

LONDON BOROUGH OF TOWER HAMLETS**RECORD OF THE DECISIONS OF THE CABINET****HELD AT 5.40 P.M. ON WEDNESDAY, 16 OCTOBER 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)

Officers Present in Person:

Stephen Halsey	(Chief Executive)
Julie Lorraine	(Corporate Director Resources)
Simon Baxter	(Corporate Director Communities)
Georgia Chimbani	(Corporate Director, Health and Adult Social Care)
David Joyce	(Corporate Director, Housing & Regeneration)
Jill Bayley	(Head of Legal Safeguarding)
Joel West	(Democratic Services Team Leader (Committee))
John Ainsworth	(Senior Performance Improvement Analyst)
Monju Ali	(Housing Supply CPO Co-ordinator)
Salome Chukhua	(Transformation Programme Manager)
Ayesha Hakim Rahman	(Acting Deputy Director of Strategy, Improvement and Transformation)
Martin Rogers	(Senior Research Officer)
James Walsh	(Housing Regeneration Officer, Major Project Development, Development & Renewal)
Menara Ahmed	(Hate Crime Policy & Partnership Manager)
Andy Grant	(Interim Programme Director of Procurement)
Tom Lewis	(Team Leader - Licensing Services)
Simon Smith	(Head of Community Safety)
Muhammed A Uddin	(Transformation Business Analyst)

1. APOLOGIES FOR ABSENCE

There were none.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were none.

3. UNRESTRICTED MINUTES

DECISION

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 11 September 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

None.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Annual Resident Survey (ARS) 2024 results and analysis

DECISION

1. Note the findings of the latest Annual Resident Survey.
2. Note on the report and that the results will be shared and used to contribute to service improvement.

Action by
CHIEF EXECUTIVE (S. HALSEY)
Senior Research Officer (M. Evans)

Reasons for the decision

Seeking the Mayor's approval for a proposed approach to wider dissemination of the survey results.

Alternative options

As an organisation we could choose not to share the survey results more widely. However, this would not comply with the council's commitment to transparency.

6.2 Corporate Peer Challenge Action Plan – Position Statement and Organisational Impact**DECISION**

1. Note the council's progress against the LGA CPC Action Plan
2. Suggest key areas of attention in advance of the upcoming LGA progress review.
3. Request the Chief Executive write to the Chief Executive of the LGA, requesting that they re-visit the Council to undertake a progress review at the earliest possible opportunity.

Action by**CHIEF EXECUTIVE (S. HALSEY)**

Acting Deputy Director Strategy, Improvement, Transformation (A. Hakim Rahman)

Reasons for the decision

Noting this report is important due to:

Ensuring the council is well-prepared for the upcoming LGA progress review or a renewed review

Noting that the report demonstrates the council's commitment to transparency and accountability

Highlighting areas where focused attention might be required.

Alternative options

The council could choose not to consider the update report. It is important for Members and the Executive to be kept informed of progress and have the opportunity to comment and make suggestions.

6.3 Tower Hamlets Council's Target Operating Model**DECISION**

1. Approve the formal launch of the council's new Target Operating Model (TOM).
2. Take note of the TOM launch campaign (Section 3.8 of the report), which will commence on 1 November 2024. This campaign will

highlight the TOM Guidance Notes and TOM People First Activity Map, as detailed in Appendices B and C to the report, respectively.

Action by**CHIEF EXECUTIVE (S. HALSEY)**

Acting Deputy Director Strategy, Improvement, Transformation (A. Hakim Rahman)

Reasons for the decision

The new Target Operating Model acts as the foundation for the council's future operations. It establishes clear standards for how the organisation works together to achieve our strategic priorities and, ultimately, better serve the community.

Alternative options

Retention of the previous Target Operating Model: The existing model does not effectively align with the organisation's evolving priorities, placing excessive emphasis on structures and processes rather than resident needs and strategic priorities. This misalignment could potentially hinder the council's ability to meet community needs.

6.4 Strategic Delivery and Performance Report Year 3 Quarter 1**DECISION**

1. Note the strategic delivery and performance report for Q1 covering the period of 1st April 2024 to 30th June 2024.
2. Review the status of 56 performance measures in Q1 tracking the delivery of Year 3 of the Strategic Plan 2022-2026 (See Appendix A to the report).
3. Consider whether there have been any major changes to the assumptions underpinning the targets set for the 2024/25 financial year since the target setting exercise.

