

LONDON BOROUGH OF TOWER HAMLETS**RECORD OF THE DECISIONS OF THE CABINET****HELD AT 5.42 P.M. ON WEDNESDAY, 20 SEPTEMBER 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 Shafi Ahmed	
Councillor Nathalie Bienfait	
Councillor Bodrul Choudhury	Scrutiny Lead for Children & Education
Councillor Jahed Choudhury	(Speaker of the Council)
Councillor Peter Golds	
Councillor Kamrul Hussain	
Councillor Sirajul Islam	
Councillor Abdul Mannan	Scrutiny Lead for Housing and Regeneration
Councillor Amin Rahman	
Councillor Bellal Uddin	

Officers Present in Person:

John Ainsworth	(Senior Performance Improvement Analyst)
Ashraf Ali	(Scrutiny Policy Officer)
Yasmin Ali	(Development Project Manager, Place)
Rupert Brandon	Interim Head of Housing Supply
Raj Chand	(Director, Customer Services)
Janet Fasan	(Director of Legal & Monitoring Officer)
Stephen Halsey	(Chief Executive)
Sam Harney	(Mayor's Political Advisor)
Fiona Heyland	(Head of Waste Strategy Policy and Procurement,

Amy Jackson	Public Realm)
Ellie Kershaw	(Head of Mayor's Office)
	(Acting Director, Growth and Economic Development)
Julie Lorraine	(Corporate Director Resources)
Raj Mistry	Corporate Director for Communities
Denise Radley	(Corporate Director, Health and Social Care)
Kamran Rashid	Interim Project Manager
Jed Scoles	(Political Advisory to the Minority Group)
Karen Swift	(Divisional Director, Housing and Regeneration)
James Thomas	(Corporate Director, Children's Services)
David Tolley	(Head of Environmental Health and Trading Standards)
Richard Williams	Business Manager Operational PR
Matthew Mannion	(Head of Democratic Services)
Jack Painter	Democratic Services Officer

Officers In Attendance Virtually:

John Harrison	Interim Director of Finance, Procurement and Audit
Ian Austin	(Principal Lawyer for Planning)

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no Declarations of Disclosable Pecuniary Interests.

3. UNRESTRICTED MINUTES

RESOLVED:

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 26 July 2023 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

Pre-Decision Scrutiny Questions, and officer responses, were tabled in respect of Agenda Items:

- 6.1 Q1 Performance Report: Year 2 of the Annual Delivery Plan of the Strategy Plan 2022-24.
- 6.4/6.5 – Liveable Streets Bethnal Green and Brick Lane.

These were considered in relation to the relevant items.

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

Nil items.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Q1 Performance Report: Year 2 of the Annual Delivery Plan of the Strategic Plan 2022-2024

The Pre-Decision Scrutiny Question and officer response were noted.

DECISION

1. To note the strategic delivery and performance report for Q1 covering the period of 1st April 2023 to 30th June 2023.
2. To note the of 51 performance measures in Q1 tracking the delivery of Year 2 of the Strategic Plan 2022-2024 (See Appendix A to the report).

Action by:

INTERIM DIRECTOR OF STRATEGY, IMPROVEMENT AND TRANSFORMATION (R. BEATTIE)

(Corporate Head of Strategy and Improvement (S. Bramah))

Reasons for the decision

The council's reporting cycle – the *draft Performance Management & Accountability Framework 2023-24* is set up to provide quarterly update reports for the delivery of the Strategic Plan 2022-2024 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

The 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.

6.2 Budget Monitoring 23/24 Q1

The reasons for urgency were noted.

DECISION

1. To note the council's position and consequent forecast outturn as at 30th June 2023, against General Fund Budget (based on the previous structures), Dedicated Schools Budget, Housing Revenue Account and earmarked reserves for 2023-24.
2. To note the actions taken to date to address the demand pressures as set out in Appendix A, Section 3.2 to the report.
3. To note the progress made against the 2023-24 savings targets, based on forecasts as of 30th June 2023.
4. To 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 30th June 2023.
5. To note that there are no equalities implications directly resulting from this report, as set out in Section 4 of the report.
6. To approve capital investment of £80k in the London Community Credit Union (LCCU) funded from the COVID reserve.

