

LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE CABINET****HELD AT 5.40 P.M. ON WEDNESDAY, 24 JULY 2024****COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL****Members Present in Person:**

Mayor Lutfur Rahman	
Councillor Maium Talukdar	(Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning (Statutory Deputy Mayor))
Councillor Kabir Ahmed	(Cabinet Member for Regeneration, Inclusive Development and Housebuilding)
Councillor Musthak Ahmed	(Cabinet Member for Jobs, Enterprise, Skills and Growth)
Councillor Saied Ahmed	(Cabinet Member for Resources and the Cost of Living)
Councillor Shafi Ahmed	(Cabinet Member for Environment and the Climate Emergency)
Councillor Kamrul Hussain	(Cabinet Member for Culture and Recreation)
Councillor Gulam Kibria Choudhury	(Cabinet Member for Health, Wellbeing and Social Care)
Councillor Abu Chowdhury	(Cabinet Member for Safer Communities)
Councillor Abdul Wahid	(Cabinet Member for Customer Service, Equalities and Social Inclusion)

Other Councillors Present in Person:

Councillor Nathalie Bienfait	Scrutiny Lead for Environment and the Climate Emergency
Councillor Sirajul Islam	Leader of the Opposition

Officers Present in Person:

John Ainsworth	(Senior Performance Improvement Analyst)
Ashraf Ali	(Director of Public Realm)
Yasmin Ali	(Development Project Manager, Place)
Vicky Allen	(Strategy, Policy & Performance Officer, Strategy, Policy and Equality, Governance)
Dr Somen Banerjee	(Director of Public Health)
Liam Crosby	Associate Director of Public Health (Acting)
Andy Grant	(Interim Programme Director of Procurement)
Stephen Halsey	(Chief Executive)
John Harrison	(Director of Corporate Efficiency)
Steven Heywood	(Planning Officer, Plan Making Team)
Dave Hughes	(Interim Director of Regeneration and Assets)
Abdulrazak Kassim	(Director Finance, Procurement and Audit)
Steve Reddy	(Corporate Director, Children's Services)
Sripriya Sudhakar	Director of Planning and Building Control

Joel West
Richard Williams
Sam Harney

(Democratic Services Team Leader (Committee))
Business Manager Operational PR
(Mayor's Political Advisor)

Officers In Attendance Virtually:

Richard Ward (Head of Commercial & Contracts)

1. APOLOGIES FOR ABSENCE

None.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no declarations.

3. UNRESTRICTED MINUTES

Joel West, Democratic Services Team Leader (Committees) asked the Mayor and Cabinet to note that references to urgency wording in the draft minute for item 6.6 'Approval of the council's revised Homelessness Accommodation Placement Policy' had been included in the minutes in error. Accordingly, the Mayor asked that the minutes be amended to reflect this.

RESOLVED:

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 10 July be approved and signed by the Mayor as a correct record of proceedings, subject to removal of references to urgency wording on item 6.6 'Approval of the council's revised Homelessness Accommodation Placement Policy'.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

See the minutes.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions

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

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

- considered the Strategic Asset Management Plan 2024-29 and had questioned how the Council will improve its communication with organisations using its assets and be a more responsive corporate landlord. The Committee requested further information to understand

how this plan would be put into practice and the level of investment needed, and how the council would decide which assets to retain, which to make further investment in, and which to repurpose for other uses.

- held a spotlight on the Council's recycling performance. Members were disappointed the Council is still underperforming. The Committee requested a breakdown of how much of the £5million investment would be spent on communications. It had also discussed enforcement; operational issues and ongoing issues in green waste collection, availability of recycling bags and food contamination; industrial action and engagement with staff.
- considered the Council's new Target Operating Model. Members raised concerns from residents that no disabled people or advocates had been engaged in the consultation and questioned how the wider consultation was delivered and how the council would ensure a wide range of views was considered.

He asked the Mayor to note that the Committee had submitted pre-decision scrutiny questions on the Cabinet agenda items 6.1 and 6.4 and offered comments on each:

- On item 6.1: Tower Hamlets Strategic Plan: Performance Targets the Committee would have liked to have been engaged in setting the targets. It was concerned that stretch may result in losing sight of what real targets are.
- On item 6.4: Public Space Protection Order - Tackling dog related anti-social behaviour, the Committee would like the opportunity to be engaged in the consultation.

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

See the minutes.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Tower Hamlets Council Strategic Plan: Performance Targets for 2024/25 and Annual Delivery Plan

Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living introduced the report that, following Cabinet approval of the council's Annual Delivery Plan 2024/25, which sets out in detail how the council will progress the delivery of the Strategic Plan's priorities in this third year of the administration, presented the targets set against the performance indicators for the 2024/25 financial year.

