser to reach further stakeholders.</p> <p>A public consultation is taking place between 17 November 2022 and 12 January 2023. This is beyond the statutorily required six weeks, to account for the holiday period. There is a statutory timeframe which means a decision on the designation must be made within 13 weeks of the consultation beginning. Because of this, and the internal Tower Hamlets reporting timeframes, it is not possible to wait until the consultation has finished to bring this issue to DLT. At the DLT and CLT stages, this report therefore recommends that the decision be moved to the next stage of reporting, and that the final decision will be conditional on an assessment of the consultation responses. The CAB report will be accompanied by a consultation statement as an appendix.</p>
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	Screening tool completed - no further action required.
Contact details for comments or additional information	Jennifer Peters (Divisional Director, Planning and Building Control, Place) Jennifer.Peters@towerhamlets.gov.uk
What supporting documents or other information will be available?	<p>Appendix 1: Roman Road Bow Neighbourhood Forum Application Form</p> <p>Appendix 2: Roman Road Bow Neighbourhood Area Map</p> <p>Appendix 3: Roman Road Bow Neighbourhood Forum Constitution</p> <p>Appendix 4: Basic Conditions Statement</p> <p>Appendix 5: Equalities Impact Assessment Screening</p> <p>Appendix 6: Consultation Statement (to be appended for CAB)</p>

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Is there an intention to consider this report in private session and if so why?	No, Unrestricted		
Title of Report	South Quay College site lease	Ward(s) All Wards	Key Decision? Yes
Summary of Decision	The council seeks approval to enter a short-term lease with the developer for the accommodation of South Quay College. The current provision is being closed by the DFE in July 23 and there remains a continued need to ensure adequate provision for these pupils with Tower Hamlets, which cannot be accommodated in existing LBTH sites. Whilst this lease is a temporary occupation, there is an intended wider long-term solution for students with additional needs which is anticipated to address the physical site accommodation past 2024.		

Decision maker Date of decision	Cabinet 21/06/23		
Community Plan Theme	Accelerate Education		
Cabinet Member	Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor)		
Who will be consulted before decision is made and how will this consultation take place	N/A		
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No		
Contact details for comments or additional information	Steve Nyakatawa (Director of Education) steve.nyakatawa@towerhamlets.gov.uk		
What supporting documents or other information will be available?	N/A		
Is there an intention to consider this report in private session and if so why?	No, Unrestricted		
Title of Report	Neighbourhood Community Infrastructure Levy (NCIL)	Ward(s) All Wards	Key Decision? Yes
Summary of Decision	The report sets out the details of the review of the Local Infrastructure Fund (LIF)		

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	Programme and new approach to NCIL in the borough moving forward.
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Decision maker Date of decision	Cabinet 21/06/23		
Community Plan Theme	All Priorities		
Cabinet Member	Cabinet Member for Regeneration, Inclusive Development and Housebuilding		
Who will be consulted before decision is made and how will this consultation take place	N/A		
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No		
Contact details for comments or additional information	Jennifer Peters (Divisional Director, Planning and Building Control, Place) Jennifer.Peters@towerhamlets.gov.uk		
What supporting documents or other information will be available?	<ol style="list-style-type: none"> 1. LIF Programme PID July 2019 2. Capital Programme 2020-21 to 22-23 Appendix 2e LIF Programme 2 Allocations 3. LIF Virements to the approved Capital Programme 2021-22 to 2023-24 		
Is there an intention to consider this report in private session and if so why?	No, Unrestricted		
Title of Report	Tower Hamlets Reduction and Recycling Plan 2023 - 2025	Ward(s) All Wards	Key Decision? Yes
Summary of Decision	<p>A Reduction and Recycling Plan (RRP) has been developed and produced. RRP's are a requirement set by the Greater London Authority to ensure all London authorities are in general conformity with the London Environment Strategy.</p> <p>The current RRP covers the period April 2023 to the end of March 2025 and comprises environmental metrics drawn from the previous RRP reporting cycle (2018-2022), along with a cross-cutting action plan drawn from our strategies including the Strategic Plan and Waste Strategy.</p>		

