

LONDON BOROUGH OF TOWER HAMLETS**RECORD OF THE DECISIONS OF THE CABINET****HELD AT 5.33 P.M. ON WEDNESDAY, 25 JULY 2018****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)
Councillor Rachel Blake	(Deputy Mayor and Cabinet Member for Regeneration and Air Quality)
Councillor Asma Begum	(Deputy Mayor and Cabinet Member for Community Safety and Equalities)
Councillor Amina Ali	(Cabinet Member for Culture, Arts and Brexit)
Councillor David Edgar	(Cabinet Member for Environment)
Councillor Danny Hassell	(Cabinet Member for Children, Schools and Young People)
Councillor Denise Jones	(Cabinet Member for Adults, Health and Wellbeing)
Councillor Motin Uz-Zaman	(Cabinet Member for Work and Economic Growth)

Other Councillors Present:

Councillor Peter Golds	
Councillor Puru Miah	
Councillor Mohammed Pappu	
Councillor Abdal Ullah	
Councillor Andrew Wood	(Leader of the Conservative Group)

Officers Present:

Elizabeth Bailey	Senior Strategy, Policy and Performance Officer
Stephen Bramah	(Deputy Head of the Mayor's office)
Richard Chilcott	(Acting Divisional Director, Property and Major Programmes)
Zena Cooke	(Corporate Director, Resources)
David Courcoux	(Head of the Mayor's Office)
Janet Fasan	(Divisional Director, Legal)
Sharon Godman	(Divisional Director, Strategy, Policy and Partnerships)
Steve Hill	(Head of Benefits Services)
Roger Jones	(Head of Revenues)
Tom McCourt	(Strategic Director)
Neville Murton	(Divisional Director, Finance, Procurement & Audit)
Keiko Okawa	(Scrutiny Policy Officer, Scrutiny & Equalities,

Denise Radley	Chief Executive's
Judith St John	(Corporate Director, Health, Adults & Community)
Ann Sutcliffe	(Divisional Director, Sports, Leisure and Culture)
David Tolley	(Acting Corporate Director, Place)
	(Head of Environmental Health and Trading Standards)
Matthew Vaughan	(Political Advisor to the Conservative Group, Democratic Services, LPG)
Will Tuckley	(Chief Executive)
Matthew Mannion	(Committee Services Manager, Democratic Services, Governance)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Candida Ronald (Cabinet Member for Resources and the Voluntary Sector)
- Asmat Hussain (Corporate Director, Governance) – deputised by Janet Fasan (Divisional Director, Legal Services)
- Debbie Jones (Corporate Director, Children's Services) – deputised by Judith St John (Divisional Director, Sports, Leisure and Culture)

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Denise Jones declared a Disclosable Pecuniary Interest in Agenda Item 6.6 (Supporting the Local Economy – Proposed Criteria for Granting Business Rate Relief) as she had a small business. She would leave the room for the duration of that Agenda Item.

3. UNRESTRICTED MINUTES

DECISION

1. The unrestricted minutes of the Cabinet meeting held on Wednesday 27 June 2018 be approved and signed by the Mayor as a correct record of proceedings.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

Please see the minutes.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions

Pre-Decision Scrutiny Questions, and written officer responses, were received in relation to the following Agenda Items:

- 6.3 (Anti-Idling Designation in the London Borough of Tower Hamlets)
- 6.4 (Supporting the Local Economy – Social Value Framework)

- 6.5 (Local Council Tax Reduction Scheme)
- 6.6 (Supporting the Local Economy – Proposed Criteria for Granting Business Rate Relief)
- 6.7 (Site at 20 Alton Street)
- 6.10 (Revenue and Capital Monitoring 2018-19 Quarter 1 – June 2018)

The questions, and related answers, were considered during the discussion on each individual item.

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

Nil items.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Strategic Plan 2018/19 - 2020/21

The recommendations were amended and then agreed.

DECISION

1. To agree to formally adopt the Strategic Plan
2. To endorse the proposals for an improved outcome measure framework from 2019/20 onwards and the interim measures in the 2018/19 plan.
3. To delegate authority to the Divisional Director, Strategy, Policy and Performance, following consultation with the Mayor, to make minor, non-material amendments to the Strategic Plan document.

Action by:

CHIEF EXECUTIVE (W. TUCKLEY)

(Divisional Director, Strategy, Policy and performance (S. Godman)

(Head of Corporate Strategy and Policy (A. Hoque)

(Head of Intelligence and Performance (T. Dreyer)

Reasons for the decision

It is important that the Council sets out its key priorities and how it will measure progress against them.

