

LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE CABINET****HELD AT 5.40 P.M. ON WEDNESDAY, 11 SEPTEMBER 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 Musthak Ahmed	(Cabinet Member for Jobs, Enterprise, Skills and Growth)
Councillor Saied Ahmed	(Cabinet Member for Resources and the Cost of Living)
Councillor Shafi Ahmed	(Cabinet Member for Environment and the Climate Emergency)
Councillor Kamrul Hussain	(Cabinet Member for Culture and Recreation)
Councillor Gulam Kibria Choudhury	(Cabinet Member for Health, Wellbeing and Social Care)
Councillor Abu Chowdhury	(Cabinet Member for Safer Communities)
Councillor Abdul Wahid	(Cabinet Member for Customer Service, Equalities and Social Inclusion)

Other Councillors Present in Person:

Councillor Jahed Choudhury	Chair of Overview and Scrutiny
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Officers Present in Person:

Stephen Halsey	(Chief Executive)
Dr Somen Banerjee	(Director of Public Health)
Simon Baxter	(Corporate Director Communities)
Jill Bayley	(Head of Legal Safeguarding)
Noorjahan Begum	Senior Commissioning Manager - Integrated Comm & Strat, Policy & Improv
Georgia Chimbani	(Corporate Director, Health and Adult Social Care)
Ann Corbett	(Director, Community Safety)
Andy Grant	(Interim Programme Director of Procurement)
Simon Jones	(Head of Leisure Operations)
Abdulrazak Kassim	(Director Finance, Procurement and Audit)
Keith Stanger	(Head of Safer Neighbourhood Operations)
Ahsan Khan	(Chief Accountant)
Julie Lorraine	(Corporate Director Resources)
Marc Acton-Filion	(Planning Officer (Plan Making Team))
Naveed Mohammed	(Head of Strategy, Policy & Improvement)
Paul Patterson	(Interim Corporate Director Housing And

Steve Reddy	Regeneration) (Corporate Director, Children's Services)
Sripriya Sudhakar	Director of Planning and Building Control
Karen Swift	(Divisional Director, Housing and Regeneration)
Richard Williams	Business Manager Operational PR
Ashraf Ali	(Director of Public Realm)
Joel West	(Democratic Services Team Leader (Committee))

Officers In Attendance Virtually:

John Harrison (Director of Corporate Efficiency)

1. APOLOGIES FOR ABSENCE

None.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

None.

3. UNRESTRICTED MINUTES

RESOLVED:

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 24 July be approved and signed by the Mayor as a correct record of proceedings.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

The Mayor gave a short statement on his decision from July 2024 on Approval of the council's revised Homelessness Accommodation Placement Policy. He announced that since the proposed amendments to the policy were recommended, two significant changes had occurred: a change in government and new data showing a reduction in number of families waiting for accommodation in hotels. Following reconsideration of the policy in light of these developments, he announced he was suspending the implementation of the proposed change to the Homelessness Placement Policy, to allow more time to properly review and assess its implications. As things stand, the 90-minute limit on relocation remained in place. Finally, the Mayor advised he would update Cabinet, Members and the wider public all on the outcome of our review in due course.

The Mayor welcomed Georgia Chimbani, Corporate Director Health and Adult Social Care to her first Cabinet meeting.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions

The Mayor welcomed the Chair of Overview and Scrutiny Committee, Councillor Jahed Choudhury, to the Cabinet meeting.

Councillor Jahed Choudhury informed the Mayor and Cabinet of the recent work undertaken by the Committee. The Committee had:

- Discussed a call-in on the revised Homelessness Accommodation Placement Policy. The Committee reaffirmed the Cabinet's decision and we had submitted a report with several recommendations and requested a written response by 4th October 2024.
- Considered Q1 Budget Monitoring report for 2024/25, noting the forecasted overspend on the general fund including areas such as homelessness, temporary accommodation, adult social care and special education needs.
- Held a spotlight on business rates risks, comments from the Committee focused on how business rates risks factored into budgetary planning; understanding the criteria for appeals and how they might be mitigated; and plans on empty office space, how they might be used and potential risks.
- Considered the council's Transport Strategy Refresh. Comments focused on electric vehicle charging; cycling and walking safety issues; dockless bikes, scooters, approaches to engaging marginalised groups; pollution, air quality and traffic.
- Heard on the response to the Local Government & Social Care Ombudsman final decision on issues such as complaints and reasonable adjustment policy.
- Agreed the scrutiny work programme for this year.

