

## OFFICER AUTHORITY

To: Daniela Licciardo  
Legal Services

Date: 04/12/2018

### SUBJECT MATTER:

Section 75 Agreement between The London Borough of Tower Hamlets and Tower Hamlets Clinical Commissioning Group (CCG) in line with the Cabinet Decision dated 31 of October 2017, agenda Item 5.9.

### AUTHORITY:

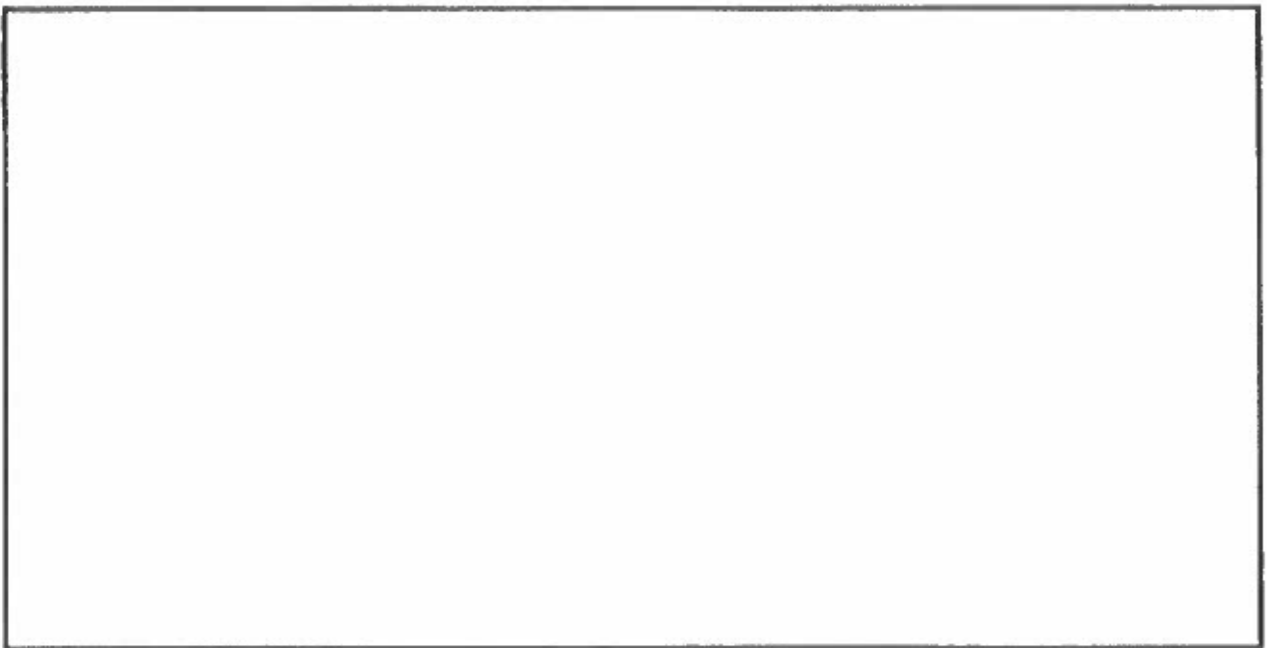
- (i) Cabinet Decision dated 31 October 2017


Are there any documents attached?: Yes (if yes please state how many) : Cabinet Decision dated 31 October 2017, agenda Item 5.9

Signed:  .....

Print Name: RICHARD BROWN .....

Designation: DIVISIONAL DIRECTOR .....



<b>Cabinet</b> 31 October 2017	 <b>TOWER HAMLETS</b>
<b>Report of: Zena Cooke – Corporate Director, Resources</b>	<b>Classification:</b> Unrestricted
<b>Contracts Forward Plan – Quarter Three (FY2017-2018)</b>	

<b>Lead Member</b>	Councillor David Edgar, Cabinet Member for Resources
<b>Originating Officer(s)</b>	Zamil Ahmed – Head of Procurement
<b>Wards affected</b>	All wards
<b>Community Plan Theme</b>	One Tower Hamlets
<b>Key Decision</b>	Yes

## 1. EXECUTIVE SUMMARY

- 1.1. The Council's Procurement Procedures require a quarterly report to be submitted to Cabinet, setting out a forward plan of supply and service contracts over £250K in value, or capital works contracts over £5m. This provides Cabinet with the visibility of all high value contracting activity, and the opportunity to request further information regarding any of the contracts identified. This report provides the information in quarter three of the current Financial Year.
- 1.2. Only contracts which have not previously been reported are included in this report.

## 2. DECISION REQUIRED:

The Mayor in Cabinet is recommended to:

- 2.1. Consider the contract summary at Appendix 1, and identify those contracts about which specific reports – relating to contract award – should be brought before Cabinet prior to contract award by the appropriate Corporate Director for the service area
- 2.2. Confirm which of the remaining contracts set out in Appendix 1 can proceed to contract award after tender
- 2.3. Authorise the Divisional Director - Legal Services to execute all necessary contract documents in respect of the awards of contracts referred to at recommendation 2.2 above
- 2.4. Review the procurement forward plan 2017-2022 schedule detailed in Appendix 2 and identify any contracts about which further detail is required in advance of the quarterly forward plan reporting cycle

**3. REASONS FOR THE DECISIONS**

3.1. 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 three of the current financial Year.

**4. ALTERNATIVE OPTIONS**

4.1. 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.

**5. BACKGROUND**

5.1. Council's procurement procedures and processes have undergone major improvements to ensure they are clear, concise and transparent. Our systems, documents and guidance to suppliers have been transformed to ensure they reflect best practice in Public Sector procurement. Our efforts in maintaining effective dialogue with our bidders during the procurement process has helped to minimise procurement challenges.

5.2. To ensure the Council continues to be recognised for its sound procurement practices and effective engagement with the supply community, it is imperative that delays in contract award are minimised and adherence to the timetable outlined within our Invitation to Tender documentation.

5.3. The importance of procurement as an essential tool to deliver Councils wider social, economic and environmental aims has resulted in the need to ensure effective elected Member engagement in the pre-procurement and decision making process as identified in the recent Best Value audit.

5.4. This report provides the forward plan for quarter two of the current financial Year in Appendix 1, and gives Cabinet Members the opportunity to select contracts about which they would wish to receive further information, through subsequent specific reports.

5.5. Additionally, the report also includes a Procurement Forward Plan 2017-2022 to provide Mayor and Cabinet members with high level visibility of our planned procurement activity and the opportunity to be engaged in advance of the procurement cycle. The structure and value of the contracts listed within may change as part of the re-commissioning strategy.

**6. FORWARD PLAN OF CONTRACTS**

6.1. Appendix 1 details the new contracts which are planned during the period Q3 of the Financial Year. This plan lists all of the new contracts which have been

registered with the Procurement Service, and which are scheduled for action during the reporting period.

- 6.2. Contracts which have previously been reported are not included in this report. Whilst every effort has been made to include all contracts which are likely to arise, it is possible that other, urgent requirements may emerge. Such cases will need to be reported separately to Cabinet as individual contract reports.
- 6.3. Cabinet is asked to review the forward plan of contracts, confirm its agreement to the proposed programme and identify any individual contracts about which separate reports – relating either to contracting strategy or to contract award – will be required before proceeding.
- 6.4. Equalities and diversity implications – and other One Tower Hamlets issues – are addressed through the Council's Tollgate process which provides an independent assessment of all high value contracts, and ensures that contracting proposals adequately and proportionately address both social considerations and financial ones (such as savings targets). The work of the Competition Board and Corporate Procurement Service ensures a joined-up approach to procurement.
- 6.5. The Tollgate process is a procurement project assurance methodology, which is designed to assist in achieving successful outcomes from the Council's high value contracting activities (over £250K, for revenue contracts, and £5m, for capital works contracts which have not gone through the Asset Management Board approval system). All Tollgate reviews are presented to Competition Board; contracts require approval of the Board before proceeding.

## **7. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 7.1. This report describes the quarterly procurement report of the forward plan for quarter two of the Financial Year and beyond, to be presented to Cabinet for revenue contracts over £250K, in value and capital contracts over £5m.
- 7.2. Approximately £578.89m of goods, services and works will be procured from external suppliers. Procured services comprise around 40% of the Council's annual expenditure and control of procurement processes is thus crucial to delivering value for money for tax payers as well as managing the risks that may arise if procurement procedures go wrong. Consideration of the plan by Cabinet operates as an internal control and also provides the opportunity for the Mayor to comment on specific procurements at an early stage.
- 7.3. Appendix 1 details three contracts that will be out to tender in quarter three of 2017/18. The annual value of these contracts is approximately £76.59m and the cost of these will be met from existing budgets.