Action by**CHIEF EXECUTIVE (S. HALSEY)**

Director Strategy, Improvement, Transformation (R. Beattie)

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 Lead Members have a key role to review and challenge under-performance and utilise performance information to inform resource allocation.

6.5 Tower Hamlets Special Educational Needs, Disabilities and Inclusion Strategy 2024 to 2029.

DECISION

1. Note the partnership Special Educational Needs and Disabilities (SEND) and Inclusion Strategy.
2. Note the Equalities Impact Assessment as set out in Paragraph 4 of the report.
3. Establish a task and finish group whose remit will be to ensure that Members, officers and partners have sufficient resources and support to deliver the improvements from the strategy.

Action by

CORPORATE DIRECTOR CHILDREN'S SERVICES (S. REDDY)

Director of Education (L. Fraser)

Reasons for the decision

The current SEND Strategy (2020 – 2024) is set to expire shortly. A new strategy has been developed to ensure a clear vision and priorities for the partnership, aiming to deliver sustained improvements in support for children and young people with SEND and their families.

Alternative options

The current SEND Strategy (2020 – 2024) could be allowed to lapse. However, as part of the SEND area inspection anticipated in 2024, the partnership is expected to demonstrate shared outcomes that leaders will collectively work to achieve for all children and young people with SEND, as well as how partners will collaborate to attain these outcomes. An agreed-upon strategy is a crucial element in this process.

While the option of extending the current SEND Strategy (2020 – 2024) with a very light-touch refresh exists, it was initially considered at the beginning of the strategy development process and subsequently rejected. The prior strategy was formulated before several key developments: the Covid pandemic, the 2021 SEND Area Inspection, rapid increases in the number of children and young people with SEND, and the launch of the national

government's SEND and Alternative Provision reform programme. Consequently, the decision was made that a new strategy is necessary.

6.6 Review of the Licensing Act Cumulative Impact Assessments

DECISION

1. Retain the Brick Lane CIA (Cumulative Impact Assessments), and expand it to its southeastern edge.
2. Remove the Bethnal Green CIA (Cumulative Impact Assessments).
3. Agree the CIA Policy Statement, which has been reviewed in light of the consultation. The Policy Statement can be found in Appendix One to the report.
4. Note paragraph 9.11 of the Policy, which states if there are no representations, the Council must grant the application in terms that are consistent with the operating schedule submitted, in line with the Council's delegated authority."
5. Note that the proposed Cumulative Impact Assessment, as part of the Statement of Licensing Policy will take effect from 20th November 2024 until 20th November 2027. The existing Cumulative Impact Policy, which is contained in Appendix 5 of the Statement of Licensing Policy will be rescinded on the 18th November 2024.

Action by

CORPORATE DIRECTOR COMMUNITIES (S. BAXTER)

Service Manager, Regulatory Services (T. Lewis)

Reasons for the decision

The Council is statutorily required to review its Cumulative Impact Assessments every 3 years. As part of the review a statutory consultation must take place.

Alternative options

Cabinet does have the option not to recommend the renewal of the CIAs. Cabinet further has the option of suggesting amendments to the scope of the CIAs. For the reasons set out in this report, neither option is recommended.

6.7 Supported Living Pathway

DECISION

1. Note that Lot 3 of the tender, which included low-to-medium support provision, has now been awarded to a provider (Salvation Army) who is not an incumbent and is also bringing provision in borough.
2. Note that Lots 1, 2 and 4 of the most recent tender could not be awarded due to not enough bids or not enough quality bids having

been received. As a result, based on legal and procurement advice, the outcome of this tender now falls within the scope of Regulation 32 of the Public Contracts Regulation 2015. Under Regulation 32, in the event of a failed tender, the Council may enter into a negotiated procedure (without prior publication) to award the provision that could not be secured via the tender, provided that the initial conditions set out in the tender are not substantially altered.

3. Note that, in order to ensure continued service provision to some of the borough's most vulnerable residents, including avoiding unnecessary moves for children and young people currently accommodated within the Pathway, the Council has approached incumbents and is in the process of agreeing how those providers would be able to deliver the lots that could not be awarded during the tender.
4. Note that the Council has commenced efforts on exploring a pre-approved suppliers list model, as an alternative to the current block contracts model, based on learning and feedback received from the market during this tender and based on learning from other innovative models seen across other London-based councils.