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

None.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Free Swimming Programme

Councillor Kamrul Hussain, Cabinet Member for Culture and Recreation, introduced the report that provided an updated position in respect of the proposed free-swimming programme as part of the Be Well leisure service, which came in-house on 1st May 2024.

Cabinet members welcomed the report. They indicated the free swimming initiative would bring wider benefits to residents. They also noted the funding for free swimming would be part of the Council's base budget going forwards.

The Mayor welcomed the report, but noted concerns at the proposed operational hours of Tiller Leisure Centre. He asked that these be reviewed to ensure the Centre could accommodate all who wished to take advantage of the offer. He also asked officers to ensure all facilities were clean and safe.

RESOLVED that the Mayor in Cabinet:

1. Note the rationale for introducing a targeted free-swimming programme for women and girls over 16 and men over 55 as detailed in paragraphs 3.2 to 3.8 of the report.
2. Note and endorse the proposed approach and phasing for a new free-swimming programme detailed in paragraphs 3.9 to 3.17 of the report.
3. Agree to the development of further detailed proposals for developing creche facilities.
4. Agree to officers monitoring the usage of the free-swimming programme and authorise the Head of Leisure Operations to make minor amendments to the programme, following consultation with the Lead Member.

6.2 Be Well Leisure In-sourcing Capital Programme Update

Councillor Kamrul Hussain, Cabinet Member for Culture and Recreation, introduced the report that identified the capital funding required to carry out priority short-term improvements to Mile End Leisure Centre 3G outdoor sports pitches and York Hall Spa. Councillor Hussain also explained how options were being developed for future investment in leisure facilities and explained progress to date on developing and delivering a Tower Hamlets Place Based Partnership and PlayZones.

The Mayor and Cabinet welcomed the update which they felt would address and reverse the depletion of valuable community assets. The Mayor requested a further update report to November Cabinet in respect of the options appraisals and feasibility studies.

RESOLVED that the Mayor in Cabinet:

1. Noted the requirement to invest in York Hall Spa and Mile End outdoor sports pitches in 2024/25.
2. Noted the budgeted income for York Hall Spa and Mile End Leisure Centre outdoor sports pitches is £0.851 million in 2024/25
3. Approved an addition £1.166 million capital funding for 2024/25 for the refurbishment of York Hall Spa to Mile End Leisure Centre outdoor sports pitches.

4. Noted the level of approved investment of £3.665 in Leisure Assets Investment Programme as shown in paragraph 3.19 of the report.
5. Supported the development of options appraisals and feasibility studies for further investment to improve leisure facilities as shown in Table 6 at paragraph 3.22 of the report. Options appraisals and feasibility studies should be submitted to the November meeting of cabinet for consideration.
6. Noted the progress to developing and delivering a Tower Hamlets Place Based Partnership and PlayZones as shown in paragraphs 3.24 to 3.31 of the report.

6.3 Time Banded Collections (Waste Services)

The Mayor noted the pre-decision scrutiny question and response.

Councillor Shafi Ahmed, Cabinet Member for Environment and the Climate Emergency, introduced the report that set out proposals to introduce time-banded collections of waste and recycling on selected high streets, town centres, and main commercial areas in the borough. Councillor Ahmed explained this would require businesses and residents to present their waste for collection within specified time periods and was intended to have several benefits to keep roads and town centres free from bagged waste, to reduce the amount of illegally dumped waste, and de-clutter the main roads and town centres of bins; and to maintain a cleaner, safer environment for people living, working and shopping in our main roads and town centre areas.

Officers provided further detail including the implementation plan highlights and timescales and how information on changes would be available and publicised.

RESOLVED that the Mayor in Cabinet:

1. Approved the introduction of Tower Hamlets Waste Regulations 2024 under section 20 and 22 of the London Local Authorities Act 2007. These are Household Waste Regulations 2024 (Appendix A to the report) and Commercial Waste Regulations 2024 (Appendix B to the report).
2. Approved the introduction of time bands for the collection of domestic and commercial waste on selected high streets, town centres, and main commercial areas in the borough. The list of streets are listed in Appendix C to the report and the proposed time bands are detailed in the Household and Commercial Waste Regulations 2024.
3. Set Fixed Penalty Notice (FPN) amounts for the enforcement of non-compliance with time bands by residents by issuance of FPN under s.46A of the Environmental Protection Act 1990, amended by s.58 of the Deregulation Act 2015. Proposed full amount of £80 payable within 28 days with a discounted rate of £50 if paid within 14 days of issue.