## **8. LEGAL COMMENTS**

- 8.1. The Council has adopted financial procedures for the proper administration of its financial affairs pursuant to section 151 of the Local Government Act 1972. These generally require Cabinet approval for expenditure over £250,000 for revenue contracts and £5m for capital works contracts.

8.2. Cabinet has approved procurement procedures, which are designed to help the Council discharge its duty as a best value authority under the Local Government Act 1999 and comply with the requirements of the Public Contract Regulations 2015. The procurement procedures contain the arrangements specified in the report under which Cabinet is presented with forward plans of proposed contracts that exceed specified thresholds. The arrangements are consistent with the proper administration of the Council's financial affairs.

8.3. Pursuant to the Council's duty under the Public Services (Social Values) Act 2012, as part of the tender process and where appropriate, bidders will be evaluated on the community benefits they offer to enhance the economic social or environmental well-being of the borough. This is in accordance with the Council's Procurement Policy Imperatives adopted at Cabinet on 9<sup>th</sup> January 2013. The exact nature of those benefits will vary with each contract and will be reported at the contract award stage. All contracts delivered in London and which use staff who are ordinarily resident in London will require contractors to pay those staff the London Living Wage. Where workers are based outside London an assessment will be carried out to determine if the same requirement is appropriate.

8.4. When considering its approach to contracting, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). Officers are expected to continuously consider, at every stage, the way in which procurements conducted and contracts awarded satisfy the requirements of the public sector equality duty. This includes, where appropriate, completing an equality impact assessment as part of the procurement strategy, which is then considered as part of the tollgate process.

#### 9. BEST VALUE (BV) IMPLICATIONS

9.1. The Council is required to consider the value for money implications of its decisions and to secure best value in the provision of all its services. The Council procures annually some £350m of supplies and services with a current supplier base of approximately 3,500 suppliers. The governance arrangements undertaken such buying decisions are set out in the Council's Procurement Procedures, which form part of the Financial Regulations.

9.2. Contracts listed in Appendix One are all subject to the Council's Tollgate process which involves a detailed assessment by Competition Planning Forum and Competition Board of the procurement strategy to ensure compliance with existing policies, procedures and best value duties prior to publication of the contract notice.

#### 10. ONE TOWER HAMLETS CONSIDERATIONS

10.1. Equalities and diversity implications – and other One Tower Hamlets issues – are addressed through the tollgate process, and all contracting proposals are required to demonstrate that both financial and social considerations are adequately and proportionately addressed. The work of the Competition Board and Corporate Procurement Service ensures a joined-up approach to council's procurement activities.

**11. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 11.1. Contracts are required to address sustainability issues in their planning, letting and management. This is assured through the Tollgate process, and supported through the Corporate Social Responsibility work stream.

**12. RISK MANAGEMENT IMPLICATIONS**

- 12.1. Risk management is addressed in each individual contracting project, and assessed through the tollgate process.

**13. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 13.1. There are no specific crime and disorder reduction implications.

**14. EFFICIENCY STATEMENT**

- 14.1. Contract owners are required to demonstrate how they will achieve cashable savings and other efficiencies through individual contracting proposals. These are then monitored throughout implementation.

**15. APPENDICES**

Appendix 1 – new contracts planned: Q3 of the Financial Year and beyond.

Appendix 2 - Procurement Forward Plan 2017 -2022

Appendix one – new contracts planned: Q3 of the Financial Year 2017-18

HAC5252 - Teresa House and Hamlets Way high support mental health accommodation		Contract Ref & Title
Health and Social Care	Funding: Joint Commissioning	Procurement Category:
01/11/2017	Contract Duration: 36 months with 2 x 12 month options to extend	Invitation Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>
£572,985	Value Total: £1,719,900 (Excluding extensions)	Value P/A:
18/09/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	Reviewed by Competition Board <input checked="" type="checkbox"/>

**Scope of Contract**

Teresa House / Hamlets Way services are high support mental health accommodations, contracted by the Commissioning and Health. This contract is commissioned to deliver the aims and targets of the Mental Health Accommodation Strategy, agreed by Cabinet in March 2011. Specifically the supported accommodation is of key strategic relevance and vital in securing the delivery of the Strategy in terms of:

- Reducing the use of out of Borough expensive residential units;
- Improving service user experience and outcomes by increasing in-borough supported tenancies as a stepping stone to independent living and broader recovery.

The service is for 32 service users, in two separate locations, all of whom are subject to enhanced CPA processes, care managed by community mental health teams in the borough. The service provides a stepping stone from residential care, from or to other supported accommodation, to enable discharge from hospital, or to prevent hospital admission - supporting the individual's recovery along the accommodation pathway. Therefore service users will typically reside at the scheme for between 2 and 4 years prior to moving to independent accommodation. The accommodation is owned by Genesis Housing Association, and managed by Look Ahead Housing Care and Support. The current contract expires on 31<sup>st</sup> March 2018.

**Contracting Approach**

The preferred procurement approach is to undertake a light touch OJEU tender. Representatives from Adult Services, the CMHT and CCG will be invited to be members of the tender panel, reviewing the specification and evaluating submissions to ensure that the most economically advantageous tender is selected for future delivery of the service. The tender will offer a 36 month contract with two 12 month options to extend in order to give both stability to service and facilitate changes and focusing to meet future as well as current need. The tender will be aligned to all the mental health accommodation pathway service that are required to be contracted within the financial year 2016 – 2017.

**Community Benefits**

Along with all existing Supporting People tenders, community benefits commensurate with the contract size will be sought from providers through the tender process. Benefits would be expected to include local employment opportunities, work placements, volunteer opportunities. For Supporting People Contracts, suppliers are asked to meet targets such as:

- Funding, contribution and attendance at a minimum of 1 local job fair per annum.
- Commitment to local apprenticeships, trainees, volunteers and graduates that will be employed annually throughout the lifetime of the contract. This should include opportunities for career progression for local people employed within the contract.
- Percentage of agency staff that will be recruited via local recruitment agencies in Tower Hamlets
- Percentage of vacancies within the service that will be recruited from the local community.
- Number of support programme placements or Mental Health problems get into paid employment.
- Learning Disabilities; Physical Disabilities or Mental Health problems get into paid employment.
- Details of any programmes, placements or opportunities organisations will be able to offer to assist unemployed people back into work



<b>Contract Ref &amp; Title</b>	<b>P5246 LFWE Training provider</b>		
<b>Procurement Category:</b>	Corporate	<b>Funding:</b>	No Funding
<b>Invitation to Tender <input type="checkbox"/></b> <b>Contract Signature <input type="checkbox"/></b>	09/10/2017	<b>Contract Duration and Extensions:</b>	10 years
<b>Value P/A:</b>	In kind benefit of £150,000	<b>Value Total:</b>	In kind benefit of £1.5m
<b>Reviewed by Competition Board <input checked="" type="checkbox"/></b>	28/09/2017	<input type="checkbox"/> London Living Wage <input checked="" type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	

#### **Scope of Contract**

The council requested and secured a 500sqm commercial space as part of the development of the former London Fruit and Wool Exchange through S106 agreement. This was identified by the Growth and Economic Development Service as an opportunity to develop and expand training and employment provision in central key areas of Tower Hamlets.

The proposed use for the premises is for a training centre (office) under class B1 use. The duration of the lease is 10 years and will be rent and service charge free; with business rates, insurance of the premises and all associated costs for the space being the responsibility of the sub-tenant. The total rent costing for the location of the premises is of an estimated value of £1,000,000 for the 10 years. The site will be available for the chosen provider to move in from July 2018. The space will provide an opportunity to establish a local skills and jobs service that will enhance local engagement of workless residents, and assist them on their journey towards economic activity and employment. It is anticipated the new training and employment facility will lead to an increased volume of local residents taking up job vacancies.

The council will procure a provider to lease the facility for the 10 year period, as agreed within the planning heads of terms. The provider will be selected through the council's procurement process. The provider will be expected to access funding for training from external funding sources such as SFA or ESF as appropriate. The council will not provide delivery funding to the chosen provider and all bidding organisations will be expected to outline and discuss their business model and sustainability within their tender.

For this reason, the tender submissions will be evaluated on a quality-only basis as there is no charge to the Council. The facility will tap into the local employment market which includes the retail, hospitality and hotels sectors. The facility and its advisers would work alongside other services including WorkPath and local partners to co-ordinate the service offer and form part of the Council's overall response to low employment rates and high unemployment rates.