Cabinet members welcomed the report and explained how they had worked alongside services in their portfolio to agree challenging and relevant targets.

RESOLVED that the Mayor in Cabinet:

1. Approve the targets set for 2024/25 (Appendix A to the report).
2. Note the target-setting rationale for each performance measure.

6.2 Tower Hamlets Local Plan 2038 – Proposed Submission Version

The Mayor introduced the report that sought approval to undertake a six-week consultation on a proposed submission version of the new Local Plan, which set out a vision, strategic priorities, planning policy framework, and site allocations to guide all development in the borough.

The Mayor explained that he was proud to present the next stage in the journey of the Council's *Local Plan 2023-2028* strategic document which he felt represented a new, holistic and revolutionary approach to planning and placemaking, built on foundations putting regeneration and residents first.

He explained how the Plan would assist with some of his administration's key priorities including:

- Tackling overcrowding, and the associated health; social; and economic inequalities that are born out of such conditions, remains one of the biggest challenges that our borough faces.
- increasing genuinely affordable housing
- delivering real affordable homes – not 'intermediate or shared ownership'.
- incorporating community facilities into developments
- Pushing the height-limits of tall buildings

The Mayor explained that he believed Option A in the Cabinet Report provided the Council with a fantastic opportunity to push the boundaries of regeneration and development. He commended Option A to the Cabinet, and urged all members to support it.

The Cabinet welcomed the report and indicated agreement with the Mayor that Option A from the report represented the best approach to managing development in the borough.

RESOLVED that the Mayor in Cabinet:

1. Approves Option A as set out in the report – Publication of the Local Plan, with changes to the approach to tall buildings, with the aim to increase housing supply to the borough and note the legal and finance sections of the report
2. Notes that alongside publication of the chosen proposed submission version of the Tower Hamlets Local Plan 2038, the accompanying policies map, Integrated Impact Assessment, consultation statement, and evidence base studies will also be published for the six-week public consultation;

3. Authorises the Corporate Director for Housing and Regeneration, in consultation with the Mayor, to make any appropriate and necessary minor amendments to the chosen proposed submission version of the Local Plan and any associated documents prior to the commencement of the consultation, should Cabinet approve publication;
4. Agrees that, following Regulation 19 consultation, a report will be brought to Full Council noting any risks emerging from the Regulation 19 consultation responses and seeking approval to submit the Local Plan and associated documents to the Secretary of State for Housing, Communities and Local Government to begin an independent examination in public.

6.3 Reduction and Recycling Plan Progress Report - Quarter 4, 2023

This item was withdrawn by the Mayor to allow for further enhancement and consideration.

6.4 Public Space Protection Order - Tackling dog related anti-social behaviour.

Councillor Shafi Ahmed, Cabinet Member for Environment and the Climate Emergency introduced the report that presented a proposed approach to tackling dog related anti-social behaviour, seeking approval to go out to public consultation to establish a public spaces protection order as the control mechanism. Councillor Ahmed explained that he consultation results will inform the final approach of the council on this issue, which would be submitted the Cabinet in September 2024.

The Mayor and Cabinet members welcomed the report. They stressed that the proposals were aimed at encouraging responsible dog ownership in the borough and they looked forward to receiving views of residents on them.

RESOLVED that the Mayor in Cabinet:

1. Agrees the proposal to hold public consultation and engagement about establishing a PSPO as the control mechanism.
2. Agrees on the specific public spaces protection order conditions recommended by officers to consult residents and other key stakeholders on, as set out below:

Order	Recommended proposal for consultation – Order applied to
Dog Fouling	<ul style="list-style-type: none"> • All public spaces in the borough

Dogs on lead by direction	<ul style="list-style-type: none"> All public spaces in the borough
Dog exclusion areas	<ul style="list-style-type: none"> All gated play parks and sports areas managed by London Borough of Tower Hamlets Option to include all ungated play parks and sports areas managed by London Borough of Tower Hamlets
Dogs on leads	<ul style="list-style-type: none"> All public spaces in the borough including on roads and in car parks and all communal areas on estates. <p>Excepting:</p> <ul style="list-style-type: none"> Dog exclusion areas Defined areas of parks and open spaces managed by London Borough of Tower Hamlets
Maximum number of dogs	<ul style="list-style-type: none"> All public spaces in the borough. One person can take out no more than four dogs at any one time. Guage opinion on introducing a professional dog walking license.

