

LONDON BOROUGH OF TOWER HAMLETS**MINUTES OF THE CABINET****HELD AT 6.02 P.M. ON WEDNESDAY, 26 SEPTEMBER 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 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 Kahar Chowdhury	
Councillor Peter Golds	
Councillor Abdal Ullah	
Councillor Andrew Wood	(Leader of the Conservative Group)

Officers Present:

Monju Ali	(Project Officer)
Mark Baigent	(Interim Divisional Director, Housing and Regeneration)
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)
Sharon Godman	(Divisional Director, Strategy, Policy and Partnerships)
Asmat Hussain	(Corporate Director, Governance and Monitoring Officer)
David Jones	(Interim Divisional Director, Adult Social Care)
Debbie Jones	(Corporate Director, Children's)
Alan McCarthy	(Asset Strategy Capital Delivery & Property Services)

Christine McInnes	(Divisional Director, Education and Partnership, Children's)
Mark Norman	(Legal Adviser & Deputy Monitoring Officer)
Denise Radley	(Corporate Director, Health, Adults & Community)
David Tolley	(Head of Environmental Health and Trading Standards)
Will Tuckley	(Chief Executive)
Richard Baldwin	(Divisional Director, Children's Social Care)
Aaron Cahill	(Project Manager - Housing Strategy)
Karen Proudfoot	(Interim Head of Communities and Enforcement)
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 Ann Sutcliffe (Acting Corporate Director, Place), Richard Chilcott (Acting Divisional Director, Property and Major Programmes) was substituting.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillors Sirajul Islam and Abdul Ullah made Declarations of Disclosable Pecuniary Interests in agenda item 6.4 (Implementation of traffic management orders on HRA land) as they each rented a parking space on HRA land. They both left the room for the duration of that item.

Councillor Amina Ali noted an 'other interest' in that she was a Tower Hamlets Homes tenant but did not rent a parking space.

3. UNRESTRICTED MINUTES

RESOLVED

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 25 July 2018 be approved and signed by the Chair as a correct record of proceedings.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

There were no announcements.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions

Pre-Decision Scrutiny Questions were presented on agenda items 6.2 to 6.11 and 11.1. The questions, along with officers responses, were considered during the discussion of each individual item.

In addition Councillor Abdal Ullah, Chair of the Overview and Scrutiny Committee (OSC), provided an update on recent OSC meetings. He reported on a number of issues during a busy month including:

- Training sessions arranged for OSC Members including on how to effectively scrutinise service performance and on Chair's training.
- Training in relation to scrutinising the budget was due soon.
- Lengthy discussions with a wide ranging education focus at the most recent OSC meeting and a thank you to all those who had contributed to that discussion.
- Pre-decision scrutiny issues that had been examined including welcome discussions with officers around the proposals on traffic management orders on TRA land.

The Mayor thanked Councillor Abdal Ullah for his update.

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

Nil items.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Children's Services Improvement Programme, Quarterly Progress Report (Quarter 1 2018/19)

Councillor Danny Hassell, Cabinet Member for Children's Services, introduced the report. He highlighted the good work since the previous quarterly progress report had been presented to Cabinet. He then took Members through key activities that had taken place such as the recent OFSTED visit and spoke about a number of issues that were being tackled such as on reducing staff turnover by launching the social work academy.

During discussion Members noted a number of points including:

- The need to speed up initial health assessments.
- Praise in the OFSTED report for the virtual school.
- Ways of developing the skills of social workers.

The **Mayor** welcomed the report and also welcomed the support of the Overview and Scrutiny Committee in monitoring progress. He **agreed** the recommendations set out in the report.

RESOLVED

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.

6.2 Securing the future of Early Years services - phased closure of the three local authority childcare day nurseries

Councillor Danny Hassell, Cabinet Member for Children's Services, introduced the report. He highlighted that the issue had been under discussion for a number of years. He took Members through the reasons for the decision and the results of the recent, extensive, consultation exercise. He highlighted the financial challenges facing the authority and how the report set out alternative options for providing services to young children through other locations and service providers. He stated that there were no easy decisions but that given the challenges the Council faced the report recommended the best available course of action.