Action by:**CORPORATE DIRECTOR, RESOURCES (JULIE LORRAINE)**

(Interim Director of Finance, Procurement and Audit (John Harrison)

(Head of Strategic Finance (Chief Accountant) (Ahsan Khan)

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.

Where there are underlying issues arising that cannot be contained by individual service management action, for example increasing costs of homelessness, which is an issue of national concern particularly so across London Boroughs, then alternative proposals can be developed. These then form realistic and acceptable solutions which address the financial impact; CMT and Members have a key role in approving such actions. Only as a measure of last resort should proposals represent potential changes to the budget originally approved.

Alternative options

The council could choose to monitor its budgetary performance against an alternative timeframe, 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 Housing Development Capital Programme Additions

DECISION

1. To approve the increased budget of £73.223m to the Housing Development Capital programme.
2. To approve the schemes listed as additions to the programme as set out in paragraph 3 table 1 of the report.
3. To approve the changes listed within the existing programme as set out in paragraph 3 table 3 of the report.
4. To approve that subject to prior consultation with the Mayor by the Corporate Director of Housing and Regeneration and the Corporate Director of Resources schemes can be amended and substituted and that additional schemes can be added provided that the capital sum set out in recommendation 1 above is not exceeded.
5. To approve that subject to prior consultation with the Mayor by the Corporate Director of Housing and Regeneration and the Corporate Director of Resources that should additional funding be identified this can be added to the programme.
6. To note potential additions to the programme in future at paragraph 3 table 2 of the report.
7. To approve the increase in budget for additional staff resources as set out in paragraph 3.7 of the report.
8. To note the existing programme as set out in Appendix 1 to the report.

9. To note the comparative performance of the London Borough of Tower Hamlets compared to neighbouring boroughs in the delivery of homes, as set out in Appendix 2 to the report.
10. To note the Equalities Impact Assessment / specific equalities considerations as set out in paragraph 4 of the report.

Action by:
DIRECTOR OF HOUSING (KAREN SWIFT)
(Head of Housing Supply (Rupert Brandon))

Reasons for the decision

The 2023-26 HRA Capital Programme approved in March 2023 requires updating following the in-year review of capital schemes in the Council's capital programme. The additional funding will contribute to the supply of affordable housing and the Mayoral target of 1,000 rented social homes a year. The 30-year HRA Business Plan will reflect the additional capital funding.

In order to assist deliver the increased programme additional staff resources are required in both the client team, Housing Supply, and support services of Legal and Procurement.

Alternative options

By not using available resources the schemes contained in the report, and any subsequent additions and substitutions will not be funded and therefore not contributing to new supply.

The absence of additional staff resources will mean the existing staff will find delivery more challenging.

6.4 Liveable Streets Bethnal Green consultation outcome and measures

The Pre-Decision Scrutiny Questions and officer responses were noted.

The recommendations were amended and then agreed.

DECISION

1. To note the results of the engagement to date and two public consultations held in Weavers and Old Bethnal Green Road.
2. To approve Option One (of the three options summarised in section 2 of the report).
 - a. Subject to the retention of the closure of Canrobert Street in Bethnal Green.
3. To note that Appendix F - EqIA to the report identifies a number of positive and negative impacts of the options upon individuals that share

particular protected characteristics (summarised in paragraphs 4.1 – 4.5 of the report).

4. To approve any changes to be implemented through experimental traffic orders so that amendments can be made to mitigate any adverse impacts that are identified through monitoring.
5. To approve a 12-month review of traffic flows and air quality to assess the impact of the proposals for the purposes of identifying any negative impacts and developing mitigation measures.
6. To approve the use of existing frameworks or term contracts to award an order up to the value determined for completion of the works.

