

**LONDON BOROUGH OF TOWER HAMLETS****MINUTES OF THE CABINET****HELD AT 5.33 P.M. ON TUESDAY, 5 APRIL 2016****C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,  
LONDON, E14 2BG****Members Present:**

Mayor John Biggs	
Councillor Sirajul Islam	(Statutory Deputy Mayor and Cabinet Member for Housing Management & Performance)
Councillor Shiria Khatun	(Deputy Mayor and Cabinet Member for Community Safety)
Councillor Rachael Saunders	(Deputy Mayor and Cabinet Member for Education & Children's Services)
Councillor Rachel Blake	(Cabinet Member for Strategic Development)
Councillor Asma Begum	(Cabinet Member for Culture)
Councillor David Edgar	(Cabinet Member for Resources)
Councillor Ayas Miah	(Cabinet Member for Environment)
Councillor Joshua Peck	(Cabinet Member for Work & Economic Growth)
Councillor Amy Whitelock Gibbs	(Cabinet Member for Health & Adult Services)

**Other Councillors Present:**

Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Candida Ronald	
Councillor Andrew Wood	

**Officers Present:**

Luke Addams	(Service Head Adult Social Care)
Melanie Clay	(Director, Law Probity and Governance)
Zena Cooke	(Corporate Director, Resources)
Aman Dalvi	(Corporate Director, Development & Renewal)
Emily Fieran-Reed	(Service Manager, Community Cohesion, Engagement and Commissioning, Corporate Strategy and Equality)
Stephen Halsey	(Corporate Director Communities, Localities & Culture)
Trevor Kennett	(Head of Community Safety Enforcement & Markets, CLC)
Kevin Kewin	(Interim Service Head, Corporate Strategy and Equality)
Ellie Kuper-Thomas	Planner, Plan Making Team (Development & Renewal)
Martin Ling	(Housing Policy Manager)
Adele Maher	(Strategic Planning Manager, Development and

	Renewal)
Terry Parkin	Interim Service Head, Learning & Achievement
Matthew Pullen	Major Project Development
Dean RiddickMcGregor	(Political Adviser to the Labour Group)
Peter Robbins	Head of Mayor's office
Will Tuckley	(Chief Executive)
Hong Chen	(CIL Projects Officer)
Matthew Mannion	(Committee Services Manager, Democratic Services, Law, Probity and Governance)

## **AGENDA ORDER**

At the meeting the Mayor agreed to vary the order of business to take Agenda Item 4 (Overview and Scrutiny Committee) after Agenda Item 5.6 (Determination of Spitalfields Neighbourhood Planning Forum Application). All other items were taken in order. For clarity the minutes are presented in the order in which they appeared on the agenda.

### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Debbie Jones, Corporate Director for Children's Services. Terry Parkin, Interim Service Head, Learning and Achievement deputised.

### **2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

Councillor Asma Begum, Cabinet Member for Culture, declared a personal interest in Agenda Items 5.5 and 5.6 (Spitalfields Neighbourhood Planning Forum) as her husband was the Vice Chair of the forum.

### **3. UNRESTRICTED MINUTES**

#### **RESOLVED**

1. That the minutes of the Cabinet meeting held on 2 February 2016 be approved and signed by the Chair as a correct record of proceedings.

### **4. OVERVIEW & SCRUTINY COMMITTEE**

#### **4.1 Chair's Advice of Key Issues or Questions**

Pre-decision Scrutiny Questions were submitted in relation to Agenda Items 5.7 (Revised Regulation 123 List and Planning Obligations Supplementary Planning Document (SPD)) and 5.10 (Adult Social Care Local Account). These were considered during discussion of those items.

In addition Councillor John Pierce, Chair of the Overview and Scrutiny Committee, provided an update on their meeting the previous evening. He

reported that the Committee had discussed a number of issues at the meeting including:

- They had agreed to the trial set up of a Sub-Committee to provide pre-decision scrutiny of the awarding of grants by the Council and Commissioners. Members of the Sub-Committee would be required to make enhanced declarations of interest and would also undergo specific training for the role.
- Performance Monitoring reports were considered and there were specific discussions around staff sickness issues and the need to ensure a good balance of BME and disabled staff at senior levels.
- The progress on plans for the Mela were also examined.
- Other issues covered included, Housing Revenue Account capital budget slippage, the children and families plan for 2016/19 and levels of recycling.