Action By**CORPORATE DIRECTOR CHILDREN'S SERVICES (S. REDDY)**

Covering Director Commissioning and Youth (L. Richards)

Reasons for the decision

No decision is requested from the Cabinet, but the Cabinet is asked to urgently note the outcomes of the recent tender for the Children and Young People's Supported Housing Pathway, as well as the actions taken by the Council to mitigate the high level of risks attached to these outcomes to some of its most vulnerable residents.

Alternative options

The tender that was released to the market in August sought between 82 (minimum) and 111 accommodation units across the 4 lots, as well as floating support for 25-29 young people. However, the Council was only able to secure 20 units via the tender, leading to a significant shortfall. In addition, there are currently 97 young people currently residing in accommodation provided via the current Pathway contracts and an additional 7 who are supported via floating support. As the current contracts come to an end on 30th November 2024, it is imperative that the Council identifies alternative options for accommodating and providing support to the young people currently referred in the Pathway, as well as ensuring availability of accommodation units over the next 12 months (subject to negotiation with the relevant providers), whilst the Council develops an alternative model.

The only alternative to enacting the negotiated procedure under Regulation 32 would be to move the young people currently in the Pathway before the end of November. This would be unsettling for most young people and would lead to them having to move before the holiday period, when access to support

services may be more restricted. This is particularly problematic given the additional vulnerabilities that most young people on the Pathway present, including in relation to mental health and learning difficulties. In addition, a high number of the young people on the Pathway hold Assured Shorthold Tenancies, meaning that, should the Council not be able to offer alternative accommodation of a similar level, a young person may refuse to move, requiring costly and time-consuming evictions processes to be triggered, that would have a further negative impact on young people's wellbeing.

For children in care and care leavers, the only alternative accommodation options would be spot-purchased placements, which are overwhelmingly out of borough and more expensive. For homeless young people, including vulnerable young mothers with their babies, the only alternatives would be placements into temporary accommodation or adult supported accommodation provision. Moving young people into temporary accommodation would represent a setback in the Council's ongoing efforts to reduce the use of this type of provision, and any placements into supported accommodation with older adults would be accompanied by significant safeguarding risks (e.g. risks of grooming and exploitation).

6.8 Harriott, Apsley & Pattison (HAP) Houses Regeneration Scheme - Resolution to make a Compulsory Purchase Order

DECISION

In relation to the Order, to:

1. Agree that there is a compelling case in the public interest to justify the making of the Order to include interests that must be acquired to facilitate the redevelopment of the Order Land for the reasons detailed in the Report;
2. Agree that the public interest in enabling the development of the Order Land to proceed outweighs the interference with relevant rights under the European Convention on Human Rights as discussed in the Report;
3. Resolve, further to the Cabinet report dated 31 January 2024, to make the Order to include all land interests within the red line boundaries shown on the plan at Appendix 1 to the report and any other new rights or third-party rights necessary in order to facilitate the regeneration of the Order Land by the Council to provide new and improved housing, and community facility;
4. Delegate authority to the Corporate Director of Housing and Regeneration and the Director of Legal Services and Monitoring Officer (in consultation with the Mayor) the power to effect the making, confirming and implementation of the Order;
5. Delegate authority to the Corporate Director of Housing and Regeneration and the Director of Legal Services and Monitoring Officer

(in consultation with the Mayor) to take all necessary steps to give effect to the Order, including, but not limited to, the following procedural steps:

- (a) Progressing and finalising the Statement of Reasons to properly reflect the Council's position regarding the Order so as to properly present the Council's case;
 - (b) Making any reductions and/or amendments, if necessary, to the extent of the land included in the draft Order Map annexed at Appendix 1 or to effect the withdrawal of objections to the Order;
 - (c) Preparing and making the Order and Schedule to the Order;
 - (d) Power to remove from the Order any interest no longer required to be compulsorily acquired and to amend interests in the Schedule to the Order (if so advised) and to request that the Secretary of State makes any changes to the Order prior to confirmation as may be appropriate;
 - (e) Publicising and serving any press, site and individual notices and other correspondence for such making of the Order;
 - (f) Making any ancillary orders and the exercise of any of the Council's planning functions to give effect to the Order;
 - (g) Paying all costs associated with making the Order, including the compensation payable to landowners;
 - (h) Appointing external consultants to assess, agree and pay any compensation and claims arising from redevelopment of the Order Land pursuant to the Order;
 - (i) Seeking confirmation of the Order by the Secretary of State, including the preparation and presentation of the Council's case to the Secretary of State / Inspectors as necessary or, if permitted by the Secretary of State pursuant to Section 14A of the Acquisition of Land Act 1981 (the 1981 Act), to confirm the Order;
 - (j) Appointing a professional team, including legal professionals and experts, and assembling any witnesses necessary to assist the Council in the preparation and presentation of the Council's case at a Public Inquiry (if any);
 - (k) Publicising and serving notices of confirmation of the Order and thereafter to execute and serve any General Vesting Declarations and/or notices to treat and notices of entry, and any other notices or correspondence to acquire those interests permitted by the Order; and
 - (l) Acquiring title to and/or taking possession of the Order Land and this shall include the power to take all necessary statutory procedural steps required to facilitate such acquisition of title and possession of the Order Land;
6. Delegate authority to the Corporate Director of Housing and Regeneration and the Director of Legal Services and Monitoring Officer (in consultation with the Mayor), to agree the terms of and enter into any documentation required to settle any property matters necessary to progress the Scheme, including, but not limited to:
- (a) negotiating and monitoring of agreements with landowners and/or statutory undertakers as applicable;

- (b) setting out the terms for withdrawal of any objections to the Order, including where appropriate seeking exclusion of land or new rights from the Order; and
- (c) referral and conduct of disputes relating to compensation payable pursuant to the Order at the Upper Tribunal (Lands Chamber);

In relation to the appropriation to:

7. Acknowledge that further to Cabinet's decision on 31 January 2024 and subject to consent first being given by the Secretary of State in respect of the appropriation, the Council shall rely on powers of appropriation in section 203 of the Housing and Planning Act 2016 to override existing rights over the Estate.

Action by

CORPORATE DIRECTOR Housing & Regeneration (D. JOYCE)

Housing Regeneration Manager (J. Walsh)

Reasons for the decision

The decisions sought in this Report are to enable the delivery of the Scheme allowing the provision of more than 400 new homes and a new community centre.

The redevelopment of HAP Houses will secure a number of public benefits, including: i) Increasing the supply of affordable housing, for which there is an acute need; ii) Providing local economic investment, including job and training opportunities; iii) Improving housing stock; and iv) Improving public realm.

It is therefore considered that the Scheme would contribute towards the promotion and improvement of the economic, social and environmental well being of the borough.

The regeneration of the Estate has been identified as a priority in the Council's capital programme for building new homes. The 2021 Cabinet made various resolutions to progress the delivery of the regeneration project at Stepney for the redevelopment of the Estate, including approving a budget to progress the delivery. Cabinet also authorised officers to enter into agreement with affected landowners necessary to facilitate the scheme (please see paragraph 1.3 and 1.4 for further details of the resolutions passed).

On 31 January 2024 Cabinet resolved to agree in principle to the Council using its compulsory purchase powers and to appropriate land for planning purposes to facilitate the regeneration of the Order Land to deliver the regeneration objectives.

Alternative options

The alternative options to making the Order are: (a) Refurbish and retrofit the existing buildings; or (b) Adopt a do-nothing approach.

6.9 Harriott, Apsley & Pattison (HAP) Houses Regeneration Scheme - Two Stage Tender Negotiation

DECISION

1. Note the award of the Pre-Construction Services Agreement and JCT Minor Works Contract for the first stage procurement recently completed.
2. Delegate authority to the Corporate Director of Housing and Regeneration, the authority to appoint any consultants required to assist the Council in the delivery of the Pre-Construction Services Agreement.
3. Authorise the Corporate Director Housing and Regeneration (in consultation with the Mayor) to enter into any negotiation of the Development Agreement and Second Stage Price with the successful bidder in order to facilitate the redevelopment of the Site and, to provide new and improved housing and community facility.
4. Note the intention to bring a further report to the Mayor in Cabinet later in 2025 recommending the formal entering of the Development Agreement.

Action by

CORPORATE DIRECTOR HOUSING & REGENERATION (D. JOYCE)

Head of Housing Supply (R. Brandon)

Reasons for the decision

The decisions sought in this report are to enable the delivery of more than 400 new homes and a new community centre, on council-owned land currently occupied by seven housing blocks (known collectively as Harriott House, Apsley House and Pattison House), comprising 100 flats and maisonettes, and two community buildings.

