

**LONDON BOROUGH OF TOWER HAMLETS**

**RECORD OF THE DECISIONS OF THE CABINET**

**HELD AT 5.33 P.M. ON WEDNESDAY, 19 DECEMBER 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 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 Candida Ronald	(Cabinet Member for Resources and the Voluntary Sector)
Councillor Motin Uz-Zaman	(Cabinet Member for Work and Economic Growth)

**Other Councillors Present:**

Councillor Andrew Wood	(Leader of the Conservative Group)
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**Others Present:**

Mike Harmer	(Metropolitan Police)
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**Officers Present:**

Richard Chilcott	(Acting Divisional Director, Property and Major Programmes)
Ann Corbett	(Divisional Director, Community Safety)
David Courcoux	(Head of the Mayor's Office)
Thorsten Dreyer	Strategy & Business Development Manager
Sharon Godman	(Divisional Director, Strategy, Policy and Partnerships)
Rafiqul Hoque	(Lettings Services Manager, Housing Options Service, Development & Renewal)
John Kiwanuka	(Housing Partnerships Manager, Housing Strategy Regeneration and Sustainability, Development & Renewal )
Susan Mulligan	(Communications Advisor, Communications, Law Probity & Governance )
Andy Simpson	(Business Improvement Coordinator)
Matthew Vaughan	(Political Advisor to the Conservative Group, Democratic Services, LPG)

Asmat Hussain	(Corporate Director, Governance and Monitoring Officer)
Debbie Jones	(Corporate Director, Children and Culture)
Neville Murton	(Acting Corporate Director, Resources)
Denise Radley	(Corporate Director, Health, Adults & Community)
Ann Sutcliffe	(Acting Corporate Director, Place)
Will Tuckley	(Chief Executive)
Tom McCourt	(Strategic Director)
Stephen Bramah	(Deputy Head of the Mayor's office)
Matthew Mannion	(Committee Services Manager, Democratic Services, Governance)
Joel West	(Senior Democratic Services Officer)

## **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of:

- Councillor Amina Ali (Cabinet Member for Culture, Arts and Brexit)
- Councillor Abdal Ullah (Chair of the Overview and Scrutiny Committee)
- Councillor Marc Francis (Vice Chair of the Overview and Scrutiny Committee)

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

There were no Declarations of Disclosable Pecuniary Interests.

## **3. UNRESTRICTED MINUTES**

### **DECISION**

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 28 November be approved and signed by the Chair 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 officer responses were noted in respect of Agenda Item 6.6 (Site at 20 Alton Street). These were considered during discussion of that item.

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

Nil items.

**6. UNRESTRICTED REPORTS FOR CONSIDERATION**

**6.1 Operation Continuum**

**DECISION**

1. To note the report and the progress of Operation Continuum since its implementation in December 2017 to date.
2. To support the continuation of targeted geographic operations to disrupt drug markets in addition to business as usual law enforcement and robust policing.
3. To commend our local Borough Commander, her police officers, those in the Council funded Partnership Task Force and wider partners for their focus to date on this issue and encourage the Metropolitan Police to maintain their corporate commitment to tackling drugs with the full support of all council resources.
4. To endorse the partnership approach and ensure that we continue to build our understanding of drug markets in order to disrupt, dismantle and safeguard our communities and young people from harm.
5. To ensure robust enforcement initiatives like Continuum and targeted communications are incorporated in the future approach to tackling substance misuse problems, crime and offending.

**Action by:**

**CORPORATE DIRECTOR, HEALTH, ADULTS AND COMMUNITY (D. RADLEY)**

(Divisional Director, Community Safety (A. Corbett))

**Reasons for the decision**

Not applicable

**Alternative options**

Not applicable

## **6.2 Children's Services Improvement Programme, Quarterly Progress Report (Quarter 2- 2018/19)**

### **DECISION**

1. To endorse the progress made in delivering the children's services improvement programme.
2. To agree the next steps in the improvement journey which will be updated on in the next report.

#### **Action by:**

**CORPORATE DIRECTOR, CHILDREN AND CULTURE (D. JONES)**

(Children's Services Improvement Manager (N. Rabbani))

#### **Reasons for the decision**

Corporate and political leadership of the Children's Services improvement agenda is a critical part of ensuring its success. Consideration of this report in Cabinet will support this leadership and help to facilitate public scrutiny of progress.

#### **Alternative options**

There are no alternative options to consider.