The project is intended to help the council and partners respond to the changes in the economy and labour market, by providing a strategic and coordinated local resource-offer for a wide range of workless residents. The chosen provider will work in partnership with WorkPath and other relevant partners to ensure the necessary outputs are delivered. The training to be delivered from this new service will be classroom based but the service to be provided will not be known until the training provider has been selected.

The successful delivery of this project contributes towards the Borough's Community Plan corporate themes. They are also in line with national priorities with respect to educational attainment and to tackling worklessness, with a particular focus on vulnerable and excluded communities:

Creating and sharing prosperity – by increased educational and vocational training routes into employment.  
 Excellent public services – by a greater targeting of services to the most vulnerable and excluded communities as well as greater engagement opportunities.

The two themes are considered as key drivers for 'One Tower Hamlets' agenda and are translated into the Employment Strategy via the following five strategic objectives:

Contract Ref & Title		P5258 Apprentice Training and Education (Dynamic Purchasing System)	
Procurement Category:	Corporate	Funding:	Apprenticeship Levy Account
Invitation to Tender <input type="checkbox"/>	16/10/2017	Contract Duration and Extensions:	10 Years (5 years + 5 years)
Contract Signature <input type="checkbox"/>		Value Total:	£400m (£13m for LBTH)
Value P/A:	£40m (£1.3m for LBTH)	<input checked="" type="checkbox"/> London Living Wage <input checked="" type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract	
Reviewed by	29/08/2017	<input checked="" type="checkbox"/> Competition Board <input type="checkbox"/> Re-procurement of existing Contract	

**Making mainstream services work better for residents**

- Engaging workless residents detached from the labour market and complement the work of the mainstream.
- Encouraging increased aspiration towards engaging with the labour market, particularly for economically inactive groups.
- Ensure economic investment is co-ordinated and focused.
- Capture employment opportunities for Tower Hamlets residents within the borough and wider London labour market.

**Contracting Approach**

The procurement of the training provider will be subject to OJEU procurement rules, and we will ensure the Council's procurement policies and guidelines are followed, including ensuring a transparent process and equal opportunities are provided. In order to allow a fair procurement process, it will be open to all providers, not just locally registered organisations.

**Community Benefits**

This project is specifically designed to create and enhance training and employment services and opportunities for local residents looking for work, and as such meets the council's criteria in relation to the securing of economic benefits within its project delivery. The training facility will be designed in partnership with the appointed training provider to ensure that services are delivered in a flexible way, via premises that are accessible and fit for purpose.

The facility will enable the Council to extend its reach into an area of the borough where it does not have a dedicated facility. By working closely with the training provider we are able to generate more work experience placements, apprenticeships, and employment opportunities for local residents with which they may not have originally been able to access. The training assists in bridging the gap between local employers and the community by developing working partnerships that meet the requirements of businesses and the unemployed residents.

### **Scope of Contract**

From spring 2017 large employers with a pay bill of over £3 million will be mandated to pay into a Levy at a rate of 0.5% of their pay bill. The Apprenticeship Levy is to fund training and assessment costs, not salaries. The levy for LBTH, including schools and Tower Hamlets Homes will be in the region of £1.3m annually. The government will be accrediting trainers for the delivery of the training programmes under the Apprenticeship Levy; however, on procuring specific training programmes, the Council will still need to be compliance with the Public Contract Regulations 2015.

The levy is intended to last an initial 3 years; however, the programmes procured under this scheme may go over that duration. In addition, the evolution of the schemes introduced by the government have evidenced that apprenticeships training obligations on local authorities is likely to remain in place for longer than 3 years. It is for this reason that the duration of the contract is proposed to be for an initial term time of 5 years with the possibility to extend of another 5 years. Under the DPS the Council does not have an obligation to place any specific contracts and reserves the right to terminate it at any time, should the services not be needed any longer. Additionally, the Council may utilise this agreement to access training providers for other ad-hoc requirements which may arise from time to time.

### **Contracting Approach**

It is the intention of the Council to procure the services through a Dynamic Purchasing System (DPS) that will allow the Council to access Skills Funding Agency approved providers in a manner compliant with the requirements of the Public Contract Regulations, Schedule 3 (Light Touch Regime). The procurement will be a collaborative exercise open to the London councils. The DPS will result in the creation of a list of approved providers. Specific requirements will be procured within the appropriate level as and when required.

The DPS is intended to be used to address some of the short term training needs. A broader training needs analysis is to be completed as part of the workforce planning activities and will be subject to CLT approval prior to commissioning through the DPS.

### **Community Benefits**

The standard 'community benefit' schedule will not be appropriate for this contract. However, the delivery of this contract is directly linked to the production of employment and upskills of the local community.

<b>Contract Ref &amp; Title</b>	<b>CS5276 Child and Adolescent Mental Health Service (CAMHS)</b>		
<b>Procurement Category:</b>	<b>Health and Social Care</b>	<b>Funding:</b>	<b>Children Social Care</b>
<b>Invitation to Tender <input checked="" type="checkbox"/></b> <b>Contract Signature <input type="checkbox"/></b>	19/09/2017	<b>Contract Duration and Extensions:</b>	36 months
<b>Value P/A:</b>	Up to £425,000	<b>Value Total:</b>	Up to £1,275m
<b>Reviewed by Competition Board <input type="checkbox"/></b>	18/09/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

**Scope of Contract**  
 This contract is to enhance the borough's Child and Adolescent Mental Health Services (CAMHS) for children and young people. The core service is commissioned by Tower Hamlets CCG from whom the provision of CAMHS is a statutory responsibility. However, the local authority also has a role in improving health outcomes for children and young people and we have historically contributed towards an integrated offer to ensure provision is available across the continuum of need, in particular to ensure provision is available for those who do not meet the thresholds for specialist services. The Council also funds a CAMHS social work team who are integrated with the ELFT CAMHS team and across Children's Social Care.

**Contracting Approach**

We are seeking approval to enter into a S75 Agreement with Tower Hamlets CCG who hold the contract for CAMHS with the East London Foundation Trust (ELFT). This is an arrangement we have had historically with health partners and in order to ensure we continue to have a co-ordinated offer for children and young people we aim to adopt the same approach for the next 3 years. The current S75 agreement with Tower Hamlets CCG will come to an end on 31<sup>st</sup> March 2018 and we are seeking to enter into a new agreement from 1<sup>st</sup> April 2018. Whilst the CCG holds the contract the Council is responsible for drafting the specification for this element of the service which will be incorporated into the overall contract.

**Community Benefits**

Whilst the contract will be held by Tower Hamlets CCG through the S75 agreement we will ensure that community benefits are included as a requirement.

Contract Ref & Title		CS5268: Overnight Short Breaks for Young People with Complex needs	
Procurement Category:	Health and Social Care	Funding:	Children's Social Care; Short Breaks and Family Support
Invitation to Tender	<input checked="" type="checkbox"/>	Contract Duration and Extensions:	36 Months plus 24 Months
Contract Signature	<input type="checkbox"/>	Value P/A:	Up to £550,000
Reviewed by	11/12/2017	Value Total:	£2,750,000.00
Competition Board	<input type="checkbox"/>	<input checked="" type="checkbox"/> London Living Wage	<input type="checkbox"/> New Procurement
Scope of Contract		<input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Local authorities are required under the Children Act 1989 to provide services designed to give breaks for carers of disabled children. The 'Breaks for Carers of Disabled Children Regulations' (2010) sets out what local authorities should do to meet their duties in relation to the provision of short breaks. Services for children and young people with a disability are also developed in the context of other related Acts such as the Children Act 1989, the Children Act 2004, the Equality Act 2010, the Children and Families Act 2014 and the Care Act of 2014.

The procurement of provision of overnight and related short breaks for children and young people meets our requirements under this legislative framework and to deliver on our short break local offer.

Approximately 800+ children and young people receive a specialist short break per annum. Overnight respite short breaks are part of the wider short breaks offer. Not all children and young people eligible currently benefit from a break and we aim to increase numbers within available budgets in this commissioning exercise. The breaks will form part of the Council's Local Offer in line with the Children and Families Act (2014) – SEND Reforms.

We are seeking approval to tender the service and increase the contract period to 36 months plus a 24 months optional extension, in order to secure continuity of care for children and families and consistency for providers to encourage greater investment in services. Current overnight respite provision includes:

Overnight Short Breaks for Young People with Complex needs children.

