

**LONDON BOROUGH OF TOWER HAMLETS**

**RECORD OF THE DECISIONS OF THE CABINET**

**HELD AT 5.40 P.M. ON WEDNESDAY, 24 MAY 2023**

**COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL**

**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 Suluk Ahmed	(Cabinet Member for Equalities and Social Inclusion)
Councillor Gulam Kibria Choudhury	(Cabinet Member for Health, Wellbeing and Social Care)
Councillor Abu Chowdhury	(Cabinet Member for Safer Communities)
Councillor Iqbal Hossain	(Cabinet Member for Culture and Recreation)
Councillor Abdul Wahid	(Cabinet Member for Jobs, Skills and Growth)

**Members In Attendance Virtually:**

Councillor Kabir Hussain	(Cabinet Member for Environment and the Climate Emergency)
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**Other Councillors Present in Person:**

Councillor Bodrul Choudhury

**Other Councillors In Attendance Virtually:**

Councillor Sirajul Islam

**Officers Present in Person:**

Stephen Halsey	(Interim Chief Executive)
Agnes Adrien	(Head of Litigation, Legal Services)
Matthew Eady	(Director of Commissioning and Culture)
Natalie Lovell	Public Health Programme Manager (Healthy Environments)
Jenny Pittam	Interim Head Contract Services
Karen Swift	(Divisional Director, Housing and Regeneration)
James Thomas	(Corporate Director, Children and Culture)
Warwick Tomsett	Joint Director, Integrated Commissioning
Joel West	(Democratic Services Team Leader (Committee))

Sharon Godman (Director, Strategy, Improvement and Transformation)  
(Democratic Services Team Leader (Committee))

**Officers In Attendance Virtually:**

Caroline Holland (Interim Corporate Director, Resources)  
William Jabang (Senior Procurement Manager)  
Jignesh Parmar (Head of Procurement)

**1. APOLOGIES FOR ABSENCE**

Apologies were received from Janet Fasan, Director, Legal and Monitoring Officer (Agnes Adrien was deputising).

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

Councillors Maium Talukdar, Suluk Ahmed and Abdul Wahid declared non-registrable interests in Item 6.3, as each had children at secondary schools who would receive free school meals as a result of the proposals in that report. The Councillors left the meeting for the duration of the discussion on the item.

**3. UNRESTRICTED MINUTES**

**RESOLVED:**

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 26 April be approved and signed by the Mayor as a correct record of proceedings.

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

None

**5. OVERVIEW & SCRUTINY COMMITTEE**

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

See the minutes.

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

None.

**6. UNRESTRICTED REPORTS FOR CONSIDERATION****6.1 Tower Hamlets Healthier Advertising Policy****DECISION:**

1. Note the report and the proposed healthier advertising policy.
2. Approve the healthier advertising policy to be adopted by the Council.

**ACTION BY:****ACTING CORPORATE DIRECTOR FOR HEALTH ADULTS AND COMMUNITY (W. TOMSETT)**

Associate Director of Public Health (K. Scammell)

**Reasons for the decision**

Tower Hamlets has high rates of childhood obesity. Advertisements for unhealthy food and drink products directly and indirectly impact what we eat. Being exposed to foods and drinks that are high in fat, salt and sugar (HFSS) is linked to a preference for HFSS products, more snacking, and consuming more calories. Young people who recall seeing junk food adverts every day are more likely to be obese.

**Alternative options**

Option 1: Implement the healthier advertising policy as outlined in this paper with a focus on High Fat Salt Sugar products. Following a robust evidence review, consideration may be given to extending the policy to also include alcohol, tobacco and other products, including e-cigarettes/vaping and breast milk substitutes. Option 2: No healthier advertising policy implemented.

**6.2 Response to Overview & Scrutiny Committee's Recommendations on Increasing Female Sports Participation****DECISION:**

1. To agree the proposed action responding to the Children & Education Scrutiny Sub-Committee Challenge Session on "Increasing Women and Girls Access and Participation in sport provision and physical activity".

**ACTION BY:****Corporate Director Children's Services, (J. THOMAS)**

Director of Commissioning and Culture (M. Eady)

**Reasons for the decision**

The Council's constitution requires the executive to respond to the recommendations from the Overview & Scrutiny Committee.

This report and the action plan at Appendix 1 is the executive's response to the recommendations arising from the overview and scrutiny challenge session, increasing female participation in sport and physical activity.

Women constitute 49.2% of the Tower Hamlets population and is one of the protected characteristics under the Equality Act 2010. National and local data evidence show that female participation in sport & physical activity is lower than that of men. Under the Act, the Council has a duty to protect women from discrimination in accessing and participating in Council services. This report outlines ways in which female participation in sport & physical activity can be increased. Furthermore, the Council's strategic plan prioritises increase in participation of women and girls in sport and physical activity.