The **Mayor** thanked Councillor John Pierce for his update and in particular welcomed the new Grants Scrutiny Sub-Committee.

#### **4.2 Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee**

Nil items.

### **5. UNRESTRICTED REPORTS FOR CONSIDERATION**

#### **5.1 Private Sector Renewal Policy**

Councillor Rachel Blake, Cabinet Member for Strategic Development, introduced the report on the policy in relation to supporting private sector housing renewals. She explained that there were three strands that related to; support for residents with disabilities, help with home repairs and empty property assistance.

The detail of the policy was set out in Appendix One to the report. The main change from the previous policy was the removal of the Landlords' Improvement Grants due to low take up.

The **Mayor agreed** the recommendations as set out in the report.

#### **RESOLVED**

1. To approve the Private Sector Renewal Policy attached at Appendix 1 to the report.
2. To adopt a capital estimate of £1,573,000 for the award of Disabled Facilities Grants, as outlined in paragraph 5.2 of the report.

#### **5.2 Housing Overcrowding and Under Occupation Statement**

Councillor Sirajul Islam, Cabinet Member for Housing Management and Performance, introduced the report. He highlighted that the previous policy

had reached its expiry date and so needed to be updated. However, the Council was working on its new Housing Strategy and so this policy would be absorbed into that once it was agreed.

Councillor Peter Golds, Leader of the Conservative Group, addressed the meeting. In particular he expressed concerns about the impact of the proposed £23k Benefit Cap and asked if the Council was working with other London Boroughs on the issue. He also requested more information on whether the mix of new residential housing was appropriate for the relative levels of demand for large and small properties.

The **Mayor** welcomed the comments on the Benefit Cap and confirmed the Council was working with London partners on the issue. He also agreed it would be useful to have more details set out on the types of housing required in the Borough. He **agreed** the recommendations set out in the report.

### **RESOLVED**

1. To approve the refreshed version of the current Overcrowding and Under-Occupation plan as set out in Appendix B to the report.

### **5.3 Determination of the Isle of Dogs Neighbourhood Planning Area Application**

[Note – the main discussion for this Agenda Item and Agenda Item 5.4 (Determination of the Isle of Dogs Neighbourhood Planning Forum Application) took place together and for clarity is presented here.]

Councillor Rachel Blake, Cabinet Member for Strategic Development, introduced the report. She explained the principle behind Neighbourhood Planning Areas and then moved to discuss this specific application. She highlighted changes to the Northern Boundary compared to the application and the reasons for this as set out in the report. The report stated that the proposed boundary would create a cohesive area.

Mariya Talib addressed the Cabinet asking why the boundary was different to that proposed in the original application. Councillor Andrew Wood, Ward Councillor for Canary Wharf also addressed the meeting. He urged that a decision be taken tonight but he also urged Members to agree to the boundary proposed in the original application. He considered that it provided a coherent neighbourhood and that there was now a likelihood the Council would receive separate applications from the excluded areas which would only increase bureaucracy for no obvious benefit.

The **Mayor** and Cabinet discussed the proposals and examined in particular the reasons given for the officer recommendation in relation to the proposed planning area. The **Mayor** confirmed that there had been extensive discussions about the proposal. He welcomed the application and he **agreed** the recommendation set out in the report.

The **Mayor** also agreed the reasons for urgency as stated in the report:

“The completion of the report required external legal advice which was unexpectedly delayed. Due to these special circumstances pursuant to Rule 6.1(b) of the Access to Information Procedure Rules the Mayor identified this report as an item for urgent decision that should not be delayed in order to positively support local communities prepare Neighbourhood Development Plans without further delay.”

#### **RESOLVED**

1. To approve the designation of some of the Isle of Dogs Neighbourhood Planning Area as defined in the plan attached at Appendix 1 to the report.

#### **5.4 Determination of the Isle of Dogs Neighbourhood Planning Forum Application**

[Note – the majority of the discussion for this item was considered alongside Agenda Item 5.3 (Determination of the Isle of Dogs Neighbourhood Planning Area Application) and the minute is presented under that item.]