Residential holiday provision, after school clubs and Saturday clubs are also provided within this block contract. Spot purchase provisions are included within both overnight contracts allowing Adults Services (Community Learning Disabilities Service) to spot purchase overnight respite for 18-21 year olds who accessed the provision as children. The contracts also include provision to spot purchase emergency beds for Looked After Children with Disabilities.

The current contract comes to an end on 31<sup>st</sup> May 2018. We are aiming to go out to tender in mid- December 2017, with the new contract being mobilised in March 2018, for a 1<sup>st</sup> June 2018 new contract start date.

#### Contracting Approach

This contract will be advertised via an open tender process. Children's commissioning is in the process of undertaking consultation with service users, families and carers to inform the ITT of the new contracts. We intend to involve parents and young people in the evaluation panels and processes for this tender.

#### Community Benefits

Community benefits will be inherent in the service specification and method statement for this contract, which requires parent forums as part of this service. Other non-cashable benefits to be delivered from the successful supplier include recruiting locally; offering training opportunities to parents; where possible offering training and employment opportunities to previous service users as well as to parents; and 3 work experience placements for young people aged 16 plus per year.

<b>Contract Ref &amp; Title</b>	<b>CS5269: Overnight Short Breaks for Young People with Autism &amp; challenging behaviour</b>		
<b>Procurement Category:</b>	Health and Social Care	<b>Funding:</b>	Children's Social Care; Short Breaks and Family Support
<b>Invitation to Tender</b> <input checked="" type="checkbox"/> <b>Contract Signature</b> <input type="checkbox"/>	18/12/2017	<b>Contract Duration and Extensions:</b>	36 Months plus 24 Months optional extension
<b>Value P/A:</b>	Up to £550,000	<b>Value Total:</b>	36 months plus 24 months optionally extension: £2,750,000.00
<b>Reviewed by Competition Board</b> <input type="checkbox"/>	11/12/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

#### Scope of Contract

Local authorities are required under the Children Act 1989 to provide services designed to give breaks for carers of disabled children. The 'Breaks for Carers of Disabled Children Regulations' (2010) sets out what local authorities should do to meet their duties in relation to the provision of short breaks. Services for children and young people with a disability are also developed in the context of other related Acts such as the Children Act 1989, the Children Act 2004, the Equality Act 2010, the Children and Families Act 2014 and the Care Act of 2014. The procurement of provision of overnight and related short breaks for children and young people meets our requirements under this legislative framework and to deliver on our short break local offer.

Approximately 800+ children and young people receive a specialist short break per annum. Overnight respite short breaks are part of the wider short breaks offer. Not all children and young people eligible currently benefit from a break and we aim to increase numbers within available budgets in this commissioning exercise. The breaks will form part of the Council's Local Offer in line with the Children and Families Act (2014) – SEND Reforms.

We are seeking approval to award the contract for 36 months plus a 24 month optional extension in order to secure continuity of care for children and families and consistency for providers to encourage greater investment in services. Current overnight respite provision includes:

Overnight Short Breaks for Young People with Autism & challenging behaviour Residential holiday provision, after school clubs and Saturday clubs are also provided within this block contract. Spot purchase provisions are included within both overnight contracts allowing Adults Services (Community Learning Disabilities Service) to spot purchase overnight respite for 18-21 year olds who accessed the provision as children. The contracts also include provision to spot purchase emergency beds for Looked After Children with Disabilities.

The current contract for comes to an end on 31<sup>st</sup> May 2018. We are aiming to go out to tender in mid-December 2017, with the new contract being mobilised in March 2018, for a 1<sup>st</sup> June 2018 new contract start date.

**Contracting Approach**

This contract will be advertised via an open tender process. Children's commissioning is in the process of undertaking consultation with service users, families and carers to inform the IT of the new contracts. We intend to involve parents and young people in the evaluation panels and processes for this tender.

**Community Benefits**

Community benefits will be inherent in the service specification and method statement for this contract, which requires parent forums as part of this service. Other non-cashable benefits to be delivered from the successful supplier include recruiting locally; offering training opportunities to parents; where possible offering training and employment opportunities to previous service users as well as to parents; and 3 work experience placements for young people aged 16 plus per year.

Contract Ref & Title		CS5274 - Supervised Birth Family Contact	
Procurement Category:	Health and Social Care	Funding:	Children's social care
Invitation to Tender	<input checked="" type="checkbox"/>	Contract Duration and Extensions:	5 years
Contract Signature	<input type="checkbox"/>	Value P/A:	Up to £150,000
Reviewed by	08/11/2017	Value Total:	Up to £750,000
Competition Board	<input type="checkbox"/>	London Living Wage	<input type="checkbox"/>
Re-procurement of existing Contract	<input type="checkbox"/>	Collaboration	<input type="checkbox"/>
Scope of Contract	The Council has a statutory duty to provide supervised contact for children and young people known to Children's Social Care.		

We aim for the majority of our supervised birth family contact for children in need, children in need of protection and children looked after to be undertaken through our in house service at Eva Armsby Family Centre. There are times when this cannot be done at Eva Armsby Family Centre for example at weekends (when the centre is not open), in the evening and on occasions when the family court stipulates that Eva Armsby Family Centre should not provide contact for a particular case. Eva Armsby Family Centre also does not normally undertake contact in the community or in the family home. There are also times when the family court orders birth family contact and there is no immediate contact availability at the Eva Armsby Family Centre. In all these cases we need to have an alternative provider in the borough or near to the borough that is able to provide contact in the short and sometimes medium term.

**Contracting Approach**

Historically we have partnered with other Local Authorities (through the East London Solutions Group) to tender for external organisations to provide this service. The aim was to secure the services of a number of providers who were able to match the demand that we could not meet. We also aimed to raise quality and establish a best value price for the service. The last initiative came to end in 2016. There is currently only one

external provider in the borough which provides this service. We currently spot purchase from this provider.

We are now seeking approval to tender for this service in this financial year through an open tender process to ensure we have sufficient supplementary provision to complement our in house offer.

**Community Benefits**

Having an in house and partner external providers in the borough for supervised birth family contact will benefit the local community as this will enable the majority (if not all) contact to be provided both in the borough and, where appropriate, local to where children and their families live.

<b>Contract Ref &amp; Title</b>	<b>CS5275 - Speech and Language Therapy (SLT) Service</b>		
<b>Procurement Category:</b>	Care & Commissioning	<b>Funding:</b>	Children's Social Care; Short Breaks and Family Support
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	01/11/2017	<b>Contract Duration and Extensions:</b>	36 months
<b>Value P/A:</b>	Up to £250k	<b>Value Total:</b>	Up to £750k
<b>Reviewed by Competition Board</b> <input checked="" type="checkbox"/>	18/09/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

**Scope of Contract**

The Council has a statutory duty to provide support for children and young people with special educational needs. One such service is speech and language therapy support which is delivered in the borough's schools. This service has historically been commissioned by the local authority with additional speech and language therapy commissioned by Tower Hamlets Clinical Commissioning Group.

This contract is to develop an integrated Speech and Language Service with Tower Hamlets CCG as services are currently delivered by the same provider.

**Contracting Approach**

We are seeking approval to enter into a Section 75 Agreement with Tower Hamlets CCG who will be the lead commissioner and hold the contract for services on behalf of the Local Authority and the CCG.

**Community Benefits**

Whilst the contract will be held by Tower Hamlets CCG through the Section 75 agreement we will ensure that community benefits are included as a requirement.

<b>Contract Ref &amp; Title</b>	<b>CS5277 Externally commissioned placements for children looked after</b>		
<b>Procurement Category:</b>	Health and Social Care	<b>Funding:</b>	Children's Social Care
Invitation to Tender <input type="checkbox"/> Contract Signature <input checked="" type="checkbox"/>	01/11/2017	<b>Contract Duration and Extensions:</b>	60 Months
<b>Value P/A:</b>	Up to £5 million	<b>Value Total:</b>	Up to £25 million
<b>Reviewed by Competition Board</b> <input checked="" type="checkbox"/>	18/09/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Contract Ref & Title		THH5073 – Consultancy Support for Capital Works	
Procurement Category:	Construction & FM	Funding:	Delegated Revenue
Invitation to Tender <input type="checkbox"/> Request for Additional Framework Value	Contract Duration and Extensions:	60 Months	
Contract Signature <input type="checkbox"/>	Value P/A:	£1.4M	
Value P/A:	Value Total:	£7m	
Reviewed by	Competition Board <input checked="" type="checkbox"/>	18/09/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract

**Scope of Contract**

We currently have around 330 children looked after by the council. This figure changes, sometimes on a daily basis, due to children coming into and leaving the care of the council. The majority of children are placed in foster care and the majority of these are placed within our in house foster care service. We also have up to 6 children placed within our in house residential home. As we are not able to place all children within our in house provision we commission external placements with Independent Fostering Agencies, Residential children home providers and Residential schools (for those children with complex needs). We are currently undertaking a review of our Sufficiency Duty in order to best determine the provision for providing externally commissioned placement when required. The contract will set on a firm basis the process for externally commissioning placements with quality assured and best value providers.