Alternative options

In line with our budget setting the Strategic Plan is a rolling three year plan which is updated annually so that it accurately reflects the Council's priorities. The Mayor may choose not to progress the Strategic Plan. This course of action is not recommended as there would be significant planning gap: the Strategic Plan is a key element of the Council's business planning arrangements. It is important for the Council to articulate its priorities.

The Cabinet may choose to further amend the Strategic Plan. This would require further presentation to Cabinet at a later date, delaying the planning process and potentially the delivery of some actions. If the Plan is amended, regard would need to be given to the Council's medium term financial plan, as well as any impact arising from the changes.

6.2 The Tower Hamlets Plan 2018 - 23

DECISION

1. To approve the Tower Hamlets Plan 2018-23 (Appendix A to the report)
2. To agree the proposed framework of delivery

Action by:

CHIEF EXECUTIVE (W. TUCKLEY)

(Divisional Director, Strategy, Policy and performance (S. Godman))

Reasons for the decision

In January 2017 Mayor John Biggs reinvigorated the Tower Hamlets Strategic Partnership, recognising that joint working has always been at the heart of public sector working in Tower Hamlets. Partners recognised the importance of coming together around a shared vision for the borough. Based on an extensive evidence gathering process over the last year, this shared vision has now been articulated in a new Tower Hamlets Plan. This document sets out the commitments to be delivered jointly by all partners involved, as well as the proposed next steps of working within existing partnership structures to deliver against the objectives, themes and outcomes identified in the Plan.

This report provides an overview of the process of development so far, as well as some key recommendations to take the Plan forward.

Alternative options

The Mayor in Cabinet can decline to approve the Plan and suggest further changes. This is not recommended as the Council and partners have done significant work to develop the proposed plan, which is also based on extensive engagement with the community more widely and a robust evidence base.

6.3 Anti-idling designation in the London Borough of Tower Hamlets

DECISION

1. To authorise the use of powers under Regulations 12, 13 and 14 of the Road Traffic (Vehicle Emissions) Fixed Penalty) (England) Regulations 2002 to enforce against drivers who allow their vehicle engines to run unnecessarily when parked anywhere in the borough.
2. To delegate authority to Corporate Director, Place to authorise, Environmental Health staff, Tower Hamlets Enforcement Officers

(THEOs) and Civil Enforcement Officers of the Council to make use of these powers to issue FPNs, and take legal proceedings for stationary engine idling offences.

Action by:

CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)

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

(Team Leader, Pollution (M. Islam)

Reasons for the decision

The Council has a statutory duty to improve air quality in the borough. The Council has produced an Air Quality Action Plan (AQAP) which details measures on how it is working towards achieving the national Air Quality Objectives. There is a commitment in the AQAP to enforce anti-idling regulations.

The ability to issue FPNs for stationary idling vehicles will enable the Council to deliver on the commitment made in the AQAP to reduce emissions caused by transport and improve local air quality within the borough through a combination of education and enforcement activities.

Alternative options

Not to authorise officers to issue FPNs. However, as the council has made a commitment in the AQAP which was officially signed off by the Greater London Authority, there is a risk this could result in the Council losing its Cleaner Air Borough status with the Greater London Assembly as the commitment would not be delivered.

6.4 Supporting the Local Economy – Social Value Framework

DECISION

1. To approve the attached draft Social Value Framework (Appendix A to the report)
2. To approve the further development of the Council's social value work as set out at paragraph 3.16 of the report.

Action by:

CORPORATE DIRECTOR, RESOURCES (Z. COOKE)

DIVISIONAL DIRECTOR, STRATEGY, POLICY AND PERFORMANCE (S. GODMAN)

(Senior Strategy, Policy and Performance Officer (K. Okawa)

(Head of Procurement (Z. Ahmed)

Reasons for the decision

The benefits of social value practice have been widely recognised and the Council already undertakes a number of activities in relation to social value. The Overview and Scrutiny Challenge report on the Social Value Act published in April 2017 also recommended that the Council develop a Social

Value Policy. The implementation of the social value framework and proposed actions will ensure the council delivers the greatest benefits from social value for residents, businesses and voluntary and community sector organisations.

Alternative options

The Council could choose not to develop a policy framework. However, the lack of policy will limit the Council's ability to enhance and embed effective social value practice across the Council.

6.5 Local Council Tax Reduction Scheme

DECISION

1. To agree that officers should go out to consultation on Option 4 with all of the changes listed (as set out in Appendix 2 to the report).
2. To note that officers will bring a report, setting out feedback from the consultation, back to the October Cabinet prior to a formal decision being taken.

Action by:

CORPORATE DIRECTOR, RESOURCES (Z. COOKE)
(Benefits Policy and Procedures Manager (L. Fearon)
(Head of Benefits Service (S. Hill)

Reasons for the decision

Background

Each year the Council needs to consider whether to make changes to its local Council Tax Reduction scheme (LCTRS).

