

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.34 P.M. ON TUESDAY, 27 JUNE 2017

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 Rachael Saunders	(Deputy Mayor and Cabinet Member for Health & Adult Services)
Councillor Rachel Blake	(Cabinet Member for Strategic Development & Waste)
Councillor Asma Begum	(Cabinet Member for Community Safety)
Councillor David Edgar	(Cabinet Member for Resources)
Councillor Abdul Mukit MBE	(Cabinet Member for Culture and Youth)
Councillor Joshua Peck	(Cabinet Member for Work & Economic Growth)
Councillor Amy Whitelock Gibbs	(Cabinet Member for Education and Children's Services)

Other Councillors Present:

Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Denise Jones	(Chair of the Overview and Scrutiny Committee)
Councillor John Pierce	(Mayoral Advisor on Anti-Social Behaviour)
Councillor Andrew Wood	

Apologies:

Councillor Amina Ali	(Cabinet Member for Environment)
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Officers Present:

Zena Cooke	(Corporate Director, Resources)
Ann Corbett	Divisional Director - Community Safety
David Courcoux	(Head of the Mayor's Office)
Fiona Crehan	(High Streets and Town Centres Manager, Place)
Paul Dunn	ASB Consultants
Debbie Jones	(Corporate Director, Children's)
Nancy Meehan	(Interim Improvement Manager, Children's Social Care)
Maxine Moar	Program Manager
Neville Murton	(Divisional Director, Finance, Procurement & Audit)
Denise Radley	(Corporate Director, Health, Adults & Community)
Michael Ritchie	(Principal Officer - Place Shaping)
Andy Scott	(Head of Economic Development, Place)

Ann Sutcliffe	(Divisional Director, Property & Major Programmes)
Will Tuckley	(Chief Executive)
Owen Whalley	(Divisional Director, Planning & Building Control)
Graham White	(Acting Corporate Director, Governance)
Matthew Mannion	(Committee Services Manager, Democratic Services, Governance)
Nadir Ahmed	(Business Support Manager, Place)
David Knight	(Senior Democratic Services Officer)

AGENDA ORDER AND ANNOUNCEMENTS

Agenda Order

At the meeting the Mayor agreed to change the order of business such that Agenda Item 5.3 (Revised Character Appraisals and Management Guidelines for Driffield Road and Medway Conservation Areas) was taken after Agenda Item 4 (Overview and Scrutiny Committee). All other items were taken in order. For clarity, the minutes are set out in the order the items appeared on the agenda.

Announcements

Before moving on to the main items of business the Mayor brought the meeting up to date with progress on assessing fire risk in the Council's housing stock following the Grenfell Tower fire. He thanked officers and Members who had been working hard on this issue.

He also reported that cross-community work was taking place to reassure residents following recent terrorist attacks and again he thanked everyone who had been involved in this work.

Finally he thanked Graham White, Acting Corporate Director, Governance who was due to leave the service of the Council shortly for his hard work and support over the years and in particular over the last year whilst he had been the Acting Corporate Director.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Amina Ali (Cabinet Member for Environment).

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no Declarations of Disclosable Pecuniary Interests however Councillors Joshua Peck and Rachel Blake both declared personal interests in Agenda Item 5.3 (Revised Character Appraisals and Management Guidelines for Driffield Road and Medway Conservation Areas) and stated that they would leave the room for the duration of that item.

3. UNRESTRICTED MINUTES

RESOLVED

1. That the unrestricted minutes of the Cabinet meeting held on Tuesday 2 May 2017 be approved and signed by the Mayor as a correct record of proceedings.

4. OVERVIEW & SCRUTINY COMMITTEE

4.1 Chair's Advice of Key Issues or Questions

A number of Pre-Decision Scrutiny Questions were submitted in relation to the following agenda items:

- 5.1 – Response to OFSTED SIF Inspection
- 5.4 – Town Centre Wifi Programme
- 5.5 – Update on the Civic Centre Project
- 5.9 – List of Executive Mayoral Decisions

The questions and officer responses were tabled and considered during the discussion of the relevant items.