Decision maker Date of decision	Cabinet 26/07/23
Community Plan	A clean and green future

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Theme			
Cabinet Member	Cabinet Member for Environment and the Climate Emergency		
Who will be consulted before decision is made and how will this consultation take place	N/A		
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No		
Contact details for comments or additional information	Michael Butler (Interim Director Of Enviroment) michael.butler@towerhamlets.gov.uk		
What supporting documents or other information will be available?	Tower Hamlets Reduction and Recycling Plan 2023 - 2025		
Is there an intention to consider this report in private session and if so why?	No, Unrestricted		
Title of Report	Land option – Neptune Wharf	Ward(s) Bow East	Key Decision? Yes
Summary of Decision	<p>The Local Authority must consider and decide on the educational need for the Neptune Wharf development site. The decision to expand or provide new provision will be decided upon the evidence of emerging need. The Cabinet report will outline whether the council intends to reject the site, or to recommend to take the site. It is anticipated that construction at the site would commence from 2026/27, with provision available from 2027/28.</p> <p>Under the agreement, LLDC must provide the developer of the Neptune Wharf site with 'written notice', by September 2023, which must be accompanied by</p> <ol style="list-style-type: none"> 1. evidence of approval to construct the school through the appropriate governance route (i.e. cabinet approval); and 2. a programme of implementation and opening of the school including the anticipated appointment of the principal contractor. 		

Decision maker Date of decision	Cabinet 26/07/23
Community Plan Theme	Accelerate Education
Cabinet Member	Cabinet Member for Environment and the Climate Emergency, Cabinet Member for Jobs, Skills and Growth, Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor)

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Who will be consulted before decision is made and how will this consultation take place	N/A		
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	N/A		
Contact details for comments or additional information	Lisa Fraser (Director of Education) lisa.fraser@towerhamlets.gov.uk		
What supporting documents or other information will be available?	N/A		
Is there an intention to consider this report in private session and if so why?	No, Unrestricted		
Title of Report	Contracts Forward Plan 2023/24 - Quarter 1	Ward(s) All Wards	Key Decision? Yes
Summary of Decision	<p>This report presents the contracts being procured during quarter one. The report also sets out the Contracts Forward Plan at appendix 2 to this report.</p> <p>The report asks for confirmation that all contracts can proceed to contract award after tender.</p>		

Decision maker Date of decision	Cabinet 26/07/23
Community Plan Theme	All Priorities
Cabinet Member	Cabinet Member for Resources and the Cost of Living
Who will be consulted before decision is made and how will this consultation take place	<p>Where required, consultation with service users and stakeholders will be undertaken as part of the project and budget approval process.</p> <p>Necessary consultation will be undertaken in accordance with the Council's policies and procedures.</p>
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No. Contract specific EqIA is expected to be completed by respective contract owners as part of the directorate approval.

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Contact details for comments or additional information	John Harrison Interim Director of Finance, Procurement and Audit John.Harrison@towerhamlets.gov.uk		
What supporting documents or other information will be available?	N/A		
Is there an intention to consider this report in private session and if so why?	No, Unrestricted		
Title of Report	Tower Hamlets New Local Plan: Regulation 18 Consultation Draft	Ward(s) All Wards	Key Decision? Yes
Summary of Decision	Cabinet will be asked to approve the Regulation 18 Local Plan – Consultation Draft for statutory consultation. The Plan has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulation 2012, as amended. The draft Plan contains a proposed vision and objectives for Tower Hamlets over the next 15 years to 2038, a spatial strategy, new planning policies and site allocations.		