Cabinet discussed how the Forum would operate with particular reference to the ability of those who lived outside the Neighbourhood Planning Area to participate in discussions but that they could not be full voting members of the forum. The **Mayor** noted this distinction. He then **agreed** the recommendation as set out in the report.

The **Mayor** also agreed the reasons for urgency as stated in the report:

“The completion of the report required external legal advice which was unexpectedly delayed. Due to these special circumstances pursuant to Rule 6.1(b) of the Access to Information Procedure Rules the Mayor identified this report as an item for urgent decision that should not be delayed in order to positively support local communities prepare Neighbourhood Development Plans without further delay.”

#### **RESOLVED**

1. To approve the application for the designation of the Isle of Dogs Neighbourhood Planning Forum, pending the designation of an appropriate Neighbourhood Planning Area.

#### **5.5 Determination of Spitalfields Neighbourhood Planning Area Application**

[Note – the main discussion for this agenda item and agenda item 5.6 (Determination of the Spitalfields Neighbourhood Planning Forum Application) took place together and for clarity is presented here.]

Councillor Rachel Blake, Cabinet Member for Strategic Development, introduced the report. She noted the explanation behind the principle of

Neighbourhood Planning Areas as reported earlier in the meeting and discussed this specific application. She noted the discussions that had taken place on where the boundary should be located and highlighted the relevant parts of the report.

Jason Zeloof, representing Truman Brewery, provided a submission to the meeting highlighting concerns that the proposed boundary was not compliant with the national guidance as the areas contained within it had limited continuity or coherence between them. Alternative proposals were presented.

James Frakcom, Secretary of the Spitalfields Neighbourhood Planning Forum, provided a submission to the meeting recommending that the application should be accepted in its entirety.

Following responses by officers including on how representations received had been evaluated, Cabinet then moved on to discuss the application detail. The information set out in the report was noted including that officers considered the proposed area was appropriate. Numerous consultation meetings had been held to discuss the issue with those who were interested.

The **Mayor** thanked everyone for their contributions and noted the responses provided. He **agreed** the recommendation as set out in the report.

The **Mayor** also agreed the reasons for urgency as stated in the report:

“The completion of the report required external legal advice which was unexpectedly delayed. Due to these special circumstances pursuant to Rule 6.1(b) of the Access to Information Procedure Rules the Mayor identified this report as an item for urgent decision that should not be delayed in order to positively support local communities prepare Neighbourhood Development Plans without further delay.”

## **RESOLVED**

1. To approve the application for the designation of the Spitalfields Neighbourhood Planning Area with minor amendments as a Neighbourhood Planning Business Area as defined in the plan attached at Appendix 1 to the report.

### **5.6 Determination of Spitalfields Neighbourhood Planning Forum Application**

[Note – the majority of the discussion for this item was considered alongside Agenda Item 5.5 (Determination of the Spitalfields Neighbourhood Planning Area Application) and the minute is presented under that item.]

Members examined the application for a Planning Forum with particular reference to whether it should be a resident or business forum. It was noted that the recommendation was for it to be a business forum. The **Mayor agreed** the recommendation as set out in the report.

The **Mayor** also agreed the reasons for urgency as stated in the report:

“The completion of the report required external legal advice which was unexpectedly delayed. Due to these special circumstances pursuant to Rule 6.1(b) of the Access to Information Procedure Rules the Mayor identified this report as an item for urgent decision that should not be delayed in order to positively support local communities prepare Neighbourhood Development Plans without further delay.”

## **RESOLVED**

1. To approve the application for the designation of the Spitalfields Neighbourhood Planning Forum, pending the designation of an appropriate Neighbourhood Planning Area.

### **5.7 Revised Regulation 123 List and Planning Obligations Supplementary Planning Document**

Councillor Rachel Blake, Cabinet Member for Strategic Development, introduced the report. She took Members through the report including looking at the difference between S106 and CIL and showing what CIL would be spent on. Particular attention was being given to the benefit to employment and business growth.

Councillor Peter Golds, Leader of the Conservative Group, addressed Cabinet. He expressed concerns about the low CIL level on the Isle of Dogs given the desirability of the development opportunities in that area.