The national scheme, Council Tax Benefit, was abolished with effect from 1st April 2013. A national scheme for pensioners identical to Council Tax Benefit has remained in place since 2013 and Local Authorities assumed responsibility for the design and administration of a local replacement scheme for working age residents.

Under Council Tax Benefit all awards were fully funded by central Government via an annual subsidy grant predicated on the total amount of benefit awarded. However, subsidy for LCTRS awards has been frozen at the amount awarded for 2012/13 less 10% since April 2013, representing a national reduction of funding to Local Authorities of £500m.

The Council continued to operate a LCTRS for working age residents which was broadly based on Council Tax Benefit for April 2013 to March 2017. Although this protected residents, the reduction in Government Subsidy meant there was a cost to the Council estimated at between £2m and £4m per annum.

Due to increasing financial pressures and the need to respond to the introduction of Universal Credit, the Council decided to change its LCTRS with effect from 1st April 2017.

In changing the scheme in 2017, the Council ensured that residents on the lowest incomes continue to receive 100% rebate of their Council Tax liability. Tower Hamlets remains one of only a handful of London councils who have retained this provision within their LCTRS since April 2013 and in doing so the Council has and continues to offer one of the most generous schemes in London. Appendix 1 provides a table of London Boroughs' minimum percentage Council Tax payments after the application of LCTRS.

Alternative options

The Council can consider making any changes to its LCTRS annually. Changes cannot be made in year.

Changes can only be made to working age households as pensioners are protected. Any changes must be subject to a meaningful full public consultation as required by the Local Government Finance Act 1992 which stipulates that changes can only be enacted from the start of the subsequent financial year.

The council can decide not to make any changes to the current scheme.

6.6 Supporting the Local Economy - Proposed Criteria for Granting Business Rate Relief

DECISION

1. To agree the revised criteria and guidance for public consultation
2. To note the feedback from the consultation will be presented at the October Cabinet meeting

Action by:

CORPORATE DIRECTOR, RESOURCES (Z. COOKE)

(Head of Revenue Services (R. Jones))

Reasons for the decision

There have been a number of changes made to the qualifying criteria for discretionary charitable relief following feedback from charities, not-for profit organisations and community groups.

There have been a number of new reliefs introduced by the government and these are now captured in one all-encompassing document.

Alternative options

None.

6.7 Site at 20 Alton Street E14 6BZ

The recommendations were amended and then agreed.

DECISION

1. To defer consideration of the report to allow time to receive additional legal advice in respect of the potential options for the site.

Action by:

ACTING CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)

(Acting Divisional Director, Property and Major Programmes (R. Chilcott))

Reasons for the decision

The site of 20 Alton Street is protected by planning for community use so it would be very difficult to use the site for other uses

LEMA is an established charity involved in serving the community and has a long history in the area. The organisation wants to additionally invest in the area and have requested a long leasehold interest to support their vision for a permanent building.

The long leasehold interest will enable them to secure funding and have a long term strategy for the mosque and other community activities

Alternative options

Leave everything as is – This is not an option as LEMA occupies the site on a tenancy at will and cannot deliver additional services on the back of such a tenancy. Additionally the group meet in portacabins on the site that have come towards the end of their life

Disposal on the open market - If placed on the open market, the site would struggle to sell as it is protected under Town Planning for community use. Other community uses are possible but size constraints would impede the full range of community uses like schools and other uses unlikely to generate a better capital receipt

Grant a short lease – LEMA would like to redevelop the site and build a new purpose built community facility. A short lease would not support such investment.

6.8 Statement of Licensing Policy 2018-2023

DECISION

- 1 To agree the submission of the Statement of Licensing Policy to full Council for adoption.
- 2 To note that the proposed Statement of Licensing Policy will take effect from 1st November 2018 until 31st October 2023. The existing Statement of Licensing Policy will be rescinded on the 31st October 2018.

Action by:

ACTING CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)

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

Reasons for the decision

The Council is statutorily required to review its Statement of Licensing Policy every five years. As part of the review a statutory consultation must take place.

Alternative options

Cabinet does have the option not to review its Statement of Licensing Policy but the Council will be open to legal challenge for not having a properly consulted and adopted policy.

6.9 Medium Term Financial Strategy Refresh & 2019-20 Budget Planning

DECISION

1. To note the Council's Outcomes Based Budgeting approach to prioritising resources over the MTFs from 2019-20 to 2021-22.
2. To note the challenges and actions set out in this report that will inform the development of the Council's MTFs for 2019-2022;
3. To note the timescales and next steps for reviewing and consulting on budget proposals;

Action by:

CORPORATE DIRECTOR, RESOURCES (Z. COOKE)

(Divisional Director, Finance, Procurement and Audit (N. Murton)

Reasons for the decision

The Council is under a duty to set a balanced and sustainable budget and maintain adequate reserves such that it can deliver its statutory responsibilities and priorities.