- Agrees the proposed consultation questions (Appendix 1 to the report)
- Agrees the consultation and engagement plan (Appendix 2 to the report)
- Notes the draft Equalities Impact Assessment, which will be finalised post consultation (Appendix 3 to the report).
- Notes the alternative options analysis assessment (Appendix 4 to the report)

6.5 Contracts Forward Plan – Q1 – FY 2024-2025

The Mayor announced that he noted and agreed the following urgency reasons for this report:

This item missed the statutory publication deadline due to several ongoing and complex clarifications needed on 2 of the appendices within the report. These are now resolved and the amendments made within the appended documents.

The report lists 5 items for either contract extension or a new procurement and these are all very tightly time bound, any delay past Cabinet will result in delays in getting to market which may result in services being delayed or

stopped this in turn may lead to significant financial and reputational damage arising from services being delayed/stopped.

Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living introduced the report that set out a forward plan of supply and service contracts over £1m in value, or capital works contracts over £5m to provide Cabinet with the visibility of all high value contracting activity, and the opportunity to request further information regarding any of the contracts identified for quarter One of the 2024-2025 financial year.

The Mayor welcomed the report, but noted that the contract on Housing and Benefits IT System – Hosting, Support and Maintenance Agreement did not specify the normal 10 per cent social value weighting criteria. The Mayor asked that this be rectified as per his preferred approach to all contracts.

RESOLVED that the Mayor in Cabinet:

1. Authorises the appropriate Corporate Director in consultation with the Mayor to award those contracts set out in Appendix 1 following an appropriate procurement exercise, subject to amending R6021 Housing and Benefits IT System – Hosting, Support and Maintenance Agreement to insist on a minimum 10% overall contract value weighting for social value.
2. Authorises the Director Legal Services (Monitoring Officer), to execute all necessary contract documents in respect of the awards of contracts.

6.6 Arrangements for provision of integrated sexual and reproductive health services post 2025.

Councillor Gulam Kibria Choudhury, Cabinet Member for Health, Wellbeing and Social Care introduced the report that sought Mayor in Cabinet approval to grant permission to commission in-clinic integrated Sexual and Reproductive Health services (“All East”) collaboratively with other North East London boroughs, and to enter into collaborative arrangements and joint contracts to ensure the continued provision of high value, cost-effective in-clinic services to LBTH residents; and to grant permission for continued involvement in pan-London commissioning arrangements of the online London sexual health and contraceptive e-service (“SHL.UK”), which is an integral part of the London SRH service system.

The Mayor welcomed the report, though indicated that he wished for the Council to undertake performance reviews after the initial 5-year contract term in each case. He instructed officers that the Council must only enter into these contracts if they include an option for the Council to unilaterally withdraw following their performance review after year 5.

RESOLVED that the Mayor in Cabinet

Regarding in-clinic integrated sexual and reproductive health services:

1. Agrees to enter into a collaborative commissioning process together with Newham, Waltham Forest and Redbridge to secure a joint contract, with participating boroughs as named parties, for the provision of clinical Integrated sexual and reproductive health (SRH) services; with the details of the contract to be based on agreements with the collaborating boroughs and as set out in paragraphs 3.27-3.37 of the report: a 5-year contract with the option for a further 3 terms of one year each, the Council being able to choose whether or not to take part in these extensions. The contract will have an estimated maximum total contract value over 8 years for Tower Hamlets of £30,988,015. This would be funded from the public health grant.
2. Authorises the Director of Public Health to enter into a contract with the selected provider following the joint procurement set out in recommendation 1, and to make relevant amendments to baselines or tariffs, following consultation with the Mayor, Lead Member for Health, Wellbeing and Social Care, Head of the Legal Services, and Chief Financial Officer.
3. Authorises the Director of Public Health to enter Tower Hamlets as a named third party into contracts with SRH services elsewhere in London, in order to enable cross-charging using the advantageous London Integrated Sexual Health Tariff where our residents use those services, in consultation with the Lead Member for Health, Wellbeing and Social Care.

Regarding the online London sexual health e-service SHL.UK:

4. Approves the continued intention to commission the London sexual health and contraceptive e-service, SHL.UK from 2026.
5. Agrees for the London Borough of Tower Hamlets to be named as a Related Authority when the service is reprocured by the Lead Authority, City of London Corporation, in 2025.
6. Approves the LB Tower Hamlets' participation in the procurement of a new contract for the provision of the London sexual health and contraception e-service, as set out in paragraphs 3.48-3.55 of the report. The contract will be for an initial period of 5 years from 2026/27 to 2031/32, with the option for two further periods of two years each, the Council being able to choose whether or not to take part in these extensions. The Council's proportion of the total contract spend over the nine years will be based on activity levels, which are estimated to be in the range of £1.1m to £1.4m per annum, or a combined total of £11m over 9 years.
7. Authorises the Director of Public Health to sign the Inter-authority agreement (IAA) with City of London Corporation, and after the procurement exercise to enter into a contract with the service supplier for provision of services for residents of the London Borough of Tower

Hamlets, following consultation with the Mayor, Lead Member for Health, Wellbeing and Social Care, Head of the Legal Services, and Chief Financial Officer.