Decision maker Date of decision	Cabinet 26/07/23
Community Plan Theme	All Priorities
Cabinet Member	Cabinet Member for Regeneration, Inclusive Development and Housebuilding
Who will be consulted before decision is made and how will this consultation take place	<p>Mayor’s office – at the regular Planning meeting with the Mayor, where key updates, such as ‘early engagement’ and outputs have been presented, including the ‘vision’ for the Local Plan. The Mayor and the Cabinet Member for Regeneration, Inclusive Development and Housebuilding, have provided a steer on aspirations and policy direction to ensure alignment with the new Strategic Plan.</p> <p>Internally – input of colleagues across the Council at the regular Local Plan Steering Group Meeting and regular Working Group Meetings held across each of the Plan’s 10 policy theme areas. These discussions were followed by presentations to the DLT, CLT over recent months, followed by separate engagement with specific officers.</p> <p>Externally – Greater London Authority, Transport for London, Historic England, London Boroughs of Newham, Greenwich, Hackney, City of London Corporation, London Legacy Development Corporation, neighbourhood forums, key landowners, Canal and River Trust, Network Rail, Environment Agency and Historic England.</p> <p>The Draft new Local Plan has been informed by early engagement that was held from January 2023 to March 2023. The Council’s 6-week early engagement stage</p>

Forthcoming Decisions Plan June 2023

	<p>for the new Local Plan included a range of digital, interactive and accessible events to ensure maximum outreach across the community. Events were held both online and in-person and included promotion through social media, emails, website, newsletters, press notices and posters/leaflets. During this early engagement phase, the Council received over 6000 online visits across the 'Let's Talk' website and the interactive 'Story Maps' platform. The Local Plan engagement document was downloaded 500 times and cumulatively, there were 392 submissions to the project and approximately 115 attendees across the events.</p>		
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	<p>Yes, relevant equality impact assessments will be carried as reYes Relevant equality impact assessments will be carried as required as part of the new Local Plan preparation process. Such assessments are requirements set-out in the Town and Country Planning Regulations.</p>		
Contact details for comments or additional information	<p>Jennifer Peters (Divisional Director, Planning and Building Control, Place) Jennifer.Peters@towerhamlets.gov.uk</p>		
What supporting documents or other information will be available?	<p>App 1. Tower Hamlets Regulation 18 Draft New Local Plan App 2. Tower Hamlets Regulation 18 Draft Integrated Impact Assessment - Scoping Report App 3. Local Plan Regulation 18 Consultation Strategy (to be provided at MAB)</p>		
Is there an intention to consider this report in private session and if so why?	<p>No, Unrestricted</p>		
Title of Report	Tower Hamlets Council Strategic Plan : 2023/24 Annual Delivery Plan	Ward(s) All Wards	Key Decision? Yes
Summary of Decision	<p>The Strategic Plan 2022 to 2026 is the council's main corporate business plan. The plan embeds the Mayor's vision and the administration's manifesto into a high level policy framework and demonstrates how they will be delivered alongside the council's statutory duties. The plan sets a framework for performance monitoring and reporting. It is supported by and aligned with the Medium Term Financial Strategy.</p> <p>Each year the council publishes an Annual Delivery Plan. The 2023/24 Annual Delivery Plan describes the key actions the council will take this year to deliver the Strategic Plan, and how we will measure progress.</p>		

Decision maker	Cabinet
Date of decision	26/07/23
Community Plan	All Priorities

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Theme	
Cabinet Member	Mayor
Who will be consulted before decision is made and how will this consultation take place	N/A
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	N/A
Contact details for comments or additional information	Sharon Godman (Director, Strategy, Improvement and Transformation) sharon.godman@towerhamlets.gov.uk
What supporting documents or other information will be available?	None
Is there an intention to consider this report in private session and if so why?	No, Unrestricted
Title of Report	Mudchute Farm, Park and Allotments, Pier Road E14; Variation of Lease Terms
	Ward(s) Blackwall & Cubitt Town; Island Gardens
	Key Decision? Yes
Summary of Decision	Cabinet approval was granted in June 2019 to surrender the existing Mudchute Association lease and grant a new 99 year term. The new lease has yet to complete, and the Mayor has requested that the lease term be reconsidered, therefore this requires a new Cabinet approval to vary the existing Cabinet decision.