The scheme will deliver 64 high quality replacement homes for all existing secure tenants and leaseholders wishing to remain on the estate. The new homes will replace older blocks with ongoing damp issues and repair costs, instead providing homes with: greatly improved fire safety measures, high thermal performance and the lower energy use this enables, large balconies for every home, new communal place spaces and community gardens, secure bike storage for every resident, improved public realm and street scene benefiting the wider community, along with increased refuse storage in dedicated bin chambers, removing the current large number of bins spread across the estate.

A further 111 additional affordable homes will be delivered within the scheme, housing new residents to the estate, as well as helping to address overcrowding within the existing homes. 22 of these homes have been identified for hidden households across the estate, ensuring that the scheme

tackles the localised overcrowding in the community, as well as serving the borough's wider affordable housing needs.

A Resident Ballot was held between 18th March and 9th April 2020. Of the 132 eligible voters, 123 votes were cast, a turnout of 93%. 121 residents voted in favour of regeneration (98.4%) and 2 (1.6%) residents voted to reject the council's proposal, demonstrating strong community support.

The new homes are being designed to meet the planning policy requirements for sustainability, aiming to achieve an estimated site-wide CO2 emission reduction of at least 45% over the Target Emission Rate (TER) using the SAP 10 emission factors, through a combination of energy conservation measures, renewable heat, and electricity generation technologies, such as Photovoltaic solar panels (PV) and Air Source Heat Pumps (ASHP).

Furthermore, the proposed development includes a new community space. The council have worked closely with RCCM to design a space which meets their needs and the needs of those who will be using the building.

Two-stage tendering was selected due to the perceived speed to appoint a developer, as well as the opportunity to work-up the detailed design of the scheme with the developer partner prior to the Build Safety Regulator Gateway 2 application, thereby ensuring mutual support and success of the application to the regulator.

The Invitation to Tender ("ITT") was issued using a two-stage procurement process, using the Open Procedure. The PAS 91 Questionnaire and the ITT were required to be submitted simultaneously, with the top four scoring bidders at the PAS 91 stage then having their ITT scored.

The first stage submission ITT was evaluated on quality (50%), price (40%) and social value (10%), and the developer who received the highest score when analysed using the evaluation criteria as set out in the ITT would be recommended award of the contract for the first stage, which consists of the Pre-Construction Services Agreement (PCSA) and enabling works.

Once the PCSA is completed, a second stage price will be received from the developer and a further report will be taken to Cabinet report in late 2025 to seek approval to enter into the Development Agreement to build out Phase 1.

Alternative options

The alternative approach would be to not to develop the site.

Or undertake a single stage tender. However, given the current position of the tender would result in significant programme prolongation to retender the scheme.

6.10 VAWG and Women's Safety Strategy

DECISION

1. Approve the council's Violence Against Women and Girls (VAWG) and Women's Safety Strategy (Appendix 1 to the report).
2. Acknowledge that addressing and preventing violence against women and girls requires a whole system response and consider how members can support the delivery of this across the organisation, improving and strengthening system leadership of this cross cutting and critical agenda.
3. Requests that the Corporate Director for Health and Adult Social Care takes the lead for corporate delivery of the Strategy.

Action by

**CORPORATE DIRECTOR COMMUNITIES (S. BAXTER) AND
CORPORATE DIRECTOR FOR HEALTH AND ADULT SOCIAL CARE (G.
CHIMBANI)**

Director of Community Safety (A. Corbett)

Reasons for the decision

This strategy has been informed and is underpinned by the VAWG Needs Assessment (Appendix 3 to the report) carried out in 2023 and published in January 2024. This data led assessment sets out a strong evidence base of local need. It has also been informed by consultation with over 370 residents, experts by experience and 120 professionals via surveys, face to face engagement and dedicated focus groups. This important work was supported by the Mayor's Advisor for Women and Equalities and professionals across the Council.

The Strategy has been developed through workshops with a wide range of partners and stakeholders. Experts by experience have participated in the consultation and they have contributed in particular to the assessment of the equalities considerations and the Equalities Impact Assessment (Appendix 2 to the report) which supports this strategy. This work was delivered in collaboration with the Cornerstone Project.

Alternative options

The Mayor could decline to approve the strategy and require substantial revision and changes to the structure before returning for approval on another occasion. However, this would result in further delays while the changes were made and have a significant impact on the development of other strategies in this area that are currently being scoped and taken forward.

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

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 8.00 p.m.

Chair, Mayor Lutfur Rahman
Cabinet