Cabinet then heard from parents of children attending the nursery. Members heard a number of concerns raised including:

- That the current nursery provision provided excellent support for children's with additional support needs such as those with autism.
- Integrated support was available from an earlier age than with other services.
- The nurseries were not being run at capacity.
- Concerns over the consultation's reach to all communities.
- Many other providers were term-time only and many also charged significantly more than the local authority nurseries.

Councillor Andrew Wood, Leader of the Conservative Group also addressed the meeting. He agreed that change was necessary but questioned the costs set out and whether all alternative options had been looking into.

Councillor Danny Hassell took the meeting through the points raised in particular setting out other services that were available and where the Council were exploring further options such as on holiday period support. Cabinet also specifically looked at the issue of supporting vulnerable children.

The **Mayor** noted the Pre-Decision Scrutiny Questions and responses presented. He thanked everyone for the contributions and acknowledged that this was a difficult decision and it was important to be aware of the national situation and the budget pressures being placed on the Council. He therefore reluctantly **agreed** the recommendations as set out in the report.

RESOLVED

1. To note the outcome of the consultation.
2. To approve implementation of the proposal for a phased closure of the LADNs.
3. To note the intention to hold an Early Years Summit to inform and develop the role of the Council in promoting sustainable, accessible and affordable childcare.

Note – at the end of this item the meeting was adjourned for three minutes (19:19 to 19:22) to allow members of the public to leave the meeting should they wish.

6.3 Chrisp Street Regeneration Scheme: CPO Resolution, dealings with the Council land/interests and Street Market Management Arrangements

Councillor Rachel Blake, Cabinet Member for Regeneration and Air Quality, introduced the report. She thanked the officers who had been involved in the project in dealing with the large amount of engagement that had taken place. She then set out the reasons why the Council was seeking authorisation to enter into the agreements on land transfers and compulsory purchase orders.

Cabinet then heard from local business owners who were supportive of the recommendations in the report and wished for the process to happen as quickly as possible to avoid any delays to the planned regeneration scheme.

The **Mayor** welcomed the report and thanked officers for their hard work. He noted the Pre-Decision Scrutiny Questions and officer responses provided. He **agreed** the recommendations set out in the report.

RESOLVED

1. In relation to the Compulsory Purchase Order

- 1.1 To authorise the making, seeking confirmation and implementation of a CPO under section 226(1) of the Town and Country Planning Act 1990 to include all land interests within the redline boundary on the plan at Appendix 1 (including but not limited to those specific interests identified at Appendix 2 to the report) in order to facilitate the redevelopment of the Site by CSDL and HARCA, to provide new and improved housing, retail, leisure and community facilities.
- 1.2 Subject to the Council entering into the Indemnity Agreement described in recommendation 1.3, to delegate to the Acting Corporate Director of Place the power to effect the making, confirming and implementation of the CPO and take all necessary steps, including the making of any ancillary orders and the exercise of any of the Council's Planning functions, to give effect to the CPO in respect of the area shown edged red on the plan at Appendix 1 to the report.
- 1.3 To delegate to the Acting Corporate Director of Place the authority to finalise the terms of, and enter into, the Indemnity Agreement substantially in the form set out at Appendix 8 to the report to provide a framework for the respective obligations of the Council and CSDL and Poplar HARCA in the promotion and application of powers, including land transfer and the ability for the Council to recover its costs in conducting and managing the CPO, including all compensation costs to be paid;