4. Delegated powers to the Corporate Director of Communities (or equivalent) to make any amendments to the Tower Hamlets Waste Regulations 2024 in consultation with the Mayor. Including the authority to revoke, expand and adjust the timing of the time bands and the streets to which the Regulations apply. Any amendments, revocation etc will be in line with any of the requirements in section 20 and 22 of the London Local Authorities Act 2007.

6.4 Whitechapel Market Stalls – Production and Installation Contract

Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding, introduced the report that sought to authorise the procurement process to fabricate and install new market stalls on Whitechapel Road following the successful trial of prototype structures. Councillor Ahmed explained how the work formed part of the Whitechapel Road Improvement Programme (WRIP), which invested in the public spaces around Whitechapel, its market, and associated infrastructure, to create the best possible environment for local communities.

The Mayor welcomed the report. He explained his vision of Whitechapel as a mini city and how the market was a lifeline to residents, traders and visitors. He hoped the works would modernise and support the stallholders and shopholders.

Cabinet members welcomed the proposals which they noted would come at no cost to users and stall holders.

RESOLVED that the Mayor in Cabinet:

1. Authorised the Corporate Director Housing and Regeneration, in consultation with the Mayor, to award a contract following a compliant procurement process as referred to in the report.
2. Authorised the Corporate Director Housing and Regeneration to require the execution of any agreements and associated documentation to give effect to resolution 1 above.

6.5 Serious Violence and Exploitation Strategy

Councillor Abu Chowdhury, Cabinet Member for Safer Communities, introduced the report that presented the Partnership's Serious Violence and Exploitation Strategy which had been formulated using the evidence base and findings from the Public Health serious violence needs assessment, the recommendations and engagement with professionals and wider consultation with our residents (including children, young people and young adults). Councillor Chowdhury explained the key strategic themes and how consultation with the public, third sector agencies and professionals had informed the development.

Officers provided further detail, setting out the key findings from survey and how they reflected resident perceptions.

Cabinet members welcomed the report and asked the Lead Member to explore how the Council could empower mothers of young people to identify support to educate their children.

The Mayor welcomed the report which he explained was just one of the many ways his administration had helped to improve and invest in the community to reduce crime.

RESOLVED that the Mayor in Cabinet:

1. Approved the Serious Violence and Exploitation Strategy (Appendix 1 to the report) which is being brought to Cabinet for adoption by the Council as a “duty holder” and a member of the Community Safety Partnership (CSP).
2. Advised the Community Safety Partnership that robust governance arrangements for the new strategy are put in place to oversee delivery and to ensure there is accountability for all the “duty holders”, involved.
3. Advised the Community Safety Partnership that an effective data set is developed to assess performance and will enable constructive challenge across the system.
4. Noted the existing Violence and Vulnerability Reduction Action Plan (Appendix 2 to the report). This plan encompasses the broad spectrum of partnership work and operational delivery that will form the local response to serious violence and exploitation. This will be further developed as part of this range of work.
5. Noted the governance arrangements for the Strategy will be through the statutory Community Safety Partnership Board. However, there are a number of other statutory boards that have responsibility and play a critical role in the delivery of this strategy across the wider system e.g. the Health and Wellbeing Board, the Safeguarding Adults Board and the Safeguarding Children’s Partnership.

6.6 Budget monitoring report 2024-25 – Quarter 1

Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living, introduced the report that reported performance against the Council’s 2024/25 budgets at quarter 1, including the General Fund, HRA, Dedicated Schools Grant and capital budgets. Councillor Ahmed highlighted some of the key achievements, pressures, challenges and risks. Councillor Ahmed explained that all Council’s faced significant financial pressures but the Council was performing comparatively well.

Julie Lorraine, Corporate Director Resources, explained how, despite significant financial challenges caused by nationally recognised pressures,

officers were taking necessary actions to deliver downward movement in overspends by end of the year. Identification of overspend at this early stage allowed opportunity to identify and implement mitigations.

Stephen Halsey, Chief Executive explained how officers would be exploring new opportunities to address pressures, including those potentially offered by the new national government.

The Mayor welcomed the report and expressed confidence in his Cabinet and officers to take robust action to mitigate the extraordinary pressures faced. He indicated that, despite its inner-city location, very high population needs and significant national and governmental challenges, the Council's financial performance continued to impress.