Decision maker Date of decision	Cabinet 26/07/23
Community Plan Theme	A clean and green future
Cabinet Member	Cabinet Member for Resources and the Cost of Living
Who will be consulted before decision is made and how will this consultation take place	N/A

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Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	N/A		
Contact details for comments or additional information	Stephen Shapiro (Acting Director of Property and Major Programmes) Stephen.Shapiro@towerhamlets.gov.uk		
What supporting documents or other information will be available?	June 2019 Cabinet Paper		
Is there an intention to consider this report in private session and if so why?	No, Unrestricted		
Title of Report	Corporate Equalities Plan 2023-2026	Ward(s) All Wards	Key Decision? No
Summary of Decision	This report sets out the Council's corporate equality priorities over the next three years to achieve our vision to build a strong, inclusive and fair borough addressing inequalities through the services we provide, the money we spend, the people we employ and working effectively with our partners to ensure better outcomes for those living, working and studying here. Working in parallel to ensure our workforce reflects the community.		

Decision maker Date of decision	Cabinet 26/07/23
Community Plan Theme	All Priorities
Cabinet Member	Cabinet Member for Equalities and Social Inclusion
Who will be consulted before decision is made and how will this consultation take place	N/A
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No
Contact details for comments or additional information	Sharon Godman (Director, Strategy, Improvement and Transformation) sharon.godman@towerhamlets.gov.uk
What supporting documents or other	N/A

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information will be available?			
Is there an intention to consider this report in private session and if so why?	No, Unrestricted		
Title of Report	Change and amendments to the Permit Transfer Scheme (PTS) Criteria	Ward(s) All Wards	Key Decision? Yes
Summary of Decision	To make sure that the PTS continues to be clear, transparent, and fair to our residents, as well as addressing the day-to-day operational issues. Extend the scheme to residents in under-occupied properties with three or more bedrooms.		

Decision maker Date of decision	Cabinet 26/07/23		
Community Plan Theme	A clean and green future		
Cabinet Member	Cabinet Member for Environment and the Climate Emergency		
Who will be consulted before decision is made and how will this consultation take place	The briefing note was sent to Housing Options for their comments, and we attended their management meetings for Q&A sessions. Internal consultation only		
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	Yes		
Contact details for comments or additional information	Dan Jones (Director, Public Realm) dan.jones@towerhamlets.gov.uk		
What supporting documents or other information will be available?	Data on permits, the housing register, and future developments		
Is there an intention to consider this report in private session and if so why?	No, Unrestricted		
Title of Report	Tower Hamlets Safeguarding Children Partnership Annual Report 2022/23	Ward(s) All Wards	Key Decision? No

Forthcoming Decisions Plan June 2023

Summary of Decision	The report highlights the activity of the Tower Hamlets Safeguarding Children's Partnership within the last financial year.		

Decision maker Date of decision	Cabinet 26/07/23		
Community Plan Theme	TH Plan 1: A better deal for children and young people: aspiration, education & skills		
Cabinet Member	Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor)		
Who will be consulted before decision is made and how will this consultation take place	None – The paper is for information, throughout the paper the Children Safeguarding Partnership will be consulted, this includes all key agencies who work with children and young people in Tower Hamlets.		
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No		
Contact details for comments or additional information	Louise Griffiths Safeguarding Children Partnership Strategy Manager Louise.Griffiths@towerhamlets.gov.uk		
What supporting documents or other information will be available?	N/A		
Is there an intention to consider this report in private session and if so why?	No, Unrestricted		
Title of Report	Corporate Parenting Strategy 2023 - 2028	Ward(s) All Wards	Key Decision? No
Summary of Decision	The Corporate Parenting Strategy sets out how we will work with children in our care and care experienced young people to ensure they are offered every opportunity to develop, realise their aspirations and thrive.		