## **6.3 MTFS Budget Update 2019-22**

### **DECISION**

1. To note the changes to the draft budget position for 2019-2020 and over the MTFS period 2019-2022.
2. To note the illustrative modelling for the 2019-20 London Business Rates Retention Scheme.
3. To note the decisions of London Councils to participate in the 2019-20 London Business Rates Retention Scheme.
4. To note the options for Council Tax levels over the MTFS period 2019-2022.
5. To note the analysis and outcomes from the Your Borough Your Future budget consultation in Appendix A and have due regard to the issues raised in finalising its detailed budget proposals.
6. To note the additional resources required over the MTFS to cover estimated risks and uncertainties.
7. To note proposed increase to tenanted service charges by 3.4% from the first week in April 2019.

8. To note the Equalities Impact Assessment / specific equalities considerations as set out in section 4 of the report.

**Action by:****ACTING CORPORATE DIRECTOR, RESOURCES (N. MURTON)**

(Interim Divisional Director, Finance, Procurement and Audit)

**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 addressed and agreed in a way that provides a stable and considered approach to service delivery and takes into account relevant risks and uncertainty.

Statutory budget consultation is required with business ratepayers, however, a broader consultation with all residents and other relevant stakeholders is considered to represent best practice.

**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.

**6.4 Homelessness Scrutiny Review Report and Action Plan****DECISION**

1. To note the report and to agree the action plan in response to the report recommendations.

**Action by:****CORPORATE DIRECTOR, HEALTH, ADULTS AND COMMUNITY (D. RADLEY)****ACTING CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)**

(Strategy, Policy and Performance Officer (D. Kerr))

**Reasons for the decision**

Homelessness is a growing and complex problem which reaches right across health, public health, and social care. Homelessness has been a historical problem in Tower Hamlets and continues to be a pressing issue due to reforms to the welfare system, the austerity measures of the current government, rising house prices, rent and fees, and the national housing shortage leading to unaffordability of homes.

Homeless people experience poorer health outcomes than the general population and are vulnerable to illness, poor mental health, drug and alcohol problems, and are more likely than the rest of the population to have multiple complex physical and mental health needs. The average age of death for a homeless person is 30 years below the national average. There are also issues around hospital discharge. Evidence shows that more than 70 per cent of homeless people were discharged from hospital back onto the street, without their housing or underlying health problems being addressed.

Homeless people may experience difficulty accessing health care. For them health may be a secondary priority, meaning they do not access preventative services and health problems only get addressed when they become acute. They experience difficulty in accessing primary care as they encounter difficulty registering with a GP. This is often due to lack of proof of identity or inability to prove permanent residence in the catchment area or to provide other documentation required to register with a GP. This leads to a heavy dependence on acute health services. The Homeless population have a disproportionately high reliance on unplanned health care services and A&E. They have a high level of missed outpatient appointments and individuals rarely seek early stage or preventative treatment. This places considerable pressure on the NHS and has significant cost implications. National evidence indicates that the number of A&E visits and hospital admissions is four times higher for homeless people than for the general public, and the Department of Health estimated that the annual cost of hospital treatment alone for homeless people is at least £85 million a year. This means costs of more than £2,100 compared to £525 per person among the general population.

The Sub-Committee was concerned that provision for homeless residents is not as effective or as efficient as it is for other groups. As the health and social care system is undergoing a move towards greater integration of services it is an opportune time to review the approach towards treating the homeless to understand what their key needs are, how they are accessing services, and what impact they have on the health and social care system.

This report seeks the endorsement of the Mayor in Cabinet of the Sub-Committee's review and its related Action Plan. Through the implementation of the Action Plan many of the issues identified in the review will be targeted and improved.

### **Alternative options**

To take no action. This is not recommended as the scrutiny review provides an evidence base for improving health and social care services for homeless residents in Tower Hamlets.

To agree some, but not all recommendations. All of the recommendations are achievable within existing resources as outlined in the Action Plan.

**6.5 Homelessness and Rough Sleeping Strategy 2018 - 2023****DECISION**

1. To approve a draft of the joint Homelessness and Rough Sleeping Strategy 2018 -2023. The draft Strategy is attached at Appendix A to the report.
2. To agree the annual homelessness delivery plan and the annual review of the plan, which will involve taking into account feedback from the Homelessness Partnership Board.

**Action by:****ACTING CORPORATE DIRECTOR, PLACE**

(Head of Housing Options (R. Hoque)

(Divisional Director, Housing and Regeneration (M. Baigent)

(Statutory and Advocacy Team Manager (S. Chote)

**Reasons for the decision**

The Council must produce and formulate a Homelessness Strategy at least every five years under Section 1(1) of the Homelessness Act 2002.

The Government has indicated that the Council must produce and formulate a Rough Sleeping Strategy by 2019.

**Alternative options**

To not adopt a Homelessness and Rough Sleeping Strategy and risk challenge by way of Judicial Review.