- 1.4 To delegate to the Acting Corporate Director of Place the authority to agree the terms of and enter into any documentation required to transfer and effect the transfer of any land interests, whether freehold, leasehold or otherwise which have been compulsorily acquired by the Council to Poplar HARCA/CSDL for a nil value consideration in accordance with the Indemnity Agreement and within a timescale to be agreed between the Council and Poplar HARCA/CSDL; and
 - 1.5 To delegate to the Acting Corporate Director of Place the authority to appoint external consultants to assess and agree any compensation due to the Council and to thereafter enter into any documentation to extinguish and/or to settle compensation for any infringement by the development of property rights benefitting Council-owned properties (including Rights to Light).
 - 1.6 To delegate to the Acting Corporate Director of Place the authority to require HARCA/CSDL to provide the necessary evidence to demonstrate that the option of refurbishment and/or retention of the existing buildings have been taken into account which may not otherwise deliver the full scheme benefits described in Section 6.14 to 6.19 of the report in order to authorise the making of the Order.
- 2 **In relation to the Council's land and property interests (other than those acquired pursuant to the CPO) and subject to any legislative and policy requirements,**
- 2.1 To delegate authority to the Acting Director of Place to agree the terms of and enter into any documentation required to settle any property rights / matters necessary to progress the regeneration scheme as detailed in sections 11.4 to 11.17 of the report.
- 3 **In relation to the Street Market arrangements,**
- 3.1 To agree the proposed relocation of the Street Market as broadly described on the temporary relocation plan of the Street Market (Appendix 12 to the report) and in Sections 16.3 -16.4 of the report, noting the intention to ensure continuous Street Market trading both during the project delivery and after and delegate to the Acting Corporate Director of Place authority to enter into any agreements or documentation, or take any steps or other action necessary, to give effect to this.
 - 3.2 Note the proposals concerning the future management of the Site set out at Sections 16.5–16.8 of the report and in Appendix 9 to the report (Long Term Estate Management Plan), including in particular HARCA/CSDL's proposal to employ a Town Centre Manager for the scheme;
 - 3.3 To delegate to the Acting Corporate Director of Place, after consultation with the Mayor, the authority to nominate and appoint

up to two Council representatives (one Member and one Officer, or two Officers) to act as directors of the Chrisp Street Management Company, subject to being satisfied with the governing documents of the company, and to do all required, including execution of documentation, to give effect to that decision; and

- 3.4 To delegate to the Acting Corporate Director of Place authority to agree the terms of and thereafter enter into a management agreement (or variation to the existing management agreement) between the Council and Poplar HARCA and/or CSDL in respect of the market area.

6.4 Implementation of traffic management orders on HRA land

[Note – Councillors Sirajul Islam and Abdal Ullah left the meeting room for the duration of this item due to having Disclosable Pecuniary Interests in the report.]

Councillor David Edgar, Cabinet Member for Environment introduced the report. He explained the practical problems Councils were having enforcing traffic management on housing association land and how it was necessary to introduce traffic management orders to allow proper enforcement. He also highlighted a number of proposed policy changes.

The **Mayor** welcomed the report and noted the pre-decision scrutiny questions and responses. He noted that officers would need to be aware of issues around visitor parking and also explore options for health care visitors but that this general policy framework would allow for that and for local variation if that was useful. He **agreed** the recommendations as set out.

RESOLVED

- 1 To approve the Non Residential Assets Policy set out in Appendix 1 to the report which includes the following;
 - a. The introduction of a 6 or 12 month permit system operating to the proposed parking space charges set out in paragraph 3.5.2 of the report.
 - b. The withdrawal of the Any Other Vehicle Permit
 - c. Limits of parking permits on housing land to two per household
 - d. That nomination of car spaces to those living out of the borough is stopped.
 - e. That staff affected by this change will be able to apply for a space under an essential car user policy and criteria (see paragraph 3.5.2 of the report).
- 2 To approve changes outlined in the main report specifically;
 - a. The process set out in paragraph 3.5.3 of the report for managing the loss of garages and car spaces on infill sites where the development of affordable accommodation is proposed
 - b. That TMOs are used on all new car free development sites

- 3 To authorise the Divisional Director of Public Realm to undertake informal and statutory consultation under the provisions of the RTRA 84 on a phased area by area or estate by estate basis in relation to introducing controlled parking on HRA land.
- 4 To delegate to the Divisional Director of Public Realm under powers commensurate with the RTRA 84, the decision making ability to make the necessary Traffic Management Order on HRA land and to consult with the Mayor and Lead Member for Housing if any objections/representations are received during the consultation period;
- 5 To authorise the Divisional Director of Public Realm to make the appropriate contractual arrangements to enforce the TMOs by providing a contractor with the authority to issue Penalty Charge Notices on behalf of the Council;
- 6 To authorise the Acting Director of Place to establish a decision making framework against which officers will determine applications for borough residents who are not THH tenants or leaseholders during a transition phase. Permits allocated will be for one year and may be reallocated under the policy in Appendix 1 to the report, priority letting list.