Councillor Rachel Blake welcomed the comments and confirmed that the CIL levels would be re-examined but it was noted that the government appointed planning inspector had set the existing levels.

The **Mayor** agreed that re-examining the CIL levels was important. He thanked officers for their work in preparing the report and then **agreed** the recommendations as set out.

## **RESOLVED**

1. To approve the proposals for the revisions to the Regulation 123 List and Planning Obligations SPD (as set out in Appendix A and B), for public consultation.
2. To delegate authority to the Corporate Director of Development and Renewal to approve further consultations on both documents should this prove necessary as a result of changes in law and policy.
3. To delegate authority to the Corporate Director of Development and Renewal, to make changes to the Revised Regulation 123 List and Planning Obligations SPD where necessary, prior to the beginning of the consultation period or any subsequent consultation.

## 5.8 Voluntary and Community Sector Strategy

Councillor Rachael Saunders, Deputy Mayor and Cabinet Member for Education and Children's Services, introduced the report. She highlighted that the Council's relationship with the voluntary sector was extremely important.

She highlighted the key objectives of the strategy set out in the report on increasing volunteering, maximising use of resources, promoting co-production and engagement with businesses. She also highlighted work to prepare the strategy including the consultation exercises that had been undertaken. Finally, she introduced Kirsty Cornell, Chief Executive of the Tower Hamlets Council for Voluntary Services (THCVS).

Kirsty Cornell, addressed the meeting. She welcomed the strategy and thanked the Mayor and Lead Member for their work in engaging with the third sector in the preparation of the strategy. She highlighted that for the strategy to work it would require significant commitment from the Council.

The **Mayor** welcomed the report and the proposed strategy. He noted that concerns had been raised about ensuring less experienced organisations were not excluded and the value of having THCVS help in monitoring this issue. He **agreed** the recommendation as set out in the report.

### RESOLVED

1. To agree the Strategy and action plan for delivery from May 2016.

## 5.9 Tower Hamlets' Education Award (Higher Education): Post 16 Progression - school-led programme

Councillor Rachael Saunders, Deputy Mayor and Cabinet Member for Education and Children's Services, introduced the report proposing a replacement for the previous bursary scheme. She highlighted that under the previous scheme there was limited evidence of its impact and it was considered that it was more appropriate to use the money to help schools support young people moving on to Higher Education.

The **Mayor** thanked The Lead Member and Terry Parkin, Interim Service Head, Learning and Achievement, for their work on the proposals. He **agreed** the recommendations as set out in the report.

### RESOLVED

1. To invite Schools' Forum to cover the costs of this programme from unspent DSG;
2. To agree a virement of up to £600,000 to reflect actual costs incurred.



### 5.10 London Borough of Tower Hamlets Adult Social Care Local Account 2014/15

Councillor Amy Whitelock Gibbs, Cabinet Member for Health and Adult Services, introduced the report. She explained that this was an annual update report setting out how services were being delivered and what people thought of the services they received. The report had been discussed at the Health and Wellbeing Board who had particularly noted its good readability which was important in making the report accessible.

The report highlighted successes, such as around independent living, and challenges and helped inform service planning for future years. The tabled question from the Overview and Scrutiny Committee and officer response were also noted.

The **Mayor** welcomed the report as an important document for the Borough and **agreed** the recommendation as set out.

#### RESOLVED

1. To note the content of the Local Account as attached at Appendix A to the report and approve it for publication.

### 5.11 Draft Strategic Plan 2016-19 (including 2016-17 Action Plan)

The **Mayor** introduced the report setting out the Outline Strategic Plan and Delivery Plan for 2016/17. He highlighted that it was a living document that would continue to evolve. He thanked Cabinet Members for their help in its formulation. He **agreed** the recommendations as set out in the report.

#### RESOLVED

1. To note the agreed Outline Strategic Plan (appendix 1 to the report).
2. To agree the draft 2016/17 Delivery Plan (appendix 2 to the report).

### 5.12 Contracts Forward Plan - Quarter One (2016-2017)

Councillor David Edgar, Cabinet Member for Resources, introduced the report. He highlighted that this regular report provided Members with an opportunity to request more detailed reports on any specific contracts that were of interest or concern.