RESOLVED that the Mayor in Cabinet:

1. Note the council's quarter 1 forecast outturn position as at 30th June 2024, against the approved General Fund budget (£13.3m overspend), Housing Revenue Account budget (£3.9m overspend), and Dedicated Schools Grant (DSG) budget (£2.6m overspend). This is a relatively early forecast in the 2024/25 financial year, affording us an opportunity to implement mitigating actions for forecast overspends which will be reported as part of the quarter 2 budget monitor.
2. Note the council's quarter 1 forecast outturn position as at 30th June 2024, against General Fund and Housing Revenue Account capital programme revised budgets for 2024/25.
3. Approve £6.1m of capital growth and £1.6m capital reductions, as detailed in paragraph 7.18 of the report and Appendix 7 to the report, as previously reported to Capital Strategy Board.
4. Note the progress made against the 2024/25 savings targets, based at 30th June 2024.
5. Note that there are no equalities implications directly resulting from this report, as set out in Section 10 of the report.

6.7 Spitalfields & Banglatown masterplan SPD

Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding introduced the report that proposed a Spitalfields and Banglatown Supplementary Planning Document (SPD) to ensure that new development in the area meets the needs of the local community, including by supporting the development of new affordable housing as well as improvements to the public realm and green spaces. Councillor Kabir Ahmed explained that the plan highlighted locations in the area where residential development can support the core objectives of the Council, which are to provide housing and community services and infrastructure, specifically, delivering affordable homes, boosting culture,

business, jobs and leisure and working towards a clean and green future. The SPD would be a material planning consideration for the determining of applications within the area. It would provide certainty for landowners and developers, as well as Registered Affordable Housing Providers, public sector organisations and the local community regarding what type of development is likely to be acceptable.

Sripriya Sudhakar, Director of Planning & Building Control, explained the 7 key principles outlined in the master plan and how they would impact development in the area.

The Mayor welcomed the report which he indicated would protect the heritage and legacy of the area, which had been threatened in recent years.

RESOLVED that the Mayor in Cabinet:

1. Adopt the Spitalfields and Banglatown SPD (appended at Appendix 1 to the report).

6.8 Contracts Forward Plan – Q1 – FY 2024-2025 Addendum

Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living introduced the report that set out a forward plan of supply and service contracts over £1m in value, or capital works contracts over £5m. This provides Cabinet with the visibility of all high value contracting activity, and the opportunity to request further information regarding any of the contracts identified. This report provides information relating to quarter One of the 2024-2025 financial year. Only contracts which have not previously been reported are included in this report.

The Mayor welcomed the report.

RESOLVED that the Mayor in Cabinet:

1. Authorised the appropriate Corporate Director in consultation with the Mayor to award those contracts set out in Appendix 1 following an appropriate procurement exercise.
2. Authorised the Director Legal Services (Monitoring Officer), to execute all necessary contract documents in respect of the awards of contracts.

6.9 Council Housing Acquisitions Programme (CHAP) and Local Authority Housing Fund (LAHF R3)

Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding, introduced the report that sought approval for the inclusion of two capital schemes, with external grant funding into the Council's housing capital programme to comply with grant allocation conditions. Councillor Kabir Ahmed explained how external funding had been made available by the GLA for Council housing acquisition.

The Mayor welcomed the report and noted the expiry time limit. Accordingly, he asked the Lead Member and officers to ensure all homes delivered under this programme do so before 31 December 2024. He also requested an update to the next Cabinet meeting to report progress on this critically important milestone.

RESOLVED that the Mayor in Cabinet:

1. Apply £40M GLA and £8.3 MHCLG grant funding, and the associated Council match funding into the Council's capital programme.
2. Requested a report on progress of the acquisition programme to the next Cabinet meeting.
3. Noted the March 2026 deadline, and asks officers to work to a deadline of 31 December 2024 for completion of the acquisition programme.

6.10 Nominations to Outside Bodies

The Mayor introduced the report that proposed changes to nominees to outside bodies.

RESOLVED that the Mayor in Cabinet:

1. Replaced Councillor Iqbal Hossain with Councillor Kamrul Hussain as the Council's nominee to Greenwich+Docklands Festivals.
2. Replaced Councillor Abdul Wahid, with Councillor Shafi Ahmed as the Council's nominee to Lee Valley Regional Park Authority.

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

7.1 Fire Safety & Capital Investment Works Latham House

The Mayor noted and agreed the reasons for urgency as set out in the report.

Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding, introduced the report that sought to ensure fully compliant and commercial advantageous route to market which will ensure vigorous contract management procedures are adopted in a new contract for fire safety works at Latham House, which had been identified as a high risk.

The Mayor welcomed the report and his inclusion in the a special project team.

RESOLVED that the Mayor in Cabinet:

1. Authorised the contracting approach and procurement strategy for Latham House fire safety works and capital investment.
2. Authorised the Corporate Director Housing and Regeneration to enter into all contracts and associated agreements and documentation, in consultation with the Mayor and Lead Member, to the winners of the various competitive exercises in accordance with this report
3. Authorised the Corporate Director Housing and Regeneration to authorise the execution of the contract and any and all associated documentation
4. Authorised that a special project team is created to include feedback and inclusion of the Mayor and Lead Member for Housing to ensure effective qualitative criteria and evaluation of most advantages submissions is in place with support from Senior Executive officers, external legal, financial and commercial experts within the Council.

7.2 Procurement Route of HRA Capital Investment Contracts

The Mayor noted and agreed the reasons for urgency as set out in the report.

Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding, introduced the report that sought authorisation to commence the procurement exercise leading to a fully compliant and commercial advantageous route to market for the HRA capital investment programme to ensure best value in future provision and provide for vigorous contract management procedures. Councillor Ahmed explained the existing contracting landscape that delivers the Housing Management Capital Investment programme. He explained that a special project group would be set up to test assumptions, including, the current route to market considering the new regulations coming into force on 28th October, the market appetite for such deals, again in light of the advent of the Building Safety Act, the scoring methodology with specific attention being paid to the split between quality and price. It would also ensure the tender documents include the defined requirements for Social Value and the inclusion of Local Supply chain arrangements in the new contractual arrangements.

Officers provided further detail, explaining how the proposal represented a route to market that was efficient and effective and engagement elected members in the process.

The Mayor welcomed the report, his inclusion in the special project group, and asked that a suitable communication campaign be developed to explain the benefits of this important investment to the wider community.

RESOLVED that the Mayor in Cabinet:

1. Approved the contracting approach and procurement strategy for the Major Works contracts and Professional Technical Consultancy

Services contracts that will deliver the Capital Investment Programme for Housing Management.

2. Authorised the Corporate Director Housing and Regeneration to enter into all contracts and associated agreements and documentation, in consultation with the Mayor and Lead Member, to the winners of the various competitive exercises in accordance with this report
3. Authorised that a special project team (Led by Procurement) is created to include feedback and inclusion of the Mayor and Lead Member for Housing to ensure effective qualitative criteria and evaluation of most advantages submissions is in place with support from Senior Executive officers, external legal, financial and commercial experts within the Council.

7.3 Domiciliary Care Service Contract award

The Mayor noted and agreed the reasons for urgency as set out in the report.

Councillor Gulam Kibria Choudhury, Cabinet Member for Health, Wellbeing and Social Car, introduced the report that summarised the procurement of a contract for domiciliary care for adults. He explained how the process would ensure high quality domiciliary care services that people value and that support people to live well at home and in their communities. Councillor Choudhury further explained how the proposal represented reinvesting in the community. Awards were proposed to be made to smaller providers, all of whom were committed to paying London Living Wage. He expressed hope the proposal would provide the best possible care for residents whilst affording respect, dignity and fair pay for carers.

The Mayor welcomed the report. He asked the Cabinet to note the procurement process as reported was an officer-led one in which he nor other elected Members had direct roles in. He explained how the value caps would ensure a fairer description of funding and work amongst the range of providers.

He stressed that excellent care was a key aspiration of his administration. He asked officers to take care to monitor performance of all providers to ensure no safeguarding issues might arise. He indicated particular regard for how the contracts would offer protection to care workers. Tackling zero hour contracts and offering valuable protections. He stressed the need for LBTH officers to ensure agencies are not dissuading care workers from getting a contract and to ensure they receive their full LLW entitlement.

RESOLVED that the Mayor in Cabinet:

1. Authorise the award of contracts to the providers for lots 1 and 2 as detailed in the restricted appendices to the report.

2. Authorise in consultation with the Mayor the Corporate Director Health and Adult Social Care to instruct the sealing of all contracts and associated documents necessary to give effect to resolution 1.

8. EXCLUSION OF THE PRESS AND PUBLIC

A motion to exclude 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 7.57 p.m.

Chair, Mayor Lutfur Rahman
Cabinet