6.5 Pan-London Homeless Prevention Procurement Hub ("Capital Letters")

The Mayor introduced the report on the pan-London homeless prevention procurement hub. He welcomed it as a positive response to the issue of homelessness. He noted the pre-decision scrutiny questions and officer responses and **agreed** the recommendations as set out in the report.

RESOLVED

1. To note the £38 million over three years potentially being made available by MHCLG specifically for pan-London collaboration on the procurement of accommodation for homeless households.
2. To approve the decision to join "Capital Letters", a Company Limited by Guarantee that will be established by the London boroughs, as an A member.
3. To appoint the Interim Divisional Director of Housing and Regeneration, as the Council's Company Member Representative.
4. To delegate authority to the Corporate Director, Place, to approve operational arrangements for staff secondment and procurement via the company.

6.6 61 Vallance Road - Grant of lease

The **Mayor** introduced the report and the proposals set out.

During discussion it was noted that it would be important to ensure the maximum possible benefits to local residents and to that end officers were asked to meet with the Mayor and Lead Member on how this would be ensured.

The exempt appendix and the pre-decision scrutiny questions and responses were noted.

RESOLVED

1. To grant approval for a lease to be granted to ADA on the basis of a 5 year term for an annual charge of £75k per annum inclusive of rent.
2. To delegate to the acting Corporate Director of Place, following consultation with the Corporate Director of Governance, the ability to agree the detailed terms of the lease and any other agreements.

6.7 Compulsory purchase of an empty home

The **Mayor** introduced the report. He noted that the house had been abandoned for a long period of time and so it was proposed to undertake a compulsory purchase. He noted that the Council had attempted to engage with the owner over a number of years without success.

The exempt appendices and the pre-decision scrutiny questions and responses were noted. The **Mayor agreed** the recommendations as set out.

RESOLVED

1. To approve the compulsory purchase of the property and its retention by the council for homelessness relief over a period of five years before its sale on the open market.
2. To note the specific equalities considerations as set out in Paragraph 4.1 of the report.

6.8 Spitalfields Community Governance Review

The recommendations were amended and then agreed.

The Mayor introduced the report. He set out the background for the review, which was triggered by receipt of a petition.

Cabinet then heard from an organiser for the 23 July 2018 petition and a representative from the National Association of Local Councils, who raised a number of concerns with the proposals including:

- Approval of the Terms of Reference should be delayed to allow further consideration by petitioners;
- The proposed consultation area is too wide;
- Timetable should allow more time for the first phase of consultation;
- Consultation methods should include public meetings;
- The phrasing of consultation questions could be misleading;
- Consideration should be given to a referendum.

Councillor Abdal Ullah, Chair of the Overview and Scrutiny Committee (OSC) also addressed the meeting. He asked if the name of the proposed Town Council could be amended to more closely reflect the current ward name of Spitalfields & Banglatown.

Councillor Andrew Wood, Leader of the Conservative Group also addressed the meeting. He welcomed the proposal for a Town Council in Spitalfields and urged the Mayor to recognise it as a positive step to promote local democracy.

The **Mayor** noted the Pre-Decision Scrutiny Questions and responses presented. He thanked everyone for the contributions. There was a brief discussion of the points raised by the contributors. The Mayor asked officers to explore if there may be scope to amend the review timetable to better accommodate the petitioners' request. He **agreed** the recommendations as set out in the report, with an amendment.

RESOLVED

1. To agree the proposed Terms of Reference of the Community Governance Review as set out in Appendix 1 to the report subject to any alterations to the review timetable that the Corporate Director, Governance considers appropriate.
2. To note that the Terms of Reference trigger a Community Governance Review of the Spitalfields area, based on the map submitted with the original petition.
3. To note the draft consultation brochure set out in Appendix 2 to the report, the final version of which will be included as part of the consultation documentation.

6.9 OSC Brexit Challenge Session Report - Action Plan

Councillor Amina Ali, Cabinet Member for Culture, Arts and Brexit, introduced the report on the action plan following the Overview and Scrutiny Committee's Brexit Challenge Session. She took Members through the recommendations in the action plan and some of the activities that had already taken place.