Members proceeded to discuss the report. The **Mayor** agreed that a report on Healthwatch would be useful but noted that one was already planned for June Cabinet. He requested more information on the contract relating to publication of statutory notices and media advertising. He also requested more information about the provision of new school places at Bow Primary School. However, he stated that he did not wish to delay that contract process. Finally

the **Mayor** noted the included supplementary report on the supply of gas and electricity.

The **Mayor agreed** the recommendations subject to the above requests for reports on particular contracts. He also **agreed** the recommendations set out in the supplementary report.

### **RESOLVED**

1. To note that a report on contract CLC 5029 (Healthwatch Tower Hamlets) is due at Cabinet in June to consider the specifications to be used in the process.
2. That a report be prepared for Cabinet on contract CS 5030 (Bow Primary School) for Cabinet approval.
3. That contract LPG 5043 (Statutory Public Notice & External Printed Media Advertising) proceed but that discussions take place on the best way of keeping Cabinet informed of the process.
4. That all other contracts may proceed to contract award after tender as planned.
5. To authorise the Service Head – Legal Services to execute all necessary contract documents in respect of the awards of contracts referred to in the above recommendations.

In respect of the Supplementary Report on contracts for the supply of natural gas and electricity:

6. To note the procurement strategy for contracts for the supply of natural gas and electricity for both large 100kW and smaller Sub 100kW sites for the period from April 2017 for three years until the end of March 2020.
7. To approve that the council continues to purchase for the majority of the contract through the government's Crown Commercial Services framework.
8. To approve that energy supplies for sites within the council's direct control (operational buildings, idea stores, street lighting etc.) are purchased through an energy broker.
9. To delegate authority to the Corporate Director of Development & Renewal to comply with the agreed buying and management strategy for the duration of the contract. This includes the removal of parties or clients in the contract who do not adhere to the terms and conditions of the service level agreement that they enter into with the council.

### 5.13 Corporate Revenue and Capital Budget Monitoring Q3 2015/16 (Month 9)

Councillor David Edgar, Cabinet Member for Resources, introduced the report. He highlighted the importance of regular monitoring of the Council's performance and ensuring that budgets were being spent as expected. Officers were continuing to look to improve the content of the report to give greater clarity on the broad position as well as on the detail.

He drew Members' attention to budget pressures in areas such as Children's and Adults' Services and how that was being managed and also issues of slippage in the Council's capital budgets. Finally, issues in relation to the Youth Service were noted.

Overall though the report presented a positive picture of the Council's position.

The **Mayor** welcomed the report and **agreed** the recommendation as set out.

#### **RESOLVED**

1. To note the Council's revenue and capital financial performance compared to budget for 2015/16 as detailed in Sections 3 to 7 and Appendices 1-4 of this report.

### 5.14 Strategic Performance Monitoring Q3 2015/16

The **Mayor** introduced the report monitoring the Council's strategic performance. He noted areas of concern raised by the Overview and Scrutiny Committee around crime and other issues such as homelessness prevention and an increase in NEETs which was now hopefully back on track. The slow speed of the adoption process and issues around the need for tact when checking for childhood obesity were also noted.

The **Mayor agreed** the recommendation as set out.

#### **RESOLVED**

1. To note progress in delivering the strategic measures at the quarter 3 stage (appendix 1 to the report).

### 5.15 Corporate Directors' Decisions

The **Mayor** noted the information contained in the report and **agreed** the recommendation as set out.

#### **RESOLVED**

1. To note the Corporate Directors' decision set out in Appendix 1 to the report.

**5.16 List of Individual Executive Mayoral Decisions**

The **Mayor** noted the information contained in the report and **agreed** the recommendation as set out.

**RESOLVED**

1. To note the Individual Mayoral Decisions set out in Appendix 1 to the report.

**6. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**

Nil items.

**7. EXCLUSION OF THE PRESS AND PUBLIC**

Nil items.

**8. EXEMPT / CONFIDENTIAL MINUTES**

Nil items.

**9. OVERVIEW & SCRUTINY COMMITTEE**

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

Nil items.

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

Nil items.

**10. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT**

Nil items.

The meeting ended at 7.39 p.m.

MAYOR JOHN BIGGS