### **Alternative options**

To take no action. This is not recommended as the increase in women and girls in sport & physical activity is a strategic priority and the Scrutiny challenge, has provided an evidence base, from national and local data, that used best practice guidance to improve the service and the experience of female residents in accessing and using sport & physical activity services in the borough.

## **6.3 Recommendations for the delivery of Universal Free School Meals (UFSM) to all Secondary School Pupils**

### **DECISION:**

1. Agree to fund the meal price at £2.90 per pupil per day rising to £3 in year 2 of the project.
2. Agree to a 3-phase approach to launching the project to allow schools to prepare appropriately for the deliver of meals to all secondary school pupils.
3. Agree to fund the upfront investment costs for all the schools estimated to be a total of £722,350 to ensure schools have the correct equipment and resources to increase their catering capacity.
4. Approve the Conditions of Grant, support provision and evaluation activities for schools. These will provide a clear and consistent framework on how to derive maximum benefit from the project (encouraging uptake of good quality nutritious school meals) as well as providing data to demonstrate maximum value for money for Tower Hamlets' investment in UFSM.

### **ACTION BY:**

**Corporate Director Children's Services, (J. THOMAS)**

Director of Commissioning and Culture (M. Eady)

### **Reasons for the decision**

£2.90 per meal will ensure that a consistent, compliant high quality meal can be provided to all pupils and that staffing costs are met by the additional hours

required to ensure an efficient service delivery. The Board which consists of representatives from Secondary School Head Teachers, LBTH Finance, Public Health, Legal, Comms, Caterers & External Consultants have agreed that it is an initial credible level of funding. However, to meet the challenges of increasing food inflation and high London Living Wage pay rates, £3 per meal will be needed in Year 2 to ensure the standard of the food offer is maintained.

If schools don't have the time to invest in their services properly and in a timely manner then the success of the project could be jeopardised, leading to poor meal uptake due to long queues, inefficient services and a reduced quality food offer.

12 schools and academies have a level of initial investment required to meet the increased production of school meals. Schools have confirmed their budgets for next year and have no planned allocation for this investment. On this basis it is recommended that the council covers this cost for all schools to ensure a successful launch of the UFSM project.

Without Conditions of Grant and provision of practical support for schools, there is a risk that the standard of food offer will be inconsistent and less healthy, and take-up of the free school meal offer will be lower. This will consequently limit the health benefits the programme will bring to young people. In addition, if not monitored, funding claimed from the council may not be accurate leading to an overspend on the UFSM annual budget.

#### **Alternative options**

Schools have raised a concern about phasing the start of the project, with some pupils benefitting earlier than others. To mitigate the inequality of this situation, the council could make direct payments to schools/pupils for UFSM in the interim period. However, the Board including external caterers and professional consultants do not recommend this option as schools will not be ready. There may be long queues, possibly resulting in an adverse start to the project from a pupil perspective. Good positive comms around the Councils decision to phase the project start dates should help to overcome this concern.

An alternative solution to phasing the project would be to delay the start until all schools are ready to deliver and launch in April 2024. However, this is not recommended as the Mayor has pledged to launch in September 2023 and this has been publicly announced.

#### **6.4 Record of Corporate Directors Actions 2022/23 Q4**

##### **DECISION**

To note the Record of Corporate Directors' Actions set out in Appendix 1.

##### **ACTION BY:**

**INTERIM CORPORATE DIRECTOR, RESOURCES (C. HOLLAND)**

Interim Head of Procurement (W. Jabang)

**Reasons for the decision**

The Council's constitution requires that Corporate Director's Actions in respect of contracts over £100,000 must be reported to Cabinet for noting. The regular reporting of Corporate Director's Actions should assist in ensuring that Members are able to scrutinise officer decisions.

**Alternative options**

The Council is bound by its constitution to report to Cabinet financial decisions taken under Corporate Director's Actions. If the Council were to deviate from those requirements, there would need to be a good reason for doing so. It is not considered that there is any such reason, having regard to the need to ensure that Members are kept informed about decisions made under the delegated authority threshold and to ensure that these decisions are in accordance with Financial Regulations.

**6.5 Housing Capital Strategy 2023/24: Delivering at pace to increase the supply of new homes****DECISION:**

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.

**ACTION BY:**  
**DIRECTOR OF HOUSING (K.SWIFT)**  
Head of Housing Supply (R. Brandon)

**Reasons for the decision**

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.

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.

**Alternative options**

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.

**7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**

None.

**8. EXCLUSION OF THE PRESS AND PUBLIC**

No exclusion of press and public was necessary.

**9. EXEMPT / CONFIDENTIAL MINUTES**

None

**10. OVERVIEW & SCRUTINY COMMITTEE**

**10.1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business**

None.

**10.2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee**

None.

**11. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION**

None.

**12. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT**

None.

The meeting ended at 7.07 p.m.

Chair, Mayor Lutfur Rahman  
Cabinet