In addition Councillor Denise Jones, Chair of the Overview and Scrutiny Committee (OSC), provided an update on their meeting the previous week. She reported on a number of issues the Committee had considered, including:

- They had received an update on the risk assessment work being undertaken on the Council's housing stock and discussed how OSC would continue to monitor the issue.
- There had been a spotlight session on the Cabinet Member for Resources and in particular the Committee had asked for clarity on the timing and detail of proposed budget savings.
- The Committee had received an update on the improvement plans following the OFSTED review.
- The Committee also discussed its work planning for the year ahead.
- Finally, she reported that the Committee had established its Sub-Committees for the year but would be reconsidering Lead Member appointments at its next meeting.

The Mayor thanked Councillor Denise Jones for her update.

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

Nil items.

5. UNRESTRICTED REPORTS FOR CONSIDERATION

5.1 Response to OfSted SIF Inspection

Councillor Amy Whitelock Gibbs, Cabinet Member for Children's Services, introduced the report. She highlighted that support for the most vulnerable children and families was one of the Council's most important functions and it was important to bring forward the urgently needed improvements.

She explained that the response was built around four specific themes, namely:

- Leadership, Management and Governance
- A robust model of social work practice
- A sufficient and skilled workforce
- Quality assurance and audit.

It was emphasised that completing the improvement work would take time but that it was important to see changes beginning to work as quickly as possible and indeed that there had already been some signs of improvement.

During discussion a number of issues were raised including:

- Ensuring errors around thresholds were acknowledged and corrected.
- Needing rigour around Special Guardianship orders.
- The need to explore reporting standards around fostering placements.
- That the improvement plan was a living document and would be amended as required over time.

The **Mayor** welcomed the report, seeing it as a very important matter to discuss and that would come back again at future dates. He thanked everyone involved in working on the improvement plan. He also noted the questions from Scrutiny and the responses provided. Finally, he **agreed** the recommendation as set out.

RESOLVED

1. To note the contents of the report and approve the submission of the Improvement Plan to the Department for Education by the 20 July 2017.

5.2 Anti-Social Behaviour - A Blueprint for Local Action in Tower Hamlets

Councillor Asma Begum, Cabinet Member for Community Safety, introduced the report. She explained that tackling anti-social behaviour (ASB) was a top priority for residents and this report set out how the Council and its partners would look to tackle the issue. The report also highlighted significant investment being made to support the plan.

Ann Corbett, Divisional Director, Community Safety, then took Members through the report in more detail including looking at the priorities, how victims

were being put at the heart of the process and the importance of partnership and neighbourhood management models.

Councillor Peter Golds, Leader of the Conservative Group, addressed the meeting. He welcomed the aspirations of the report but questioned whether it was robust enough to tackle the many issues set out.

Members discussed the report and a number of points were raised including:

- The need to tackle problems on housing estates.
- How ASB needed to be tackled in conjunction with partners.
- Particular issues were noted such as drug taking and car racing.

The **Mayor** welcomed the report, noting that it was a developing policy with a new Cabinet Member leading on the work, supported by Councillor John Pierce as a Mayoral Advisor on the work. He noted some of the actions that were already taking place such as trialling new road humps to reduce speeding. He highlighted the issue as an ongoing priority area and stated that he welcomed the active role of Scrutiny in monitoring the progress. He noted the pre-decision scrutiny questions and answers and **agreed** the recommendation as set out.

RESOLVED

1. To approve the new approach to tackling anti-social behaviour set out in the document “Anti-Social Behaviour – A Blueprint for Local Action in Tower Hamlets” attached to the report.

5.3 Revised Character Appraisals and Management Guidelines for Driffield Road and Medway Conservation Areas

Councillor Rachel Blake withdrew from the meeting for the duration of this item. Councillor Joshua Peck did the same after providing an update on the extent of his involvement in the issue to date.

The Mayor introduced the report, reminding the meeting that this followed on from a discussion of the issue at a previous Cabinet and that there had also been numerous discussions at other groups and meetings. He highlighted the preferred officer decision and also the alternative options available.

Tom Gill, local resident, addressed the meeting urging the Mayor to allow residents the ability to extend their homes to meet the needs of their families. He considered that the proposals were modest and that there were mitigation measures set out.

The Mayor also noted written objections that had been submitted that referenced the historic environment, suggested lack of public support and issues with divided properties amongst other points.