Action by:

INTERIM CORPORATE DIRECTOR, COMMUNITIES (RAJ MISTRY)

(Interim Director, Public Realm (S. Baxter)

(Interim Service Head, Highways & Transportation (A. Ali)

Reasons for the decision

The options set out in this report seek to address several issues that have been identified by residents and key stakeholders since the implementation of the Liveable Streets scheme in Bethnal Green.

Alternative options

Through the public consultation, responses and feedback from the public and key stakeholders was assessed by the project team. The review, assessment and available data have contributed to the development of an additional option to the two that were originally consulted on.

The report sets out this third option in detail along with the options to completely retain or remove the existing scheme.

6.5 Liveable Streets Brick Lane consultation outcome and measures

The Pre-Decision Scrutiny Questions, and officer responses, were noted.

DECISION

1. To note the results of the public consultation and engagement with businesses in the Brick Lane area.
2. To approve Option One (of the two options set out on the report).
3. To note that the Appendix C – Equalities Impact Assessment to the report identifies a number of positive and negative impacts of the options upon individuals that share particular protected characteristics (summarised in paragraphs 4.1 – 4.3 of the report).

Action by:**INTERIM CORPORATE DIRECTOR, COMMUNITIES (RAJ MISTRY)**

(Interim Director, Public Realm (S. Baxter)

(Interim Head of Highways and Transportation (A. Ali)

Reasons for the decision

The options set out in this report seek to address several issues that have been identified by residents and key stakeholders since the implementation of the camera closures on Brick Lane.

Alternative options

Through the public consultation, responses and feedback from the public and key stakeholders was assessed by the project team. The review, assessment and available data have contributed to the development of additions to Option 1.

Summary of the options

Below is a summary of each of the options under consideration in this report.

Option 1

The full removal of the camera closures on Brick Lane

Commissioning of a comprehensive study into improving the public realm for pedestrians in the areas around Brick Lane

Option 2

Retention of the camera closures.

6.6 Tower Hamlets Reduction and Recycling Plan 2023 - 2025**DECISION**

1. To note and agree the Recycling and Reduction Plan 2023-2025 (RRP) set out in Appendix 1 to the report.
2. To note the council has ambition to increase recycling performance further from 2025/26 onwards.
3. To note the equalities considerations as set out in Paragraphs 4.1 to 4.3 of the report.
4. To note that a report will be submitted to Cabinet on a quarterly basis detailing progress that has been made against the targets detailed in the plan.

Action by:**INTERIM CORPORATE DIRECTOR, COMMUNITIES (RAJ MISTRY)**

(Interim Director, Public Realm (S. Baxter)

(Environmental Services Improvement Manager (F. Heyland)

(Environmental Services Improvement Team Leader (L. Houston)

Reasons for the decision

The council is committed to helping people to reduce waste and reuse and recycle more to deliver a clean and green future for Tower Hamlets. Drawing together our service, communication, education and behaviour change activities into one plan helps to demonstrate this commitment.

Developing and producing this RRP is also a requirement set by the GLA to ensure all London authorities are in general conformity to the London Environment Strategy. This second Tower Hamlets RRP covers the two-year period April 2023 to March 2025.

The Mayor of London expects the RRP to be signed off at Cabinet level before general conformity with the LES is confirmed by the GLA.

Alternative options

The RRP set out in Appendix 1 incorporates a range of activities and actions that will enhance recycling services and encourage greater participation in reuse, recycling and waste minimisation activities to achieve the recycling target set for the end of the plan period.

The council has ambitious plans to deliver a cleaner and greener future for Tower Hamlets beyond the period of the current RRP. We expect to continue with investment in service improvement, waste reduction, re-use and recycling beyond the current RRP timeline. This forms an important part of our commitment to become a net zero carbon council by 2025 and net zero carbon borough by 2045 or sooner.

The Mayor in Cabinet could decide not to agree the RRP. This option is not recommended as it would leave the council open to challenge by the GLA for not being in general conformity with the Mayor of London's Environment Strategy.