Decision maker Date of decision	Cabinet 26/07/23		
Community Plan Theme	TH Plan 1: A better deal for children and young people: aspiration, education & skills		
Cabinet Member	Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor)		

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<p>Who will be consulted before decision is made and how will this consultation take place</p>	<p>Councillors, Senior Managers, children we care for and care experienced young people, staff from across the Supporting Families Directorate, Health colleagues and Foster Carers</p> <p>The Corporate Parenting Board has discussed, and contributed to, plans to develop the strategy during meetings from Summer 2022 onwards.</p> <p>A Corporate Strategy Steering Group is in place to guide the work of developing the strategy, including plans for consultation.</p> <p>The following consultation activities have taken place or are planned.</p> <ul style="list-style-type: none"> • Information & awareness presentations on the development of the strategy, and consultation and involvement opportunities, provided through managers forums, team meetings, foster care support meetings and meetings of Children Living in Care Council meetings (during Jan – Mar 2023). • One to one interviews with key members of staff to gather background information on issues and current work programmes and initiatives (during Feb 2023). • Creative Film Project with children in our care and care experienced young people – workshops and filming throughout the Feb 2023 Half Term. Focused on ‘what matters most’ and ‘what makes life good’ for young people with care experience. • Targeted feedback from children in our care and care experienced young people – professionals gathering feedback from groups who are ‘harder to reach’. • Review of draft key messages from young people – taking place through Children Living in Care Council and follow up session with the film project group (during Mar/April 2023) • Foster Carers Support Groups – two consultation sessions on the strategy to take place on 9th May 2023 • Members Session – a workshop for Councillors has been offered focused on the promotion of corporate parenting across the council (during May 2023) • Stakeholder Workshops – a wide range of representatives who support and work with our young people have been invited. The workshops will focus on what young people are telling us and how we can respond and produce a strategy and action plan that makes a real difference to their lives. • Consultation on the draft strategy – the draft will be shared with all stakeholders during May / June 2023 for further review and amendments as necessary. • The draft strategy will go to the Corporate Parenting Board on 12th July 2023
<p>Has an Equality Impact Assessment been carried out and if so the</p>	<p>Yes</p>

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result of this Assessment?	
Contact details for comments or additional information	Susannah Beasley-Murray (Divisional Director of Supporting Families) susannah.beasley-murray@towerhamlets.gov.uk
What supporting documents or other information will be available?	None
Is there an intention to consider this report in private session and if so why?	No, Unrestricted
Title of Report	Corporate Parenting Commitments
	Ward(s) All Wards
	Key Decision? No
Summary of Decision	This report puts forward proposals for commitments the local authority can make as 'corporate parents' to improve experiences and outcomes for children in our care and care experienced young people. This includes adopting 'Care Experienced' as a Protected Characteristic (as recommended in the Independent Care Review) to tackle inequality for our young people. The proposals within this report align with the Corporate Parenting Strategy for Tower Hamlets which is also scheduled to go to Cabinet in July 2023.

Decision maker Date of decision	Cabinet 26/07/23
Community Plan Theme	TH Plan 1: A better deal for children and young people: aspiration, education & skills
Cabinet Member	Cabinet Member for Environment and the Climate Emergency, Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor)
Who will be consulted before decision is made and how will this consultation take place	N/A
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No
Contact details for comments or additional information	Susannah Beasley-Murray (Divisional Director of Supporting Families) susannah.beasley-murray@towerhamlets.gov.uk
What supporting documents or other information will be	None

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available?			
Is there an intention to consider this report in private session and if so why?	No, Unrestricted		
Title of Report	SEND Improvement Annual Report 2022	Ward(s) All Wards	Key Decision? No
Summary of Decision	The SEND Improvement Annual Report 2022 aims to provide an analysis of progress and impact for work undertaken over the last year in relation to improvement priorities.		

Decision maker Date of decision	Cabinet 26/07/23		
Community Plan Theme	Accelerate Education		
Cabinet Member	Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor)		
Who will be consulted before decision is made and how will this consultation take place	N/A		
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No - this is an Annual Report for information only		
Contact details for comments or additional information	Steve Nyakatawa (Director of Education) steve.nyakatawa@towerhamlets.gov.uk		
What supporting documents or other information will be available?	N/A		
Is there an intention to consider this report in private session and if so why?	No, Unrestricted		
Title of Report	Liveable Streets Review	Ward(s) Bethnal Green West; Spitalfields & Banglatown; St Katharine's & Wapping; Weavers	Key Decision? Yes
Summary of Decision	Review of proposed removal of traffic management schemes implemented under		

Forthcoming Decisions Plan June 2023

the Liveable Streets programme.