During discussion officers confirmed that, should the mayor agree the alternative proposal, they would need to set out a process for agreeing

mitigation contributions. It was also noted that relations between different leaseholders were not planning matters.

The **Mayor** indicated that he was minded to agree the alternative recommendation to allow the additional rights to residents to extend their properties. He noted the objections raised but also the mitigation measures available.

The **Mayor agreed** the alternative option as listed in the report.

RESOLVED

1. To pursue a more permissive approach to mansard roof extensions in the Driffield Road and Medway conservation areas by adopting the Revised Character Appraisals and Management Guidelines (Appendix 2A to the report) and the enhancement guidance documents (Appendix 2B to the report).

5.4 Town Centre Wi-fi Programme

Councillor Joshua Peck, Cabinet Member for Work and Economic Development, introduced the report. He highlighted that broadband speeds in London were generally quite slow and that Tower Hamlets had the slowest speeds in London. It was therefore important to take action to improve the situation. This proposal was a positive and exciting new investment in the future of the Borough.

During discussion it was noted that a Communications Plan was in development to alert residents to the project.

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

RESOLVED

1. To authorise the procurement of a Provider for the provision of free public Wifi network in the borough through the deployment of technology on Council-owned street furniture via a concession agreement;
2. To authorise Corporate Director, Place, following consultation with the Lead Member, to award a concession contract and approve other ancillary or related contractual documentation, on the basis of the most economically advantageous tender following a compliant procurement exercise;
3. To authorise Corporate Director, Governance, following consultation with Corporate Director, Place, to enter into and execute all necessary documents to give effect to recommendation 2;

4. To note that a further report will be presented to the Mayor in Cabinet regarding the proposed Fibre and Ducting concession agreement to be procured; and
5. To note that the delivery plan and outcomes for the Digital Inclusion Training programme and Project Manager role will be agreed with the Lead Member.

5.5 Update on the Civic Centre Project

The Mayor introduced the report. He explained that the costs and benefits of the proposals had been thoroughly examined and that it was the right decision to go ahead with the project.

He noted the exempt appendix to the report. He agreed that it was exempt for the reasons set out, namely that:

“The appendix sets out certain details of the proposed funding strategy for the project; the premature publication of this information could prejudice the council in future negotiations with potential contractors. The report also contains information relating to potential sale receipts of council-owned buildings that may be proposed for disposal; the publication of this could jeopardise the council’s ability to secure the best consideration, reasonably obtainable, when taking those sites to the market. The report also lists details of potential rental payments for the council’s current accommodation and possible alternatives; publication of this information could prejudice the council in negotiations. “

During discussion of the report it was noted that it provided a good account of the current state of the project and the next steps. It was also reported that the Overview and Scrutiny Committee were considering holding a spotlight session to examine the project in more detail.

Councillor Peter Golds, Leader of the Conservative Group, addressed the meeting to thank officers for continuing to provide briefings on the progress of the project and to highlight that he would be continuing to monitor the financial viability as the work developed.

The **Mayor** noted the pre-decision scrutiny questions and tabled answers and **agreed** the recommendations as set out.

RESOLVED

1. To note the design development work to date (section 6 of the report) and the proposal for a different scheme to that which formed the basis of the November 2015 Cabinet report (section 5 of the report);
2. To note the cost update (section 7 of the report);