6.7 Tower Hamlets Customer Experience Strategy**DECISION**

1. To note the outcome of the public and staff engagement that informs the Tower Hamlets Customer Experience Strategy 2023-26.
2. To agree the Tower Hamlets Customer Experience Strategy 2023-26

Action by:**CORPORATE DIRECTOR, RESOURCES (JULIE LORRAINE)**

(Director, Customer Services (R. Chand)

(Head of Customer Service (L. Sykes)

(Strategy and Policy Officer (K. Okawa)

(Strategy and Policy Officer (T. Alegbeleye)

Reasons for the decision

The Tower Hamlets Council Strategic Plan 2022-2026 includes a policy “Maintain face to face services for those who need them while providing a better-designed, streamlined digital offer for residents who want to access services online” under Priority 8 “A council that listens and works for everyone”. This strategy is being developed to deliver this policy.

The council have an aspiration that all customers benefit from accessible and high-quality services regardless of channel. We know that we need to change and improve our approach to customer service, whilst over the last 4 years we have greatly improved the online offer, the way we currently provide customer services is still largely based around having contact by phone. Too many follow-up contacts are still being made and the main reason for contact is to report a problem or request information. The strategy sets out how the council improve the efficiency and effectiveness of the customer service offer.

Alternative options

“Do nothing” option. The council could choose not to have a customer experience strategy. This would mean a continuation of the status quo, which would limit the council’s ability to transform the delivery the experience our customers receive when accessing our services.

6.8 Review of Statement of Licensing Policy 2023**DECISION**

1. To recommend to Full Council the adoption of the Statement of Licensing Policy at full Council which will take effect from 1st November 2023.

Action by:**INTERIM CORPORATE DIRECTOR, COMMUNITIES (RAJ MISTRY)**

(Head of Environmental Health and Trading Standards (D. Tolley)

Reasons for the decision

All relevant local authorities are required under the Licensing Act 2003 (“the Act”) to prepare and publish a statement of licensing policy at least every 5 years.

The purpose of the policy is to define how the responsibilities under the Act are going to be exercised and administered.

Alternative options

The Licensing Act 2003 places a statutory obligation upon the Council, as Licensing Authority, to determine and publish a statement of Licensing Policy. If the Council did not have a policy, it would likely be acting ultra vires with regards to any decisions it makes determining applications and notices under the Act.

The Secretary of State has issued guidance under section 182 of the Act. This details how licensing authorities discharge their functions under the Act. The Council must have regard to this guidance in carrying out its functions under the Act, including setting the Licensing Policy. Departure from the guidance without good reason could leave the Council at risk of judicial challenge.

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**7.1 Mellish Street - Approval to directly award Contract**

The reasons for urgency were agreed.

DECISION

1. To authorise the Corporate Director, Housing and Regeneration to waive the requirement to subject this purchase to competition as required by the Council's Constitution
2. To authorise the Corporate Director, Housing and Regeneration to enter into a contractual agreement with London MEP to complete the mechanical and engineering works and commissioning at Mellish Street for the sum of £300,810.95.

Action by:**CORPORATE DIRECTOR, HOUSING AND REGENERATION**

(Director of Property and Major Programmes)

(Principal Project Manager (D. Richards))

Reasons for the decision

Ensure completion of the development of 111-113 Mellish Street without incurring further delay and cost.

Alternative options

Adopt a full procurement process for the completion of works.

This option was explored and deemed commercially unviable. M&E contractors would not be willing to accept liability for completion and commissioning of works carried out by others without opening up and inspecting the installation. A full procurement process would create additional delays of at least 12 weeks to the handover of the development.

8. EXCLUSION OF THE PRESS AND PUBLIC

Nil items.

9. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

10. OVERVIEW & SCRUTINY COMMITTEE

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

Nil items.

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

Nil items.

11. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION

Nil items.

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

Nil items.

The meeting ended at 7.35 p.m.

Chair, Mayor Lutfur Rahman
Cabinet