Decision maker Date of decision	Cabinet 13/09/23
Community Plan Theme	A clean and green future
Cabinet Member	Cabinet Member for Environment and the Climate Emergency
Who will be consulted before decision is made and how will this consultation take place	Relevant internal and external stakeholders including, but not limited to, emergency services, local schools and Transport for London have also been consulted. Surveys on the proposals have been issued to residents in the areas directly affected. The survey is also available for the general public to complete.
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	Yes
Contact details for comments or additional information	Dan Jones (Director, Public Realm) dan.jones@towerhamlets.gov.uk
What supporting documents or other information will be available?	N/A
Is there an intention to consider this report in private session and if so why?	No, Unrestricted

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 18:55 ON TUESDAY, 16 MAY 2023

COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL

Members Present in Person:

Councillor Musthak Ahmed	
Councillor Abdul Mannan	
Councillor Maisha Begum	
Councillor Marc Francis	
Councillor Asma Islam	
Councillor Ahmodur Khan	Scrutiny Lead for Health and Adults
Councillor Sabina Khan	Scrutiny Lead for Resources and Finance
Councillor Abdul Malik	Scrutiny Lead for Community Safety

Co-optees Present in Person:

Jahid Ahmed
Halima Islam

Officers Present in Person:

Sharon Godman	(Director Strategy, Improvement and Transformation)
Afazul Hoque	(Head of Corporate Strategy & Communities)
Oli Kapopo	(Head of Waste Operations)
Simon Baxter	(Interim Director of Public Realm)
Richard Williams	(Business Manager Operational Services)
Filuck Miah	Senior Strategy and Policy Officer
Thomas French	(Democratic Services Officer (Committees))

1. APOLOGIES FOR ABSENCE

No apologies were received.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST AND OTHER INTERESTS

No declarations of disclosable pecuniary interest were received at the meeting.

3. UNRESTRICTED MINUTES

RESOLVED

That the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 27 March 2023 be approved and signed by the Chair as a correct record of the proceedings.

4. REQUESTS TO SUBMIT PETITIONS

None.

5. OVERVIEW & SCRUTINY COMMITTEE QUERY AND ACTION LOG

RESOLVED:

Members Noted the Reports

6. FORTHCOMING DECISIONS

RESOLVED:

Members noted the forward plan.

7. UNRESTRICTED REPORTS 'CALLED IN'

Nil items.

8. SCRUTINY SPOTLIGHT

8.1 Mayor's Spotlight

The Chair confirmed The Mayor was unable to attend the committee meeting and the Mayor's Spotlight will be rescheduled to a future committee meeting.

Members asked if the Mayor could prioritize attending committee meetings when he is invited by the committee, along with the relevant Lead Member for reports. If Committee meetings are to be cancelled, then members do need advanced noticed where possible.

8.2 Streets and Parks Cleanliness Spotlight

The Streets and Parks Cleanliness Spotlight was presented by Oli Kapopo, Head of Waste Operations, Richard Williams, Business Manager Operational Services and Simon Baxter, Interim Director of Public Realm.

The committee raised the following comments and questions:

- What are the levels of fines or penalties that have been given out to businesses due to waste? Has there been any difference in the

behaviour of businesses after they have been fined? Richard Williams confirmed that there over 18,000 investigations into waste items found. While the numbers are going up, a lot of work is going into looking at the known hot spots and putting measures in place to combat busy areas. There has been less reports of fly tipping and work has been done to develop behaviour change in businesses. It has been effective to issue fines to businesses and build on the engagement that has happened around the fines.