**Contracting Approach**

We currently commission externally provided placements by approaching providers who have registered with the Pan London Contract through London Councils, London Councils, as well as registering a provider, undertake the annual fee review and issues the Pan London Contract (the current version of which is now in place). We have also operated a 'preferred list' through the East London Solution and the North East London Children Efficiency Board group of authorities. This has not been entirely successful.

For children who need placements but who cannot be placed in house, via the Pan London Contract or the 'preferred list' we spot purchase. The contracting approach will continue this mixed provision of Pan London Contract providers, a 'preferred list' and spot purchase as a final option when all other options have been considered. We are therefore seeking approval to continue to spot purchase from the Pan London Contract and to spot purchase with other providers when needs cannot be met through this route.

**Community Benefits**

The overall aim will be for children looked after to be placed, as long as this is safe to do so, as near as possible to where they live. A mixed contracting approach underpinned by our reviewed Sufficiency strategy will allow the community to be assured that children who have to be placed in our care are placed at first within our in house provision, and where this is not possible they are placed in quality assured and best value placements.



**Scope of Contract**

Cabinet agreed an initial approval the sum of £3.2M for this procurement at the Cabinet meeting of 26 July 2016 – Quarter 2 (2016 / 2017).

Following recent high profile fires the investment need in relation to fire safety and related works has significantly increased. In addition recent events have highlighted the need to ensure that new contracts have sufficient capacity to effectively deal with significant changes that may occur in investment need as a result of market and other factors. It is proposed that financial capacity for this framework is increased to £7M over its full term. This report is in relation to the framework financial capacity only. The actual expenditure via the framework will be approved via the budget setting process.

**Contracting Approach**

The procurement of Multi-Disciplinary Consultancy support for the 5 Year Capital works programme. To include surveying and definition of the scope of works, cost management, quality management and health and safety services. The market for delivering this service is well developed and competitive. There are suitable firms operating at local, regional and national level that are likely to bid for the contract.

The procurement will be carried out in accordance with the EU Restricted Procedure. The advert will be published in OJEU, Council website and Contract Finder via the Council's tendering portal. In response to the notices suppliers interested in tendering will be required to formally express an interest in order to gain access to the Standard Questionnaire (SQ).

The scale of the programme should achieve pricing efficiencies. Year on year savings are expected to be achieved through management efficiencies. Performance Indicators will be included and will inform a performance framework. Allocation of annual works orders (Call offs) will be dependent on achieving the required performance targets (lead in period to be allowed for) within the preceding year.

Regular client/contractor progress meetings to take place and standard reporting formats for cost, programme progress and asset management reporting will be defined at tender stage.

**Community Benefits**

Community benefits and apprenticeships will be included as per the standard LBTH requirement (value driven). Consultants' achievement of the requirements will be monitored by the THH management resource allocated to the contract.

<b>Contract Ref &amp; Title</b>	<b>THH5071 - Major Internal &amp; Externals Works</b>		
<b>Procurement Category:</b>	Construction & FM	<b>Funding:</b>	Delegated Capital
Invitation to Tender <input type="checkbox"/> Contract Signature <input type="checkbox"/>	Request for Additional Framework Value	<b>Contract Duration and Extensions:</b>	60 Months
<b>Value P/A:</b>	£27m	<b>Value Total:</b>	£135m
<b>Reviewed by Competition Board</b> <input checked="" type="checkbox"/>	18/09/2017	<input checked="" type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Contract Ref & Title		CS5273 Tower Hamlets Young People's Assessment and Support Service	
Procurement Category:	Health and Social Care	Funding:	Children's Social Care
Invitation to Tender <input checked="" type="checkbox"/>	Contract Signature <input type="checkbox"/>	19/09/2017	Contract Duration and Extensions: 36 months
Value P/A:	£245,000	Value Total:	£735,000
Reviewed by	18/09/2017	<input type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input type="checkbox"/> Collaboration <input type="checkbox"/> Re-procurement of existing Contract <input type="checkbox"/> Competition Board	

**Scope of Contract**

Cabinet agreed an initial approval sum of £92m for this procurement at the Cabinet meeting of 26 July 2016 – Quarter 2 (2016 / 2017).

Following recent high profile fires the investment need in relation to fire safety and related works has significantly increased. In addition recent events have highlighted the need to ensure that new contracts have sufficient capacity to effectively deal with significant changes that may occur in investment need as a result of market and other factors.

It is proposed that financial capacity for this framework is increased to £135M over its full term.

This report is in relation to the framework financial capacity only. The actual expenditure via the framework will be approved via the budget setting process.

**Contracting Approach**

The market for delivering this service is well developed and competitive. There are suitable firms operating at local, regional and national level that are likely to bid for the contract.

The procurement is being carried out in accordance with the EU Restricted Procedure. The advert will be published in OJEU, Council website and Contract Finder via the Council's tendering portal. In response to the notices suppliers interested in tendering will be required to formally express an interest in order to gain access to the Standard Questionnaire (SQ).

The scale of the programme should achieve pricing efficiencies. Year on year savings are expected to be achieved through management efficiencies.

Performance indicators will be included and will inform a performance framework. Allocation of annual works orders (Call offs) will be dependent on achieving the required performance targets (lead in period to be allowed for) within the preceding year.

Regular client/contractor progress meetings to take place and standard reporting formats for cost, programme progress and asset management reporting will be defined at tender stage.

**Community Benefits**

Community benefits and apprenticeships will be included as per the standard LBTH requirement (value driven). Contractor achievement of the requirements will be monitored by the THH management resource allocated to the contract.

### Scope of Contract

The Young People's Assessment and Support Service will provide a 'direct access' responsive service working with young people with a range of complex needs. The Primary focus of the service is to assess young people not in care while working in close partnership with the London Borough of Tower Hamlets (LBTH) to alleviate the need to place vulnerable homeless young people in to bed and breakfast accommodation and to promote their safe return home or developing a clear pathway into independent permanent accommodation through the mediation and reconnection process delivered by the authority.

The Young People's Assessment and Support Service will support a minimum of 12 young people living in furnished shared accommodation at any one time. Two of the bed spaces will provide emergency bed/ crash pad facility. All referrals to the service will be through established referral route managed by and including the Housing Options and Support Team (HOST).

Physical requirements for the service include the provision of a building within LBTH that is appropriate to the nature of the client group. It will not be sited in the vicinity of any community facility which might present risk or perceived risk to the service users living in the scheme.

The service will provide a minimum of 12 shared units with all facilities and communal areas. There will be controlled access through a single entrance and exit point which is monitored via CCTV and sufficient office facilities that allow for private interview space, communal activities and staff sleep in space.

### Contracting Approach

The preferred procurement approach is to undertake an open tender. The tender will offer a 3 year contract to give both stability to the service and facilitate changes and focusing to meet future as well as current need.

### Community Benefits

Community benefit is integral to the procurement process for the Young People's Assessment and Support Service. All bidders will be required to submit a response outlining how they will demonstrate their ability to deliver;

- Funding, contribution and attendance at a minimum of 1 local job fair per annum.
- Local apprenticeships, trainees, volunteers and graduates that will be employed annually throughout the lifetime of the contract. This will include opportunities for career progression for local people employed within the contract.
- An agreed percentage of agency staff recruited via local recruitment agencies in LBTH.
- An agreed number of vacancies recruited from the local community, making use of employment agencies that operate in LBTH.
- An agreed number of the support programme placements will offer to assist people with Learning Disabilities, Physical Disabilities or Mental Health problems to get into paid employment.
- Details of any programmes, placements or opportunities the organisation will be able to offer to assist unemployed people back into work and the target numbers you intend to offer.

