

LONDON BOROUGH OF TOWER HAMLETS**RECORD OF THE DECISIONS OF THE CABINET****HELD AT 3.08 P.M. ON WEDNESDAY, 27 MARCH 2024****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)

Officers Present in Person:

John Ainsworth	(Senior Performance Improvement Analyst)
Ashraf Ali	(Acting Director of Public Realm)
Jill Bayley	(Head of Legal Safeguarding)
Ann Corbett	(Director, Community Safety)
Azizul Goni	(Environmental Services Manager)
Stephen Halsey	(Chief Executive)
Fiona Heyland	(Head of Waste Strategy Policy and Procurement, Public Realm)
Julie Lorraine	(Corporate Director Resources)
Jack Painter	Democratic Services Officer
Denise Radley	(Corporate Director, Health & Adult Social Care & Deputy Chief Executive)
Steve Reddy	(Interim Corporate Director, Children's Services)
Karen Swift	(Divisional Director, Housing and Regeneration)

1. APOLOGIES FOR ABSENCE

None.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were none.

3. UNRESTRICTED MINUTES

RESOLVED:

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 21 February 2024 be approved and signed by the Mayor as a correct record of proceedings.

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

Nil items.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Fixed Penalty Notice Increase for Environmental Crime

DECISION:

1. To adopt new levels for fixed penalty notices (FPNs) for offences related to littering, graffiti/fly-posting, fly-tipping, and breach of the household waste duty of care and to set discount levels and periods as detailed in the table below.

Description of offence	Proposed FPN level	Proposed discounted FPN level (payable within ten days of issue)
Depositing litter	£500	£250
Graffiti and fly-posting	£500	£250
Household waste duty of care offences	£600	£300
Fly-tipping	£1,000	£500

Action by:
CORPORATE DIRECTOR COMMUNITIES (S.BAXTER)

Interim Director Public Realm (A. Ali),

Reasons for the decision

Environmental crimes of fly-tipping, littering, graffiti and flyposting continue to have a negative impact on the cleanliness, environmental quality and quality of life across the borough.

These crimes costs the council extra money on clean-up costs, reduce environmental quality and cause environmental damage.

Our 2023 resident survey highlights a decrease in satisfaction with street cleansing. From 58% to 54% of respondents reporting cleanliness in the borough as good. Given that nearly half of reported problems about cleansing relate to fly tipping this remains a high priority to improve.

We are committed to improve our waste and recycling services as well as to help people manage their waste. However, whilst we help people with improved education, advice and more effective community engagement, increased fixed penalties will support more effective and efficient enforcement to drive compliance.

The FPN provides an alternative to other enforcement options and prosecution. It allows an individual to discharge their liability for the relevant offence by payment of a financial penalty. There is no obligation for the Council to offer an offender the option to discharge liability through an FPN. However, for some cases and offences, it can be more proportionate than proceeding with a prosecution through the courts. An FPN is offered as an alternative to prosecution for a variety of offences and the proposed penalty levels can vary. The legislation itself provides the levels or ranges at which an FPN must be set.

The aim of increasing the FPN to the maximum amounts with a 50% discount acts as a deterrent to offending, encourages payment and reflects local economic circumstances across the borough. It offers the following advantages/disadvantages

Advantages:

- The higher level of FPN may act as a deterrent to offending.
- The increase would demonstrate to the public and businesses that the Council is determined to reduce offending and improve the cleanliness.
- Offering the 50% discount is an incentive to pay and reflects local circumstances, including ability to pay.

Disadvantages:

- Offenders may not be able to afford the higher level of FPN or opt to risk a lower level of fine if prosecuted.
- Increase in offenders challenging the FPN through the representation process, resulting in additional work for officers.

The resources required in waste enforcement and legal services to prepare and take prosecutions may increase, thus increasing the cost to the Council in bringing cases to court. It should be noted that the Council will often recover a reasonable proportion of its costs, in the event of a prosecution.

Alternative options

Amend the proposed levels of FPN and/or discount periods.

Retain the current levels of FPN.

6.2 Budget Monitoring 23/24 Quarter 3

DECISION:

1. Note the council's position and consequent forecast outturn as at 31st December 2023, against General Fund Budget (£0.1m underspend) Dedicated Schools Grant Budget (£0.3m overspend), Housing Revenue Account (£0.1m underspend).
2. Note the actions taken to date to address the demand pressures as set out in Appendix A to the report, Section 3.2.
3. Note the progress made against the 2023-24 savings targets, based on forecasts as of 31st December 2023.
4. Note the council's forecast outturn position against General Fund and Housing Revenue Account capital programme approved budgets for 2023-24, based on forecasts as of 31st December 2023.
5. Approve the anticipated net slippages of £6.7m and net overspends of £2.6m across the General Fund capital programme and net slippages of £7.2m and net overspends of £0.1m across the Housing Revenue Account capital programme as detailed in sections 3.13 and 3.14 of the report.
6. Note that there are no equalities implications directly resulting from this report, as set out in Section 4 of the report.

Action by:

CORPORATE DIRECTOR RESOURCES (J. LORRAINE)

Director of Finance, Procurement and Audit (A. Kassim)

Reasons for the decision

The regular, timely and accurate reporting of Revenue and Capital Budget Monitoring information through the year is a key financial control. It makes visible variations to budget to inform decision making and enable the council to take timely mitigating actions.

It is important that issues driving variations to budget are understood, challenged and addressed so that the council remains both within the approved budget envelope and on track to delivering the plans Members budgeted for.

Alternative options

The council could choose to monitor its budgetary performance against an alternative time frame, but it is considered that the reporting schedule provides the appropriate balance to allow strategic oversight of the budget by Members and to manage the council's exposure to financial risk. More frequent monitoring is undertaken by officers and considered by individual service directors and the council's CMT including approval of management action.

6.3 Strategic Delivery and Performance Report Year 2 Quarter 3

DECISION:

1. Note the strategic delivery and performance report for Q3 covering the period of 1st October 2023 to 30th December 2023.
2. Note the measures in Q3 tracking the delivery of Year 2 of the Strategic Plan 2023-2024 (See Appendix A to the report).

Action by

DIRECTOR STRATEGY, IMPROVEMENT AND PERFORMANCE (R. BEATTIE)

Data Analytics, Business Intelligence & Performance Lead (D. Plumer)

Reasons for the decision

The council's reporting cycle – the Performance Management & Accountability Framework 2023-24 is set up to provide quarterly update reports for the delivery of the Strategic Plan 2022-2026 including operational performance measures.

Targeted performance measurement is relevant to strategic policy as it helps services to be designed so that they can deliver strategic objectives.

By examining performance measures of operational activity, the council can make informed decisions about how to effectively steer resources towards the goals of the organisation.

Alternative options

Cabinet may decide not to review the performance information. This is not recommended as Members have a key role to review and challenge under-performance and utilise performance information to inform resource allocation.

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

8. EXCLUSION OF THE PRESS AND PUBLIC

A motion to exclude the press and public was not required.

9. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

10. OVERVIEW & SCRUTINY COMMITTEE

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

Nil items.

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

Nil items.

11. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION

Nil items.

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

Nil items.

The meeting ended at 4.22 p.m.

Chair, Mayor Lutfur Rahman
Cabinet