- Issues are raised by residents on missed waste collections, routes not being completed or the parking infrastructure not allowing for collections. The council also needs to work on its own waste collection issues, and not just punishing residents who just want their waste collected. Simon Baxter confirmed that route optimisation is being developed, and the council is working with the trade unions and should be online around Q3 this year. The service needs to be stronger on waste collection as it currently is fragmented, and stronger links need to be made with areas like environmental health. Tower Hamlets is a densely populated borough, and the council is engaging with the waste emergency and the council is working to make it better.
- The response team responding to members about waste issues reported is getting worse for delays in turn around. Oli Kapopo noted the response issues and would feedback to the team.
- The communication engagement with residents and businesses is good but more work should be done on those visiting the borough and ensuring waste collection in the nighttime economy. Areas like Fish Island and many parks within the borough are not being acted on after busy periods. Resident groups volunteering for litter collections are not enough to ensure these areas are suitable for residents and visitors. Oli Kapopo confirmed officers would look at the areas raised and work to see greater collections and measures.
- Food waste collection is an area the council needs to consider developing greater infrastructure for.

RESOLVED:

Members noted the presentation.

9. UNRESTRICTED REPORTS FOR CONSIDERATION

9.1 Scrutiny review of food insecurity in the Borough

The Scrutiny Review on understanding the impact of food insecurity on residents and review whether the council and its partners response to tackling food poverty is effective and sustainable was presented by Cllr Sabina Khan, Scrutiny Lead for Resources and Finance.

The committee raised the following comments and questions:

- When reports like this discusses poverty, it is important to put context on the work the council does as temporary, council services can only do so much, as long-term poverty is seen as a failing in government policy.
- The work to get as much community engagement and school input around this review has been important to make sure it is a meaningful review.
- While the funding to support foodbanks and the food hubs within the borough, the council needs to do more to ensure child poverty is addressed after so many years of failed national government policy.

RESOLVED:

Members noted the presentation and agreed to submit the report for Executive Response.

9.2 Women's Safety - Scrutiny Review Report

The Scrutiny Review on Women's Safety was presented by Cllr Abdul Malik Scrutiny Lead for Community Safety.

The committee raised the following comments and questions:

- The council needs to do more to ensure that women are taken seriously on safety and engagement. Greater signage needs to be placed around the borough.
- Gaining more Male Allies feels counterproductive as a recommendation within this report. Gaining Male Allies should be a side affect of ensuring Women and Girls are safe within the Borough and funding and officer time should be placed within this area instead. Women should be at the centre of the discussion when making these strategies.
- It is important to work with everyone with the borough to ensure Women's safety is taken seriously.
- The committee asked for the wording within the recommendations to be updated before going to Cabinet.

RESOLVED:

Members noted the presentation and agreed to submit the report for Executive Response.

9.3 Scrutiny Annual Report 22-23

The Scrutiny Annual Report 22-23 was presented by the Chair. The Chair thanked officers for their hard work on creating and editing the video that will

be going along with the report. The Chair thanked members and Scrutiny Leads for their hard work on the committee in 2023/23.

RESOLVED:

Members noted the report.

9.4 Appointment of Co-opted Members to Scrutiny Committee and Sub Committees

The Appointment of Co-opted Members to Scrutiny Committee and Sub Committees was presented by Afazul Hoque, Head of Corporate Strategy & Communities.

RESOLVED:

Members agreed the appointment of the persons listed in the table at paragraph 3.5 to the co-opted positions indicated, subject to any necessary pre-appointment checks in line with the Council's current approach.

9.5 Tracking Recommendations - Parking Challenge Session

The Tracking Recommendations - Parking Challenge Session report was presented by Afazul Hoque, Head of Corporate Strategy & Communities.

RESOLVED:

Members noted the report and agreed to bring this report back for further discussion within the 2023/24 Committee Workplan.

10. VERBAL UPDATES FROM SCRUTINY LEADS

Members asked about overcrowding and the impact it has on fostering provision in the borough.

RESOLVED:

Members Noted the updates.

11. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

12. EXCLUSION OF THE PRESS AND PUBLIC

As the agenda circulated had no exempt/confidential reports and there was therefore no requirement to exclude the press and public to allow for its consideration.

13. EXEMPT/ CONFIDENTIAL MINUTES

Nil items.

14. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil items.

15. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL) CABINET PAPERS

Nil items.

16. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS THAT THE CHAIR CONSIDERS URGENT

Nil items.

The meeting ended at 21:03

Chair, Councillor Musthak Ahmed
Overview & Scrutiny Committee