<b>Contract Ref &amp; Title</b>	<b>R5120 Library Services Platform</b>		
<b>Procurement Category:</b>	Corporate Services	<b>Funding:</b>	Budget novated to and managed by Agilisys
<b>Invitation to Tender</b> <input checked="" type="checkbox"/> <b>Contract Signature</b> <input type="checkbox"/>	18/09/2017	<b>Contract Duration and Extensions:</b>	48 months + 24 months extension
<b>Value P/A:</b>	£140,000	<b>Value Total:</b>	£840,000
<b>Reviewed by Competition Board</b> <input checked="" type="checkbox"/>	18/09/2017	<input type="checkbox"/> London Living Wage <input type="checkbox"/> New Procurement <input checked="" type="checkbox"/> Collaboration <input checked="" type="checkbox"/> Re-procurement of existing Contract	

Contract Ref & Title	CLG5255 Parking Income Collection Services
Procurement Category:	Corporate Services
Invitation to Tender <input checked="" type="checkbox"/> Contract Signature <input type="checkbox"/>	11/09/2017
Value P/A:	£150,000
Contract Duration and Extensions:	5 years plus 2
Funding:	Parking Revenue Account
Value Total:	£1,050,000

Changes in technology mean that an increasingly large proportion of services are delivered electronically: eBooks, audiobooks, magazines, music downloads are just a selection of the services that are no longer restricted to hard copy; further services (e.g. some business information services) are only available in e format. It is the expectation now that a library services platform facilitates access to all these services. There is also an expectation from customers that they can access library services and manage their library accounts in a variety of ways that were not available 10 years ago via, tablets and smartphones. An effective Library Services Platform will result in: improved digital skills; reduced digital exclusion; increased usage of public services online; and access to the internet.

Residents have access to over 6 million books across approximately 70 libraries in (currently) 18 different local authorities, through one library membership card; significant investment in information and communications technology (ICT) and achieving economies of scale, which has delivered efficiency savings in all LLC member authorities will serve to continue with improvements to this service for residents.

**Community Benefits**

The LLC is one of the largest consortia of its kind, with significant opportunities to grow whilst delivering further efficiency savings. To exercise the procurement, LLC have appointed consultants, "PM Sport, Libraries and Leisure Ltd", to manage the procurement process, with their costs being funded by a shared development pot that the LLC has set up with Axzell to develop new products and functionality through the existing LMS. The LLCs consultants will undertake all arrangements for supplier briefings and market engagement. The LLC have decided that it is more important to procure a new LSP than invest in the existing LMS, for the reasons set out above. There will be no additional revenue costs to the London Borough of Tower Hamlets of as a result of this approach

**Contracting Approach**

The London Borough of Tower Hamlets has been a member of the London Library Consortium (LLC) since it joined in 2007. Membership of the LLC has brought significant benefits to the authority. The aim of the procurement exercise is to implement a new LMS that is affordable, does not increase consortium member costs and delivers savings on current spend if possible. The LMS is the primary system that records, controls and enables customer access to Tower Hamlets library resources. It manages around 350,000 items of physical stock and over 70,000 users within Tower Hamlets and a further 6 million items of stock across London libraries. Because of Tower Hamlets' membership of the London Libraries Consortium residents have free access to these items and the LMS manages all inter-authority activity. It also supports access to a growing number of e-resources such as music, eBooks, audiobooks, magazines and reference materials. In addition to managing customer access the LMS streamlines back office functions such as the acquisition of stock and processing of payments and also provides performance information.

**Scope of Contract**

The London Borough of Tower Hamlets is seeking to procure a new Library Management System (LMS). The current annual cost of our LMS contract is £80,000 and includes funding for a managed service.

Reviewed by  
Competition Board

18/09/2017

London Living Wage  New Procurement  
 Collaboration  Re-procurement of existing Contract

### **Scope of Contract**

The project is to tender two contracts for Parking & Mobility Services; Lot1 Cash Collection & Lot2 Cashless Parking. Both contracts expire on 31/11/2017. Both contracts are in their final year and allows 'cashless' payments and the collection of cash from Pay & Display machines both for short stay parking.

The cash collection contract estimated value is £30k pa (£150k over 5 years) and the current provider is Jade Security. The cashless parking contract estimated value is £120k pa (£600k over 5 years) and the current Provider is Pay By Phone.

The cash collection contract allows the collection of cash deposited in the Council's 150 cash pay and display machines. The cashless parking contract provides the means by which residents and drivers can pay for the borough-wide short-stay parking in designated bays over their mobile phone.

Borough wide short stay parking within designated parking bays and Controlled Parking Zones which ensure there is a turnover of on-street parking spaces, serving residents and businesses. Short stay parking also allows Blue Badge holders to park close to their destinations and reduces long stay parking by commuters e.g. max stay of 4 hours. Short stay parking allows the council to fulfil its obligations of allowing vehicles to park without being in contravention of parking regulations.

11.5% of parking transactions in May 2017 were made via the cash pay and display machines. The remaining 88.5% of transactions were made by the cashless method.

This new contract will be limited to cash collection and cashless parking and will not impact on other types of enforcement including the issuing of PCNs. This project if successfully implemented and awarded will continue business as usual. The tendering of this contract is contained within the Parking Service Plan and the process forms part of the process of Parking & Mobility achieving the Council's Transport Strategic Environmental Policy.

### **Contracting Approach**

It is proposed to seek contracts of 5 years with the option to extend for 2 further years. It is understood that the expectation of the market is that contracts of this length will be offered by local government as this term allows sufficient time for companies to recoup their investment in new technology.

The contracts will be let to the most economically advantageous tender based upon a balance of price (40%) and Quality (60%). The tender strategy would entail use of the Restricted Procedure and would be advertised in the Official Journal of the European Union (OJEU). Bidders will have to first complete a pre-qualification stage (to establish financial viability and technical capacity) prior to being shortlisted for an invitation to tender. The potential value of this procurement means that the Council is obliged to advertise this contract in OJEU and the time limits for each stage of the tender process are stipulated by the Public Procurement Regulation 2015.

Although these contracts are for dissimilar services which appeal to different markets, it is proposed to undertake a single tender with the contracts offered under two separate lots. The new contracts will be required to commence at the same time and the procurement processes will need to be run at the same time. Running a single procurement rather than two separate, parallel tenders will enable the project to be run more efficiently.

For Cashless parking there are a number of specialist providers offering these services companies such as Pay by Phone, Parkmobile, Ringo, ParkRight.

Cash collection operates in a different market - namely security services. The market for these services is very large. There are around 800 companies listed as approved in the Security Industry Authority Approved contractor scheme.

As set out above in the summary, it is proposed to use the Restricted Tender Process for this procurement as this will allow, particularly in the case of cash collection, for the field to be narrowed (to a minimum of 5 bidders on each lot) prior to the invitation to tender.

Both of these services have been provided under contract for 5 years. For the cashless parking the skills and infrastructure do not exist within the Council to provide this highly specialised service. Cash collection and general security services is a highly competitive market, it's unlikely that the Council could provide an in-house service for the same or lower cost as the contracted supplier.

There are no conflicts with current or planned projects across the council and no other departments in the council, and no other department has the legal obligation to perform this or similar service.

### Community Benefits

Community benefits commensurate with the contract size will be sought from the provider through the tender process. Benefits would be expected to include local employment opportunities, work placements, volunteer opportunities etc.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.35 P.M. ON TUESDAY, 31 OCTOBER 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 Amina Ali	(Cabinet Member for Environment)
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 Denise Jones	(Cabinet Member for Health & Adult Services)
Councillor Abdul Mukit MBE	(Cabinet Member for Culture and Youth)
Councillor Joshua Peck	(Cabinet Member for Work & Economic Growth)

**Other Councillors Present:**

Councillor Dave Chesterton	(Chair of the Overview and Scrutiny Committee)
Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Andrew Wood	

**Apologies:**

Councillor Amy Whitelock	(Cabinet Member for Education and Children's Services)
Gibbs	

**Officers Present:**

Stephen Bramah	(Deputy Head of the Mayor's office)
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)
Debbie Jones	(Corporate Director, Children's)
Tom McCourt	(Strategic Director)
Christine McInnes	(Divisional Director, Education and Partnership, Children's)
Matthew Pullen	(Infrastructure Planning Manager)
Denise Radley	(Corporate Director, Health, Adults & Community)
Ann Sutcliffe	(Acting Corporate Director, Place)
Will Tuckley	(Chief Executive)
Elizabeth Bailey	Senior Strategy, Policy and Performance Officer

Janice Beck	(Head of Building Development, Children & Adults Resources)
Bola Akinfolarin	(Interim Head of Development Compliance and Commissioning)
Richard Chilcott	(Acting Divisional Director, Property and Major Programmes)
Ann Corbett	(Divisional Director, Community Safety)
Abdul J. Khan	(Sustainable Development Manager, Strategy Innovation & Sustainability, Development and Renewal)
Veronica Parker	(Communications Adviser Communications)
David Tolley	(Head of Environmental Health and Trading Standards)
Matthew Mannion	(Committee Services Manager, Democratic Services, Governance)
David Knight	(Senior Democratic Services Officer)
Rushena Miah	(Committee Services Officer)

**AGENDA ORDER**

During the meeting the Mayor agreed to change the order of business to take Agenda Item 5.1 at the top of the meeting. All other agenda items were taken in order. For clarity, the minutes are presented in the order the items were set out on the agenda.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillor Amy Whitelock Gibbs, Cabinet Member for Education and Children's Services.

