

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.35 P.M. ON WEDNESDAY, 21 JUNE 2023

COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL

Members Present in Person:

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

Other Councillors Present in Person:

Councillor Nathalie Bienfait

Other Councillors In Attendance Virtually:

Councillor Sirajul Islam

Officers Present in Person:

Jennifer Peters	(Divisional Director, Planning and Building Control, Place)
Terry Bryan	(Service Head (Pupil Access and School Sufficiency))
Lisa Fraser	(Director of Education)
Stephen Halsey	(Interim Chief Executive)
Marc Acton-Filion	(Planning Officer (Plan Making Team))
Matthew Pullen	(Infrastructure Planning Manager)
James Thomas	(Corporate Director, Children and Culture)
Sarah Wilks	(Infrastructure Planning Team Leader, Place)
Joel West	(Democratic Services Team Leader (Committee))

Officers In Attendance Virtually:

Janet Fasan (Director of Legal & Monitoring Officer)

Caroline Holland

(Interim Corporate Director, Resources)

1. APOLOGIES FOR ABSENCE

None.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

None declared.

3. UNRESTRICTED MINUTES**RESOLVED:**

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 24 May 2023 be approved and signed by the Mayor as a correct record of proceedings, subject to the inclusion of Councillor Abdul Wahid, Cabinet Member for Jobs, Skills and Growth, in the attendee list.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

Stephen Halsey Interim Chief Executive, made the following statement to the Mayor regarding the Mayor's Community Grants Programme

In March 2023 you agreed a new Grants Policy and Outcomes framework for the Voluntary and Community Sector. As part of this we established a Mayor's Community Grants Programme. The Grants programme was launched on 24th April and closed on 5th June 2023. I am pleased to report that we have had a significant response from the voluntary and community sector. We received over 300 project applications from over 170 organisations and officers are currently undertaking assessments of these applications. I will report the outcome of this to Grant Determination Sub Committee in Autumn.

In my update to Cabinet in April I informed you that we were seeking independent advice from Kings Counsel on our decision making process. I have now received their advice which is positive and considers the process we have set out in the Cabinet report in March to be both sensible and reasonable in its approach.

The advice highlighted the need to ensure we consider best value which is a key feature in our assessment to ensure the proposed grant delivers the priorities we have set out in our prospectus. It also emphasises the need to consider the Public Sector Equality Duty. The Mayor's Community Grants Programme sets out the need to support the diverse community of Tower Hamlets and as part of the programme development a full equalities impact assessment will be undertaken to consider if any, adverse impact for any protected characteristics.

In March Cabinet agreed a process for development of the programme which will ensure we consider a range of factors including:

- *Response to the grants theme / priority*
- *Equalities consideration*
- *Geographic spread*
- *Scores for applications*

Based on Counsel's advice we will ensure there is a rationale for the tailoring of the programme which is based on the agreed approach.

Counsel also highlights the need to ensure we continue follow the process that was agreed by the Cabinet and I can assure Cabinet that is what we are doing and intend to going forward.

In conclusion, this is a positive response from Counsel and Cabinet should be assured that we are following a robust process for our grants decision making.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions

Councillor Musthak Ahmed, Chair Overview and Scrutiny Committee addressed the meeting on behalf of the Committee. He provided the Mayor and Cabinet with an overview of the Committee's recent work including:

The call-in on the Cabinet Report on Housing Capital Strategy 2023/24. The committee deliberated on the evidence presented and subsequently voted on re-affirming the decision of the Mayor.

Overview and Scrutiny Work Programme 2023/24 a development workshop was held. The Committee's focus is on key priorities of residents with the aim of improving council and partner agency services. The Scrutiny Improvement Plan was reviewed to consider how it can strengthen scrutiny in the council and particularly identified resident engagement as a key area of focus. A draft scrutiny forward plan will be presented to the next OSC meeting for further development. A final version will be agreed in September and will then be shared with cabinet.

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

The Mayor and Cabinet noted that the call in on Housing Capital Strategy 2023/24: Delivering at pace to increase the supply of new homes had been considered by OSC at its recent meeting and as no further action had been agreed, could now be implemented.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 South Quay College site lease

Reasons for urgency were noted and approved as set out in the report.

The Lisa Fraser, (Director of Education) and Terry Bryan, (Service Head (Pupil Access and School Sufficiency) introduced the report that, following a decision by the Department for Education (DfE) to close South Quay College Alternative Provision Free School proposed ways to meet the need to provide for the shortfall of specialist pupil places that will arise in the East of the borough.

Further to questions from the Cabinet, Terry explained a report would be brought to the Mayor in Cabinet in Autumn 2023 to set out projections for mainstream and SEN education demand and how the Council will plan to ensure that demand can be met.

Lisa summarised the outcome to date of meetings held between the Council and DfE on the proposals in paragraph 9 of the report regarding the opening of a new Alternative Provision Free School. Lisa explained there was no agreed defined timeframe for the proposal.

The Mayor and Cabinet welcomed the report. They noted that the college worked with some of the most challenged pupils in the borough to help deliver the Council's ambition for educational excellence. The Mayor asked that recommendation 1 from the report be amended to include consultation with himself prior to the officer decision.

