

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.35 P.M. ON WEDNESDAY, 21 JUNE 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 Kabir Hussain	(Cabinet Member for Environment and the Climate Emergency)
Councillor Abdul Wahid	(Cabinet Member for Jobs, Skills and Growth)

Other Councillors Present in Person:

Councillor Nathalie Bienfait

Other Councillors In Attendance Virtually:

Councillor Sirajul Islam

Officers Present in Person:

Jennifer Peters	(Divisional Director, Planning and Building Control, Place)
Terry Bryan	(Service Head (Pupil Access and School Sufficiency))
Lisa Fraser	(Director of Education)
Stephen Halsey	(Interim Chief Executive)
Marc Acton-Filion	(Planning Officer (Plan Making Team))
Matthew Pullen	(Infrastructure Planning Manager)
James Thomas	(Corporate Director, Children and Culture)
Sarah Wilks	(Infrastructure Planning Team Leader, Place)
Joel West	(Democratic Services Team Leader (Committee))

Officers In Attendance Virtually:

Janet Fasan (Director of Legal & Monitoring Officer)

Caroline Holland

(Interim Corporate Director, Resources)

1. APOLOGIES FOR ABSENCE

None.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

None declared.

3. UNRESTRICTED MINUTES

RESOLVED:

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 24 May 2023 be approved and signed by the Mayor as a correct record of proceedings, subject to the inclusion of Councillor Abdul Wahid, Cabinet Member for Jobs, Skills and Growth, in the attendee list.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

See the minutes.

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

The Mayor and Cabinet noted that the call in on Housing Capital Strategy 2023/24: Delivering at pace to increase the supply of new homes had been considered by OSC at its recent meeting and as no further action had been agreed, could now be implemented.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 South Quay College site lease

Reasons for urgency were noted and approved.

DECISION:

1. To authorise the Director of Integrated Growth and Development following consultation with the Mayor to enter into a lease with the developer of South Quays to the value set out within the 'Heads of

Terms' presented in Confidential Appendix 1 to the report, to ensure sufficient places for pupils with additional needs from September 2023.

2. To agree the 'Heads of Terms', in Confidential Appendix 1 to the report, to enable the lease to be signed.

ACTION BY:

CORPORATE DIRECTOR CHILDREN AND CULTURE (J. THOMAS)

Service head (Pupil Access and School Sufficiency) (T. Bryan)

Reasons for the decision

To enable the Council to have adequate accommodation for the continuation of Alternative Education Provision (AP) in this area of the borough.

Alternative options

If the Council did not take this decision it could result in a failure to meet its statutory duty to provide suitable education provision for Tower Hamlets children and young people.

6.2 Neighbourhood Community Infrastructure Levy (NCIL)

DECISION

1. Approve the revised Local Infrastructure Initiatives Programme consisting of LIF Programmes 1-3 as set out in paragraph 3.9-3.11 and Appendix 1 of the report.
2. Note the return of £17.285m of LIF from discontinued projects from LIF Programmes 1-3 to the main NCIL pot
3. Approve the proposed NCIL implementation framework for decision making on the allocation of future NCIL set out in paragraph 3.12 (Table 3) of the report to ensure that spending of NCIL remains in accordance with CIL Regulations 2010 (as amended).
4. Approve the proposed NCIL allocations of £20.456m for 2023-24 to 2025/26 set out in paragraph 3.13 a-c of the report.
5. Note that decisions on project level allocations of NCIL on an annual basis to Capital Programme and Affordable Housing schemes, will be made via the Council's standard Capital Programme governance process up to Cabinet.
6. Note that decisions on the allocation of NCIL to individual grants will be made via the existing Council Grants process set out in the Cabinet Paper approved at the 29th of March 2023 Cabinet meeting.
7. Delegate approval of detailed PIDs and change notes for individual projects remaining to be delivered through LIF Programmes 1 – 3 to the Director, Planning & Building Control following consultation with the Mayor and Chief Executive.

8. Note the Equalities Impact Assessment / specific equalities considerations as set out in Paragraphs 4.1-4.4 of the report.

ACTION BY**DIRECTOR PLANNING AND BUILDING CONTROL (J. PETERS)**

Infrastructure Planning Manager (S. Wilks).