6.7 Strategic Asset Management Plan 2024-29

Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living introduced the report that introduced the council's Strategic Asset Management Plan 2024-29 ('SAMP'). Councillor Ahmed explained that the aim of the SAMP was to enable the council to review its property assets to better pursue its corporate goals, which may enable existing sites to be repurposed for other priorities such as housing delivery. It would also allow the Council to focus on Best Value in relation to property – through aspects such as improving occupancy of service buildings and optimising the income received through our leased estate.

The Mayor and Cabinet welcomed the report which they felt would enable the Council to fulfil its best value duty by ensuring all buildings are used efficiently and by optimising revenue from our income generating assets.

RESOLVED that the Mayor in Cabinet:

1. Approved the proposed Strategic Asset Management Plan 2024-29 ('SAMP') and the high-level actions which flow from the Plan.

6.8 Mulberry London Dock Academy School: 8 Virginia Street; London E1W 2AD

Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding introduced the report that sought Mayor in Cabinet approval to ratify the award of the main works contract for construction of Mulberry London Dock School to Kier Construction (London) for the contract sum of £66,000,408. Councillor Ahmed explained that construction of the school had commenced in 2022 and was due for practical completion and occupation for Autumn 2024.

The Mayor welcomed the report and indicated he looked forward to the launch event for the new school.

RESOLVED that the Mayor in Cabinet:

1. Approves the final amended contract to Kier Construction (London) for the construction of Mulberry London Dock School for contract sum of £66,000,408 as recommended by the Employers Agent and set out in the Commercial Price Evaluation Report (Appendix 1 to the report).

2. Notes the Equalities Impact Assessment as set out in Paragraph 5 of the report as appropriate.

6.9 Conversion to Academy Status: Bishop Challoner RC Secondary, St Anne's and Guardian Angels RC Primary and St Elizabeth RC Primary Schools

Councillor Maium Talukdar, Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning (Statutory Deputy Mayor) introduced the report that formally notified Cabinet of the Academy Orders issued by the Secretary of State for Education on 24th October 2023, in respect of three maintained catholic schools:

- Bishop Challoner RC Secondary,
- St Anne's Guardian Angels RC Primary, and
- St Elizabeth RC Primary;

and to obtain the necessary authority to delegate responsibility required to named officers to facilitate the academy conversion process for and on behalf of the Council.

RESOLVED that the Mayor in Cabinet:

1. Note the decision of the Secretary of State for Education on 24 October 2023 to approve the applications from the Governing Bodies of Bishop Challoner RC, St Anne's and Guardian Angels RC, and St Elizabeth RC to convert the schools to academy status, and that the Council has a statutory duty under law to facilitate the conversion process.
2. Delegate to the Corporate Director for Children's Services, in consultation with the Executive Mayor, the overall management and timing of the conversion process working with all relevant parties.
3. Authorise the council to enter into a commercial transfer agreement, if necessary and if agreed by all parties, on suitably agreed terms, as well as any other necessary agreements with relevant third parties, as described in paragraphs 3.1 – 3.11 of the report.
4. Authorise the council to negotiate with the Academy Sponsor – Lux Mundi Trust and the Department for Education to agree the form and detailed terms of the appropriate documentation in relation to any council owned land to allow for the operation of the Academy from the transfer date. Depending on the type of land and any directions received from the Secretary of State for Education, this may take the form of freehold transfers or the grant of leases for a

period of 125 years for a 'peppercorn rent', in accordance with the relevant standard documentation produced by the Department for Education.

5. Authorise the Divisional Director, Legal (Monitoring Officer), to execute all documentation required to implement the decisions.
6. Note the equalities considerations as set out in Paragraph 5.1 of the report.

6.10 Conversion to Academy Status: Columbia and Hermitage Community Primary Schools

Councillor Maium Talukdar, Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning (Statutory Deputy Mayor) introduced the report that formally notified Cabinet of the Academy Orders issued by the Secretary of State for Education in respect of two council maintained community schools, Columbia and Hermitage, and to obtain the necessary authority to delegate responsibility required to named officers to facilitate the academy conversion process for and on behalf of the Council.