The **Mayor** welcomed the report and welcomed it as a useful springboard into the planned Brexit Commission. He noted the pre-decision scrutiny questions and responses and **agreed** the recommendation as set out.

RESOLVED

1. To agree the Action Plan document set out as Appendix 2 to the report.

6.10 Food Law Enforcement Service Plan

Councillor David Edgar, Cabinet Member for Environment, introduced the report. He explained that it provided information on important work the Council undertook to ensure food was made and sold in hygienic conditions. He noted that it was proposed for future reports that the results would be published on the website rather than presented in a report to Cabinet.

Councillor Andrew Wood, Leader of the Conservative Group, addressed Cabinet. He highlighted the importance of residents being aware of the ratings for the different premises.

The **Mayor** welcomed the report, noted the pre-decision scrutiny questions, and **agreed** the recommendations as set out.

RESOLVED

1. To approve the Tower Hamlets Food Law Enforcement Service Plan 2018//2019 and Food Sampling Policy attached at Appendix One of the report.
2. To delegate the sign off of the Food Law Enforcement Service Plan to the Corporate Director in consultation with the lead Member. The findings and recommendations within the annual review will be included in the strategic plan.
3. To agree the Food Law Enforcement Service Plan will be published on the Councils website.

6.11 Contracts Forward Plan 2018/19 – Quarter Two

Councillor Candidate Ronald, Cabinet Member for Resources, introduced the report on planned procurements. She also highlighted Appendix 3 which set out the annual procurement report for 2017/18 which set out procurement related information such as the community benefits which had been procured.

The **Mayor** welcomed the report. He noted the pre-decision scrutiny questions and officer responses and in particular noted concerns raised about the impact of filming contracts. He suggested this was an area that the Overview and Scrutiny Committee may wish to examine. He **agreed** that all contracts set out could proceed to award and agreed the recommendations on that basis.

RESOLVED

1. To note the contract summary at Appendix 1 to the report and agree that all contracts set out can proceed to contract award after tender.
2. To authorise the Divisional Director - Legal Services to execute all necessary contract documents in respect of the awards of contracts.
3. To note the procurement forward plan 2018-2022 schedule detailed in Appendix 2 to the report and identify any contracts about which further detail is required in advance of the quarterly forward plan reporting cycle.
4. To review the annual procurement report 2017-2018 set out in Appendix 3 to the report and note the achievements against the Councils Procurement Strategy.

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**11.1 Future Management of the Integrated Community Equipment Service**

Councillor Denise Jones, Cabinet Member for Adults, Health and Wellbeing, introduced the report. She noted that the report had originally been published as exempt but was now unrestricted. She took Members through the benefits of the services to those who needed support to maximise their independence.

She explained that the proposals were to integrate with 18 other boroughs in order to provide a better to service users and that there were savings for the Council as well.

The **Mayor** noted the pre-decision scrutiny questions and officer responses, he **agreed** the recommendations set out on the basis that this proposal would provide both a saving to the Council and also an improved service to residents.

RESOLVED

1. To support awarding a contract to Medequip for the Community Equipment Service via a call-off from the framework agreement procured by Hammersmith & Fulham, for four years, from 1st April 2019 to 31st March 2023. The contract will have an option to extend for a further two years which will give the Council and the CCG further service stability. The estimated value is circa £6.1 million over the 4 year contract period and circa £9.3 million over 6 years (if the extension was utilised).
2. To delegate award of the outsourcing contract and further extension to the Corporate Director, Health, Adults & Community.
3. To note the recommendation will enable delivery of the savings target for CES of £308,000 for 2019/20 as agreed by the Cabinet in the MTFS plan.
4. To note the early surrender of the lease on the Yeo St premises (12 years unexpired) would result in the landlord paying the Council an estimated £900,000 as a surrender premium. This would be a one-off payment back to the Council, and in part be utilised to cover the one-off moving and setup costs.
5. To authorise the surrender of the lease on the Yeo St premises and delegate authority to the Corporate Director, Place to agree the terms.

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

Nil items.

The meeting ended at 9.00 p.m.

MAYOR JOHN BIGGS