**2. DECLARATIONS OF DISCLOSEABLE PECUNIARY INTERESTS**

There were no Declarations of Disclosable Pecuniary Interests.

**3. UNRESTRICTED MINUTES**

**RESOLVED**

1. That the unrestricted minutes of the Cabinet meeting held on Tuesday 19 September be approved and signed by the Chair as a correct record of proceedings.



#### **4. OVERVIEW & SCRUTINY COMMITTEE**

##### **4.1 Chair's Advice of Key Issues or Questions**

Pre-Decision Scrutiny Questions were received on the following agenda items:

- Item 5.5 (Approval and allocation of S106 and CIL funding)
- Item 5.7 (Statement of Licensing Policy Review)
- Item 5.9 (Contract Forward Plan)
- Item 5.12 (School Place Investment Planning)

The questions and responses were considered during discussion of each relevant agenda item.

In addition, Councillor Dave Chesterton, Chair of the Overview and Scrutiny Committee, provided Cabinet with an update on their meeting the previous week. He highlighted a number of issues that had been examined, including:

- A Spotlight session on the Medium Term Financial Strategy, with the Committee particularly examining the Strategic Investment plans, Children's and Adult Care spending, the Better Care Fund and the Council Tax reduction scheme.
- There was an update on the Scrutiny review of disabled and ethnic minority staff representation at senior management levels of the Council.
- Christabel Shawcross the Independent Chair of the Safeguarding Adults Board had presented their annual report which highlighted the focus on personalising safeguarding and empowering the vulnerable.
- The Community Safety Partnership Plan had been considered and endorsed by the Committee, although a number of suggested improvements were raised.

Councillor Dave Chesterton also thanked all those, including Cabinet Members who had presented at the meeting.

The Mayor thanked Councillor Chesterton for his update and welcomed the engagement of Cabinet Members in the work of Scrutiny.

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

Nil items.

**5. UNRESTRICTED REPORTS FOR CONSIDERATION****5.1 Climate Change Mitigation & Adoption Strategy**

Councillor Rachel Blake, Cabinet Member for Strategic Development introduced the report. She welcomed the report as a vital step in tackling the poor air quality suffered across the Borough. She explained that the Council had consulted widely on the planned Strategy which had been particularly beneficial in highlighting areas where awareness raising would be effective. She highlighted that a number of the specific actions set out, such as developing charging points for electric vehicles, were already being progressed.

Kate Hand, Hackney and Tower Hamlets Friends of the Earth, addressed the Cabinet meeting. She welcomed the report as a big step forward for the Borough. She urged the Council to pursue the most ambitious targets possible and, in particular, requested the Council review some of the existing targets to make sure they were specifically measurable.

Following discussion of the report, the Mayor thanked everyone for their contributions and welcomed the report. He also welcomed action being taken by the Mayor of London to tackle this issue. He stated that he would be monitoring progress and then agreed the recommendations as set out in the report.

**RESOLVED**

1. To note that a mayoral priority growth bid was passed and an air quality fund has been approved in the last budget. The fund is for £200,000 over a two year period of 17/18 and 18/19. The fund is intended for prospective bidders to support activities aligned to the Council priorities in improving air quality. Criteria for the proposed projects include:
  - be related to either reducing emissions of, reducing exposure to or increasing awareness of air pollution;
  - be directly relevant to actions in our AQAP;
  - have a measurable impact; and
  - have wider community benefits
2. To approve the Air Quality and Climate Change Strategy.
3. To approve the Air Quality Action Plan.

**5.2 Community Safety Partnership [CSP] Plan 2017 - 21**

Councillor Asma Begum, Cabinet Member for Community Safety, introduced the report. She briefly took Cabinet through the key points of the Plan and highlighted that there had been 1,400 responses during the consultation from residents and workers in the Borough.

During discussion, the Mayor noted the Pre-Decision Scrutiny Questions and the discussions that had taken place at the recent Overview and Scrutiny Committee meeting. He agreed to allow delegated authority to the Corporate Director, Health, Adults and Community to make minor changes to the Plan where required. With that change he agreed the recommendations as set out in the report.

#### **RESOLVED**

1. To recommend that Full Council approve the Community Safety Partnership Plan 2017-21 (Appendix 1 to the report), as per the Council Constitution.
2. To delegate to the Corporate Director, Health, Adults and Community authority to make minor changes to the Plan before submission to Council.

### **5.3 Funding for Additional Youth Activity**

Councillor Abdul Mukit, Cabinet Member for Culture and Youth, introduced the report. He explained that the report set out the Youth Service Outcomes Framework as well as specific proposals for funding a number of additional services for young people. He was particularly pleased with the innovation shown in some of the proposals, for example in the setting up of a youth innovation fund to allow young people to bid for funds for particular projects/ideas.

The other proposals were to extend youth service provision down to eleven year-olds and a specific proposal to support A Team Arts and these were also welcomed.

A number of members of the Youth Council (Shaiam Islam, Milly Parvin, Said Uddin, Mazha Alam and Imad Ali) were present and they took Cabinet through their key target outcomes of Accountability, Accessibility, Trust, Safety and Agency as set out in the Outcomes Framework. They also commented on how well they felt they had been engaged by officers to help develop the Framework.

The Mayor thanked them for coming along and giving their views. He welcomed the report and agreed the recommendation as set out.

#### **RESOLVED**

1. To approve the allocation to the Youth Service of £300,000 additional funding from Council reserves on the items set out in the main body of the report.

## 5.4 Scrutiny Review Youth Services - Action Plan

Councillor Abdul Mukit, Cabinet Member for Culture and Youth, introduced the report. He explained that the proposed action plan was in response to an Overview and Scrutiny Committee challenge session.

The Mayor reviewed the report and agreed the recommendations as set out.

## RESOLVED

1. To note the report and recommendations of the Scrutiny Challenge Session on Youth Services as set out in Appendix 1 to the report.

2. To approve the action plan in Appendix 2 to the report, which sets out the Council's response to the recommendations of the Scrutiny Challenge Session.

## 5.5 IDf: Approval of the allocation of S106 and CIL funding and Approval for

the Adoption of a Capital Budget in Respect of the following projects: King Edward Memorial Park Masterplan Delivery; Aberfeldy Village Health Centre; Suttons Wharf Health Centre; Wellington Way Health Centre; Raines Foundation School.

The Mayor introduced the report and briefly reminded everyone present how decisions of this nature were progressed.

Councillor Andrew Wood, Ward Councillor for Canary Wharf Ward, addressed Cabinet. He highlighted concerns that additional infrastructure spending was required on the Isle of Dogs considering the large scale developments that were expected. The Mayor reported that he was monitoring infrastructure investment across the Borough and that indeed some of the investments being proposed would bring benefits across the area and not just to the locality in which they were based.

The Mayor reviewed each of the proposals in turn, considered the Pre-Decision Scrutiny Questions and responses and then agreed the recommendations as set out.

## RESOLVED

1. To approve the allocation of £3,267,241 in Section 106 (S106) funding to the proposals set out in the "King Edward Memorial Park Masterplan Delivery" Project Initiation Document (PID), which is attached to the Cabinet report at Appendix A and Table 1.

2. To approve the allocation of £3,119,421 in Section 106 (S106) funding to the proposals set out in the "Aberfeldy Village Health Centre" Project Initiation Document (PID), which is attached to the Cabinet report at Appendix B and Table 1.

3. To approve the allocation of £2,937,287 in Section 106 (S106) and £182,091 in Community Infrastructure Levy (CIL) funding to the proposals set out in the "Suttons Wharf Health Centre" Project Initiation Document (PID), which is attached to the Cabinet report at Appendix C and Table 1.
4. To approve the allocation of £1,493,700 in Section 106 (S106) funding to the proposals set out in the "Wellington Way Health Centre" Project Initiation Document (PID), which is attached to the Cabinet report at Appendix D and Table 1.
5. To approve the allocation of £4,000,000 in Section 106 (S106) funding to the proposals set out in the "Raines Foundation School" Project Initiation Document (PID), which is attached to the Cabinet report at Appendix E and Table 1.
6. To approve the adoption of a capital estimate for the five projects described in this document and the attached PIDs and incorporate them into the Council's capital programme.