Reasons for the decision

The Council has a statutory duty under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) to set aside 15-25% of CIL income as NCIL for local communities to support local development by involving them in decision making processes on local investment of infrastructure, and anything else that addresses the demands that development places on an area.

The Council's existing approach to NCIL was adopted by Cabinet in December 2016 (as amended) and named the Local Infrastructure Fund (LIF). However, administrative changes to the Council necessitated the review of the current NCIL (LIF) approach to ensure that delivery aligns with the priorities set out in the new Strategic Plan 2022-26. This has resulted in changes to the existing LIF Programme that require a Cabinet decision. The proposed new approach to NCIL also needs formal approval in order to enact and ensure funding is spent in good time to benefit local communities.

Alternative options

The Council is required to approve the new NCIL approach and sub-programme allocations in order to not further delay the spending of NCIL funds currently held by the Council. This would undermine the Council's ability to provide the necessary level and quality of infrastructure to support both existing residents and to accommodate residential / commercial and associated population growth.

The alternative option is to continue with the existing LIF programme approach. This is not recommended as it would not adequately deliver the Council's priorities set out in the new Strategic Plan 2022-26.

6.3 Neighbourhood Planning: Determination of Roman Road Bow Neighbourhood Forum Redesignation Application**DECISION**

1. To refuse the redesignation of the Roman Road Bow Neighbourhood Forum as the designated neighbourhood forum for the Roman Road Bow Neighbourhood Planning Area.
2. To note the specific equalities considerations as set out in Paragraph 7.1 of the report.

ACTION BY**DIRECTOR PLANNING AND BUILDING CONTROL (J. PETERS)**

Planning Officer (M. Acton Fillion)

Reasons for the decision

Tower Hamlets Council has received an application to renew the designation of the Neighbourhood Forum for the Roman Road Bow Neighbourhood Area.

The Council is required to determine applications for the designation of Neighbourhood Forums in accordance with the Town and County Planning Act 1990 (as amended) ('TCPA 1990') and the Neighbourhood Planning (General) Regulations 2012 ('the 2012 Regulations'). The Government's Planning Practice Guidance ("PPG") on Neighbourhood Planning (Ref ID: 41-021-20140306) also provides guidance on the determination of such applications, which states that the role of the Local Planning Authority (LPA) is to take decisions at key stages in the neighbourhood planning process.

Under the modifications to the 2012 Regulations made by the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016, the Council must make a decision on applications for neighbourhood forum designations within 13 weeks of starting a consultation on the application.

The public was notified of the Neighbourhood Forum's application for redesignation and was invited to respond. One response was received in support of the redesignation and no responses were received objecting to the redesignation or proposing alternative forums to represent the neighbourhood planning area.

The Mayor in Cabinet was not assured that the membership of the forum included representatives from different sections of the community in the area and thus refused the application for redesignation.

Alternative options

The alternative option was to support the redesignation of the Roman Road Bow Neighbourhood Forum as the designated neighbourhood forum for the Roman Road Bow Neighbourhood Planning Area. This was the officers' recommended decision and the reasons for this are as set out in the report submitted.

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**7.1 Nominations to Outside Bodies – London Councils**

Reasons for urgency were noted and approved.

DECISION

1. To replace Councillor Abu Chowdhury with Councillor Abdul Wahid as the Council's nominee to London Councils' Greater London Employment Forum (GLEF)

2. To replace Councillor Kabir Ahmed with Councillor Kabir Hussain as the Council's nominee to London Councils' Transport and Environment committee.

ACTION BY:**DIRECTOR LEGAL AND MONITORING OFFICER (J. FASAN)**

Democratic Services Team Leader (Committees) (J. West)

Reasons for the decision

Having representatives on outside bodies increases the Council's engagement with the local community and improves its potential to offer leadership and guidance in relation to activities taking place in the borough.

London-wide initiatives can also offer considerable benefits that promote delivery of the Council's key priorities. Conditions of some London-wide partnerships and trusts are that the Council is represented on their boards.

Alternative options

The Mayor could decide not to make appointments to outside bodies at all. However, this is not recommended as it would reduce the Council's opportunity to be involved in and to support good work within the community and it would also reduce the Council's leadership opportunities. There are also a number of bodies where the Council is required or expected to provide a representative.

8. EXCLUSION OF THE PRESS AND PUBLIC

A motion to exclude press and public was not required.

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 6.35 p.m.

, Mayor Lutfur Rahman