3. To adopt a capital estimate of £105 million for the construction and related costs associated with the building of the new civic centre;
4. To authorise the Divisional Director, Property & Major Programmes, to negotiate and agree a revised fee for the architect-led multi-disciplinary design team up to the end of RIBA Stage 3 (Developed design), subject to the agreed fee representing no more than 4% of the core construction cost of the project (para 7.18 of the report);
5. To authorise the Divisional Director, Property & Major Programmes, to issue a Voluntary Ex Ante Transparency (VEAT) notice to the OJEU if required and to enter into any contractual documentation to implement the above decision;
6. To note the updated financial appraisal and business case that sets out the positive Net Present Value on the civic centre project (section 8 of the report);
7. To note the update in relation to disposals (section 9 of the report)
8. To note the difference between assets that have been identified to be sold to support the funding of the civic centre project and those that will be realised solely and exclusively as a result of proceeding with the civic centre scheme (para 6.3);
9. To note the improved capital receipts from assets sold to date and forecast to be achieved (para 6.8 and exempt report);
10. To note that the funding available to support the development of the new civic centre from those assets identified in November 2015 for sale has, and is forecast to, grow and that the net borrowing requirement is reduced as a result;
11. To confirm that funding of the civic centre can be made available from either the utilisation of cash reserves, the asset sales identified in this paper, or from borrowing (or a combination of those three funding sources) with a final decision on funding and financing to be taken prior entering into the design and build contract in 2018;
12. To authorise the use of prudential borrowing to cover the gap between forecast project costs and other sources of capital including capital receipts;
13. To note the update on surveys, soft strip and asbestos (section 10 to the report);
14. To note the update in relation to procurement (section 11 to the report);
15. To authorise the Chief Executive, as Project Sponsor, to enter into a Pre-Construction Services Agreement, and subsequently the design and build contract, on the basis of the most economically

advantageous tender submitted following a compliant procurement exercise, together with any other ancillary or related contractual documentation;

16. To authorise the Chief Executive to initiate an OJEU restricted procurement exercise for the design and build contractor if the outcome of the mini-competition under the Southern Construction Framework in terms of the lack of competition or inadequate bids returned is unsatisfactory (para 11.16 of the report);
17. To authorise the Chief Executive to procure and appoint an Employer's Agent on the basis of the most economically advantageous tender submitted following a compliant procurement exercise, together with other ancillary or related contractual documentation;
18. To note the update in relation to the proposed publicly-accessible local presence on the ground floor of the new civic centre (section 12 of the report);
19. To note the update in relation to planning and listed building consent (section 13 to the report);
20. To note the high-level programme (section 14 to the report)
21. To note the proposal in relation to communication and engagement (section 15 to the report); and
22. To note the key risks (section 23 to the report).

Plus Recommendations from the Exempt Appendix:

1. To adopt the capital estimate set out in the Exempt Appendix as a client-held contingency.
2. To authorise the Chief Executive, in his capacity as the Project Sponsor, to consider and approve requests for draw-down against the proposed client contingency fund, subject to a report to the Project Board.
3. To note the exempt information relating to the financial appraisal and business case.
4. To note the exempt disposal values.
5. To note the update in relation to business continuity.

5.6 Strategic Performance and Corporate Revenue and Capital Budget Outturn 2016/17

The Mayor introduced the report in conjunction with Councillor David Edgar, Cabinet Member for Resources.

The **Mayor** noted the financial results set out including the slight underspend for the last financial year and then the larger underspend on the Housing Revenue Account due to certain anticipated government actions not taking place. It was noted that most, but not all, proposed Council savings had been achieved. There were also good collection rates on council tax and business rates. The **Mayor agreed** the recommendations as set out.

RESOLVED

1. To note the Council's provisional revenue outturn position as at 31 March 2017 as detailed in Sections 3 to 5 of the report.
2. To note the Council's provisional capital outturn position as at 31 March 2017 as detailed in Section 6 of the report.
3. To note the position in achieving approved savings in 2016-17.
4. To note the key Balance Sheet indicators.
5. To note that the position set out in this report is subject to the preparation of the Council's statutory financial accounts and external audit processes.

5.7 Clear Up Project Final Report

The Mayor introduced the report into the Clear Up project. Graham White, Acting Corporate Director, Governance and Interim Monitoring Officer, then took Members through the report and the process that had been followed through the clear up project. He emphasised that the report submitted by the independent investigator was presented here unaltered. This was a good example of the increased transparency under which the Council was now operating.

The updated appendix to the original report was noted.

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

RESOLVED

1. To note the report.

5.8 List of Corporate Directors' Decisions

The **Mayor** noted the listed corporate director decisions and **agreed** the recommendation as set out.

RESOLVED

1. To note the decision taken which are set out in Appendix 1 to the report.

5.9 List of Executive Mayoral Decisions

The **Mayor** noted the reported Individual Mayoral Decisions and **agreed** the recommendation as set out.

RESOLVED

1. To note the Individual Mayoral Decisions set out in the Appendices 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 7.30 p.m.

MAYOR JOHN BIGGS