RESOLVED that the Mayor in Cabinet:

1. Notes the decisions of the Secretary of State for Education on 13 December 2023 and 24 April 2024, to approve the applications from the Governing Bodies of Columbia and Hermitage to convert the schools to academy status, and that the Council has a statutory duty under law to facilitate the conversion process.
2. Delegates to the Corporate Director for Children's Services, in consultation with the Executive Mayor, the overall management and timing of the conversion process working with all relevant parties.
3. Authorises the Council to enter into a commercial transfer agreement on suitably agreed terms, as well as any other necessary agreements with relevant third parties, as described in paragraphs 3.4 – 3.25.
4. The School Agreement, The Principal Agreement, The Deed of Variation to the Project Agreement and the LGCA Certificate.
5. Authorises the Council to negotiate with the Academy Sponsor – London East Teacher Training Alliance (LETTA) Trust and agree the detailed terms of the leases for the Council owned land, to allow for the operation of the Academy from the transfer date. To grant these leases for a period of 125 years for a 'peppercorn rent', in accordance with the relevant standard documentation produced by the Department for Education.
6. Authorises the Council to negotiate and conclude the terms for a Licence for Alterations to sit alongside the 125-year Lease at the

Hermitage site to capture the works currently being undertaken pursuant to the building contract for the SEN Unit.

7. Authorises the Council to negotiate and conclude a Deed of Assignment of the current Council underlease at the Columbia site, to be entered into alongside the 125-year Lease.
8. Authorises the Director, Legal (Monitoring Officer), to execute all documentation required to implement the decisions.
9. Notes the equalities considerations as set out in Paragraph 5.1 of the report.

6.11 Tower Hamlets Safeguarding Children Partnership Annual Report 2023-2024

Councillor Maium Talukdar, Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning introduced the report that presented the Tower Hamlets Safeguarding Children Partnership annual report on the effectiveness of safeguarding and promoting the welfare of children in its locality. Councillor Talukdar explained that the report demonstrated the activity of the THSCP within the last financial year.

Councillor Talukdar offered thanks to all partners involved and in particular drew attention to young persons and young scrutineers who work with the Safeguarding Board.

RESOLVED that the Mayor in Cabinet:

1. Notes the work that has been carried out by the Tower Hamlets Safeguarding Children's Partnership over the year 2020-21 and the outcomes that members would like to see from the THSCP over the next year
2. Notes the specific equalities considerations as set out in paragraph 4.1 of the report.

6.12 Special Educational Needs and Disabilities Improvement Report 2023/24

Councillor Maium Talukdar, Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning introduced the report introduced the report that

provided an overview of the progress and impact of SEND improvement work during 2023/24. Councillor Talukdar explained how the report demonstrated how NHS Northeast London and the Council have been working together with other partners across the local area to deliver on priorities set out in the SEND Strategy and SEND Improvement Plan and included input from children and young people and parent and carer representatives. Councillor Talukdar offered his thanks and appreciation to all partners involved in the plan

including from children and young people, parent and carers, and carers' representatives.

The Mayor welcomed the report which he felt demonstrated how well NHS North East London and the Council have been working together to deliver shared priorities in the SEND strategy and improvement plan.

RESOLVED that the Mayor in Cabinet:

1. Notes the contents of the SEND Improvement Board Annual Report 2023/24

6.13 Barkantine Heat and Power Company Private Finance Initiative (PFI) Transitional Agreement

Councillor Shafi Ahmed, Cabinet Member for Environment and the Climate Emergency introduced the report that sought to enable the continued provision of heat to the existing customers of The Barkantine Heat and Power Company (BHPC): a district heating energy centre located behind Tiller Leisure Centre, and managed by a subsidiary company of EDF energy. Councillor Ahmed explained the unique status of the scheme which is the only district heating PFI scheme in the country and how, once the PFI agreement expires the energy centre, plant, assets and network was expected to be handed back to the Council, requiring measures to be put in place to manage the network and new contracts renegotiated.

The Mayor and Cabinet welcomed the report though asked officers to check the names and titles in the governance section of the report were up to date.

RESOLVED that the Mayor in Cabinet:

1. Authorises the Corporate Director of Housing and Regeneration in consultation with the Mayor to enter into a 2-year transitional period to extend the existing agreement under appropriate commercial terms.
2. Notes a detailed decarbonisation and expansion strategy will be developed.
3. Notes a future report will be brought to Cabinet for approval to reprocure a new long-term contract from 2027.

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. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION

Nil items.

12. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT

Nil items.

The meeting ended at 7.35 p.m.

Mayor Lutfur Rahman