**6.6 Site at 20 Alton Street E14 6BZ****DECISION**

1. To agree that the site at 20 Alton Street E14 be declared surplus;
2. To agree to the disposal of the site on a 99 year lease to Lansbury Estate Muslim Association at a premium of £402,250;
3. To delegate to the Acting Corporate Director of Place in consultation with the Corporate Director Governance the authority to agree the detailed heads of terms and, thereafter, enter into the legal documentation (including, but not limited to, a development agreement, agreement for lease and lease) in order to give effect to the decision
4. To note the Equalities Impact Assessment / specific equalities considerations as set out in Paragraph 4.1 of the report.

5. To note the result of the further investigations requested in July leading to the decision previously being deferred as set out in paragraph 3.14 of the report.

**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 currently accepted in planning terms to be for community use so only an alternative planning consent for the site for other uses would change this designation. The Council have investigated an alternative development option but this would not be financially viable.

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 provision of a 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 basis of such a tenancy which provides no certainty. Additionally the group occupy porta cabins on the site that have come towards the end of their economic life

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

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

## **6.7 Withy House Tenant Management Organisation Termination Notice – outcome of independent assessment**

**DECISION**

1. To agree the recommendations of the Independent Assessor's report appended at Appendix 1 to the report. The Independent Assessor recommends that the TMO continue to provide housing services, and that THH and LBTH continue to provide support and monitor the TMOs implementation of the actions identified by the Independent Assessor.
2. To note specifically the independent assessment made with regard to:
  - The service of the Breach Notice served on 3rd June 2016



- The service of the Termination Notice dated 4th January 2017
- The suggested further actions detailed in the Approved Assessors report attached as Appendix 1 to this report.

**Action by:****ACTING CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)**

(Divisional Director, Housing and Regeneration (M. Baigent)

(Housing Partnerships Manager (J. Kiwanuka)

**Reasons for the decision**

At Cabinet on 19<sup>th</sup> December 2017 the Mayor deferred a decision on whether to terminate the Management Agreement for six months to allow time for Withy TMO to progress their improvement programme.

In addition the Mayor agreed that an Independent Assessor would undertake an organisational review of the TMO and report back recommending a final course of action. An Independent Assessor was commissioned, the review conducted and concluded, and a report has been issued. The Assessor has recommended that Withy TMO should continue to provide housing management services to the residents of Withy House.

**Alternative options**

To terminate the Management Agreement between the Council and Withy TMO and make arrangements for Tower Hamlets Homes (THH) to assume the housing management responsibilities.

**6.8 Contracts Forward Plan 2018/19 – Quarter Three****DECISION**

1. To note the report and appendices.
2. To confirm that all contracts listed can proceed to contract award after tender.
3. To authorise the Divisional Director - Legal Services to execute all necessary contract documents in respect of the awards of contracts referred to at recommendation 2. above
4. To note the procurement forward plan 2018-2022 schedule detailed in Appendix 2.

**Action by:****ACTING CORPORATE DIRECTOR, RESOURCES (N. MURTON)**

(Head of Procurement (Z. Ahmed)

**Reasons for the decision**

The Council's Procurement Procedures require submission of a quarterly forward plan of contracts for Cabinet consideration, and it is a requirement of

the Constitution that “The contracting strategy and/or award of any contract for goods or services with an estimated value exceeding £250K, and any contract for capital works with an estimated value exceeding £5m shall be approved by the Cabinet in accordance with the Procurement Procedures”. This report fulfils these requirements for contracts to be let during and after quarter two of the current financial Year.

**Alternative options**

Bringing a consolidated report on contracting activity is considered the most efficient way of meeting the requirement in the Constitution, whilst providing full visibility of contracting activity; therefore no alternative proposals are being made.

**6.9 Strategic Plan Performance & Delivery Reporting: Quarter 2 2018/19****DECISION**

1. To note the summary status as set out at the beginning of the attached monitoring report; and
2. To note the performance of the strategic measures at mid-year, including those measures where the minimum expectation has been missed; and
3. To note progress in delivering Strategic Plan activities at the mid-year point, including those activities that are flagged as delayed and overdue.

**Action by:****CHIEF EXECUTIVE (W. TUCKLEY)**

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

(Head of Intelligence and Performance (T. Dreyer)

**Reasons for the decision**

The council's Performance & Accountability Framework sets out the process for monitoring the timely and effective delivery of the Strategic Plan to improve outcomes for residents. In line with the framework, the Mayor in Cabinet receives regular update reports to ensure oversight of delivery, performance and improvement at Cabinet level.

This report promotes openness, transparency and accountability by enabling Tower Hamlets residents to track progress of activities that impact on their lives and the communities they live in.

**Alternative options**

Cabinet can decide not to review the performance information. This is not recommended as Members have a key role to review and challenge underperformance and also utilise performance information to inform resource allocation.

**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 7.09 p.m.

Mayor John Biggs