#### **5.6 Disposal of 2 Trinity Green, Mile End Road, E.1. 4TS**

Councillor David Edgar, Cabinet Member for Resources, introduced the report. He explained that there had been further discussions with the Friends of Trinity Green and that he proposed that consideration of the report be deferred to allow these discussions to conclude.

He explained that he expected the report would return at an upcoming Cabinet meeting and that the recommendations may not change but that it was important to ensure the discussions were concluded before a decision was taken.

The Mayor noted the proposal. He agreed to defer consideration of the report to a later Cabinet meeting.

#### **RESOLVED**

1. To defer consideration of the report to a future Cabinet meeting to allow for further discussion on potential disposal processes.

#### **5.7 Statement of Licensing Policy Review 2018**

Councillor Asma Begum, Cabinet Member for Community Safety, introduced the report. She highlighted that since the introduction of the policy there had been a reduction in anti-social behaviour and in licensing applications. The report considered a proposal to extend the Cumulative Impact Zone (CIZ) in the Brick Lane area but concluded there was insufficient evidence for that expansion. However, the report did provide evidence that it could be worth considering a new CIZ in the Bethnal Green area and so it was proposed to consult on that option.

Councillor Peter Golds, Leader of the Conservative Group, addressed the meeting. He confirmed his view that the Council had a robust licensing policy and the Licensing Committee received good advice from officers which ensured very few decisions had been successfully challenged. He stated it was important to review the CIZ areas as a duty to residents who were impacted by the problems highlighted in the report.

The Mayor welcomed the comments received and noted the Pre-Decision Scrutiny Question and Response. He suggested that the Overview and Scrutiny Committee may wish to take on a role of monitoring the effectiveness of the Council's licensing policies should they wish. He noted the public expectation that new applications would normally be refused in CIZ areas. He agreed the recommendations including to consult on a potential new CIZ in Bethnal Green.

## RESOLVED

1. To agree the forward programme for consulting on the proposed Statement of Licensing Policy.

2. To agree, that the consultation should be based on the proposed changes detailed in Appendix Two to the report.

3. To delegate to the Corporate Director, Place authority to make any pre consultation amendments to the policy deemed necessary following consultation with the Corporate Director Governance.

4. To consult whether to retain the current Cumulative Impact Zone in the Brick Lane area at Appendices 1 and 3 to the report.

5. To consult on a further Cumulative Impact Zone for Bethnal Green Road/ Cambridge Health Road to Old Bethnal Green Road that forms part of the Licensing Policy.

## 5.8

### Passenger Transport Contact Extension

Councillor Amina Ali, Cabinet Member for Environment, introduced the report. She highlighted that the Council had a responsibility to provide transport services to certain groups and that it was important to ensure the provision could continue uninterrupted.

The Mayor highlighted the importance of making progress on the new contract arrangements and agreed the recommendations as set out.

**RESOLVED**

1. To agree to continue to operate within the existing Passenger Transport Contact Framework for a period of 1 year and 6 months to ensure continuity of service.
2. To authorise the Corporate Director of Place (or in the Corporate Director's absence the Divisional Director) after consultation with the Corporate Director, Governance, to agree the final terms and conditions of any agreement to implement this decision; and
3. To authorise the Corporate Director, Governance, to execute all necessary contract documents to implement this decision.
4. To amend the estimated value of contract spend for the re-procurement of the Passenger Transport Framework shown on the contracts forward plan and presented to the Mayor in Cabinet on the 26<sup>th</sup> July 2016 to read £10.8 million.

**5.9 Contracts Forward Plan 2017/18 Q3**

Councillor David Edgar, Cabinet Member for Resources, introduced the report. He explained that the report was provided to give an opportunity for Members to request that a more detailed report be presented to Cabinet on any of the contracts listed. However, all Cabinet Members were involved in discussions with relevant Corporate Directors anyway and he was not aware of any requests to bring forward specific reports to Cabinet.

The Mayor agreed that he would expect all his Cabinet Members to be on top of the arrangements for contract awards in their areas. He noted the Pre-Decision Scrutiny Question and response and he agreed that all contracts listed could proceed to award following tender.

**RESOLVED**

1. To note the Contracts Forward Plan at Appendix 1 to the report.
2. To confirm that all contracts 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 in recommendation 2 above.
4. To note the procurement forward plan 2017-22 schedule detailed in Appendix 2 to the report.

## 5.10 Appointments to External Bodies October 2017

The Mayor introduced the report and agreed its recommendations.

**RESOLVED**

1. To agree to the removal of Councillor John Pierce from the Board of the Norton Folgate Almshouses Charity.

2. To agree to the removal of Councillor Andrew Cregan from the Board of East End Homes.

3. To agree to the appointment of Councillor John Pierce to serve on the Board of East End Homes, to serve until further notice.

4. To agree to the removal of Councillor Rachael Saunders from and the appointment of Councillor Denise Jones, to serve until further notice on:

- a. East London & The City University Mental Health NHS Trust (East London NHS Foundation Trust),
- b. East London Nursing Trust and
- c. the role of Older People's Member Champion.

5. To agree to the appointment of Councillor Amy Whitelock-Gibbs to serve on the Tower Hamlets Education Partnership Advisory Council, to serve until further notice.

## 5.11 Mayor's Individual Executive Decisions - List of Recently Published Decisions

The Mayor introduced the report and agreed its recommendation.

**RESOLVED**

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

## 5.12 School Place Investment Planning, Children's Services Capital Programme

The Mayor introduced the report and agreed the reasons for urgency as set out, namely that:

"The report is being brought to Cabinet outside of the usual process as a consequence of recent redrafting to ensure decisions are informed by the most recent data so the Council meets its Best Value Duty with regard to significant capital investment."

The report was then discussed and a number of issues were noted including:

- The challenges in predicting the total number of school places required.



- Whether existing buildings were suitable for the proposed uses and whether repairs were required.
- Whether the Bow Boy's School site was suitable for high needs provision.
- How the Council were undertaking longer term planning on the future best use of school buildings.

Councillor Andrew Wood, Ward Councillor for Canary Wharf Ward, addressed Cabinet, commenting on a number of the points raised and in particular expressed concern that if parents did not see a suitable school near to them then they may simply leave the Borough.

The Mayor welcomed all the contributions to the discussion and, taking the recommendations in turn, agreed the recommendations as set out.

### RESOLVED

1. To note the contents of this report and the anticipated out-turn for the 2016/17 Children's Services Capital Programme and proposed allocation of the funding available in 2017/2020 as set out in Appendix A.1 and 2 (paragraph 3.2) to the report;
2. To note the deferral of the scheme to create a new primary school on the Bromley Hall School site (paragraph 3.5 of the report);
3. To note that discussions are ongoing regarding the future use of the former Bow Boys' School site to meet primary place needs in the area and wider high needs special provision requirements (paragraph 3.10 of the report)
4. To approve the adoption of a capital estimate of £5m for the opening of a primary school at Wood Wharf (paragraph 4.3 to the report);
5. To agree that the Council should enter into an Agreement for Lease with Canary Wharf Group for the proposed school (paragraph 3.27 of the report) and authorise the Corporate Director, Governance to finalise the terms of the lease and agreement for lease;

[Note – at the Cabinet Meeting held on 28 November 2017 – it was agreed that the above recommendation should be altered to state that the delegation was to the Corporate Director, Place, following consultation with the Corporate Director, Governance.]

6. To approve the adoption of a capital estimate of £9m for works at Langdon Park and George Green's Schools to provide additional 6<sup>th</sup> Form accommodation and also the replacement of the temporary classroom block at George Green's School (paragraph 4.4 of the report);

7. To approve the adoption of a capital estimate of £3m for works at Bow School to provide additional accommodation (paragraph 4.5 of the report);

8. To agree that authority is delegated to the Corporate Director, Children's Services, in consultation with the Corporate Director of Resources, to agree tenders for projects in respect of all proposed tenders referred to in this report, within the approved programmes and capital estimate;

9. To agree that authority is delegated to the Corporate Director, Children's Services, in consultation with the Corporate Director of Resources, to prepare and carry out a Bill of Reductions for any scheme that exceeds the budget to ensure expenditure is contained within the agreed costs.

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 7.33 p.m.

MAYOR JOHN BIGGS