RESOLVED that the Mayor in Cabinet:

1. Authorises the Director of Integrated Growth and Development following consultation with the Mayor to enter into a lease with the developer of South Quays to the value set out within the 'Heads of Terms' presented in Confidential Appendix 1 to the report, to ensure sufficient places for pupils with additional needs from September 2023.
2. Agrees the 'Heads of Terms', in Confidential Appendix 1 to the report, to enable the lease to be signed.

6.2 Neighbourhood Community Infrastructure Levy (NCIL)

The pre-decision scrutiny questions and responses were noted.

Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding introduced the report that set out the revised Local Infrastructure Initiatives Programme 2019 - 22 following the review of LIF Programmes 1-3 in August 2022 and the proposed approach for the implementation of the Neighbourhood Community Infrastructure Levy (NCIL), which replaces the Local Infrastructure Fund (LIF) approach that was agreed in Cabinet 6th December 2016 (revised October 2021). Matthew Pullen (Head of Service, Infrastructure Planning) and Sarah Wilks, Infrastructure Planning Manager added further detail.

Councillor Ahmed explained:

- How resident feedback had been considered in the formulation of the proposals.
- That the new programme comprised three programme pots which align with the priorities in the Strategic Plan 2022-26: community grants that eligible local VCS organisations can apply for; capital projects for delivery by the Council informed by the annual residents survey; and affordable housing projects identified through the Council's affordable housing programme.
- Officers will directly manage the grants programme which will ensure monies are not spent paying for third parties to do this on the Council's behalf.

Jennifer Peters, (Divisional Director, Planning and Building Control, Place) added that the proposals in the report were consistent with relevant regulations.

The Cabinet welcomed the proposals. Members noted that in previous administration, allocated CIL monies had to be returned to the London pot due to failure to spend in time. They expressed hope this proposal would prevent this recurring.

The Mayor welcomed the proposals which he hoped would reduce duplication and would ensure all in the borough would receive a fair share of the proceeds arising from development.

RESOLVED that the Mayor in Cabinet:

1. Approves the revised Local Infrastructure Initiatives Programme consisting of LIF Programmes 1-3 as set out in paragraph 3.9-3.11 and Appendix 1 of the report.
2. Notes the return of £17.285m of LIF from discontinued projects from LIF Programmes 1-3 to the main NCIL pot
3. Approves the proposed NCIL implementation framework for decision making on the allocation of future NCIL set out in paragraph 3.12 (Table 3) of the report to ensure that spending of NCIL remains in accordance with CIL Regulations 2010 (as amended).
4. Approves the proposed NCIL allocations of £20.456m for 2023-24 to 2025/26 set out in paragraph 3.13 a-c of the report.
5. Notes that decisions on project level allocations of NCIL on an annual basis to Capital Programme and Affordable Housing schemes, will be made via the Council's standard Capital Programme governance process up to Cabinet.
6. Notes that decisions on the allocation of NCIL to individual grants will be made via the existing Council Grants process set out in the Cabinet Paper approved at the 29th of March 2023 Cabinet meeting.

7. Delegates approval of detailed PIDs and change notes for individual projects remaining to be delivered through LIF Programmes 1 – 3 to the Director, Planning & Building Control following consultation with the Mayor and Chief Executive.
8. Notes the Equalities Impact Assessment / specific equalities considerations as set out in Paragraphs 4.1-4.4 of the report.

6.3 Neighbourhood Planning: Determination of Roman Road Bow Neighbourhood Forum Redesignation Application

Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding introduced the report that, following expiration of the previous designation, assessed the renewed application from the Roman Road Bow Neighbourhood Forum against the relevant legislation and guidance.

Councillor Ahmed expressed concern that whilst technical tests appeared to have been met, the wealth of diversity of the borough did not appear to be reflected within the membership of the forum. He indicated that because of this he did not support the proposal to redesignate the Roman Road Bow Neighbourhood Forum.

The Mayor and Cabinet echoed the sentiments of the lead member. The Mayor explained that he would not agree to redesignate the forum as he was not assured that its membership included representatives from different sections of the community in the area. He encouraged the leadership of the forum to reflect on the Cabinet's concerns. He indicated the Council was willing to work with the forum to explore how its representation could be increased.

RESOLVED that the Mayor in Cabinet:

1. Refuses the redesignation of the Roman Road Bow Neighbourhood Forum as the designated neighbourhood forum for the Roman Road Bow Neighbourhood Planning Area.
2. Notes the specific equalities considerations as set out in Paragraph 7.1 of the report.

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

7.1 Nominations to Outside Bodies – London Councils

The reasons for urgency as set out in the report were noted and agreed.

The Mayor introduced the report that proposed two changes to nominees to outside bodies for the Mayor to consider.

RESOLVED that the Mayor in Cabinet:

1. Replaces Councillor Abu Chowdhury with Councillor Abdul Wahid as the Council's nominee to London Councils' Greater London Employment Forum (GLEF); and
2. Replaces Councillor Kabir Ahmed with Councillor Kabir Hussain as the Council's nominee to London Councils' Transport and Environment committee.

8. EXCLUSION OF THE PRESS AND PUBLIC

A motion to exclude press and public was not required.

9. EXEMPT / CONFIDENTIAL MINUTES

None.

10. OVERVIEW & SCRUTINY COMMITTEE

10.1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business

None.

10.2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee

None.

11. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION

None.

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

None.

The meeting ended at 6.35 p.m.

Chair, Mayor Lutfur Rahman
Cabinet