A Medium Term Financial Strategy (MTFS) covering the entirety of the resources available to the Council is considered to be the best way that resource prioritisation and allocation decisions can be considered and agreed in a way that provides a stable and considered approach to service delivery and takes into account relevant risks and uncertainty.

Alternative options

Whilst the Council will adopt a number of approaches to the identification of measures aimed at delivering its MTFS there is no alternative other than to set a legal and balanced budget and agree its Council Tax before the statutory deadline.

The Council could return to the approach of agreeing proposals on an annual basis but this does not support a strategic approach which allows for proposals to be managed and implemented over a longer period of time leading to evidenced based policy decisions and better overall outcomes.

6.10 Revenue and Capital Monitoring 2018-19 Quarter 1 - June 2018

DECISION

1. To note the Council's projected outturn position against General Fund, Dedicated Schools Budget and HRA budgets agreed for 2018-19, based on information as at the end of June as detailed in the Appendices to the report.
2. To note the summary savings position.

In respect of the Housing Capital Pipeline Schemes (Section 6 in Appendix 1 to the report)

3. To approve the allocation of a capital budget of £131.4million for the period 2018 – 2024 to cover total project costs for schemes in Phase 2 of the Housing Capital Pipeline Programme, as set out in Appendix 1 Annex 4 to the report.
4. To authorise the Corporate Director (Place), after consultation with the Corporate Director (Governance), to agree to proceed to award contracts and enter into any agreements required to implement recommendation 3. if so required, subject to tenders being within the approved capital budgets and progress the Housing Capital Pipeline Programme.
5. To authorise the Corporate Director (Place) to submit bids for grant funding to funding bodies pursuant to any future national or regional grant or investment programme(s) for which the Phase 2 and 3 projects may be eligible if they conform to and support the Council's objectives and values.
6. To authorise the Corporate Director (Place) to commission viability work and detailed design and consultancy work to enable the

submission of planning applications for the Phase 3 sites to be identified for the Pipeline Programme.

7. To approve a capital estimate of £1.5m to enable the implementation of recommendation 6.
8. To authorise the Corporate Director (Place) and the Corporate Director of Resources, in line with the Council's Contract Standing Orders, to incur any necessary pre-construction expenditure, including the appointment of consultants and expenditure on related fees and site enabling works, related to sites within the Phase 2 and 3 pipeline programme to facilitate the preparation of planning applications and Invitations to Tender.
9. To authorise the Corporate Director (Place) to grant leases and Wayleave Agreements to statutory service providers in connection with the Phase 2 and 3 sites on behalf of the Council in its capacity as landowner and where required, to remove any third party rights of way in accordance with the statutory process.

In respect of the new capital scheme proposals (Sections 5 & 7 in Appendix 1 to the report)

10. To approve the proposed schemes set out in Annex 1 and the feasibility studies set out in Annex 2 of the attached budget monitoring report.
11. To adopt Capital Budgets of £3.1m and £1.0m respectively for the "Community Hubs" and "Maximising Health Infrastructure: Island Medical Centre Projects as set out in Section 7 of the appended budget monitoring report.

Action by:
THE CORPORATE LEADERSHIP TEAM
(Chief Accountant (K. Miles)

Reasons for the decision

The regular reporting of Revenue and Capital Budget Monitoring information through the year and the preparation of the provisional outturn position after the year end provides detailed financial information to members, senior officers and other interested parties on the financial performance of the Council. It sets out the key variances being reported by budget holders and the management action being implemented to address the identified issues.

Further information across the Council's key financial activities is also included to ensure that CLT and Members have a full picture to inform their consideration of any financial decisions set out in this report and also their broader understanding of the Council's financial context when considering reports at the various Council Committees.

Set alongside relevant performance information it also informs decision making to ensure that Members' priorities are delivered within the agreed budget provision.

It is important that issues are addressed to remain within the approved budget provision or where they cannot be contained by individual service management action, alternative proposals are developed and solutions proposed which address the financial impact; CLT and Members have a key role in approving such actions as they represent changes to the budget originally set and approved by them.

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 Corporate Leadership Team (CLT) including approval of management action.

To the extent that there are options for managing the issues identified these are highlighted in the report in order to ensure that members have a full picture of the issues and proposed solutions as part of their decision making.

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

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. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT

Nil items.

The meeting ended at 7.28 p.m.

Mayor John Biggs