

**LONDON BOROUGH OF TOWER HAMLETS**

**RECORD OF THE DECISIONS OF THE CABINET**

**HELD AT 5.33 P.M. ON TUESDAY, 7 FEBRUARY 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 Management & Performance)
Councillor Rachael Saunders	Deputy Mayor and Cabinet Member for Education & Children's Services
Councillor Rachel Blake	(Cabinet Member for Strategic Development)
Councillor Asma Begum	(Cabinet Member for Culture)
Councillor David Edgar	(Cabinet Member for Resources)
Councillor Ayas Miah	(Cabinet Member for Environment)
Councillor Amy Whitelock Gibbs	Cabinet Member for Health & Adult Services

**Other Councillors Present:**

Councillor Amina Ali	
Councillor Peter Golds	(Leader of the Conservative Group)
Councillor John Pierce	
Councillor Andrew Wood	
Councillor Ohid Ahmed	
Councillor Mahbub Alam	
Councillor Rabina Khan	
Councillor Md. Maium Miah	
Councillor Muhammad Ansar Mustaquim	
Councillor Oliur Rahman	Leader of the Independent Group

**Others Present:**

Jackie Sullivan	Managing Director of Hospitals, Bart's Health Trust
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**Officers Present:**

Zena Cooke	(Corporate Director, Resources)
Aman Dalvi	(Corporate Director, Place)
Ali Khan	(Political Adviser to the Independent Group Office)
Christine McInnes	(Divisional Director, Education and Partnership, Children's)
Denise Radley	(Corporate Director, Health, Adults & Community)
Will Tuckley	(Chief Executive)
Graham White	(Interim Corporate Director, Governance)

Mark Baigent	(Interim Divisional Director, Housing and Regeneration)
Katherine Ball	(Senior Accountant, Development & Renewal)
Andreas Christophorou	(Divisional Director Communications)
Ruth Dowden	(Complaints & Information Manager, Legal Services, Law Probity & Governance)
Janet Fasan	(Interim Divisional Director, Legal)
Shazia Ghani	(Head of Community Safety)
Sharon Godman	(Divisional Director, Strategy, Policy and Equality)
Paul Leeson	(Finance Manager, Development & Renewal)
Ronke Martins-Taylor	(Interim Divisional Director, Youth Services)
Susan Mulligan	(Communications Advisor, Communications, Law Probity & Governance )
Neville Murton	(Divisional Director, Finance, Procurement & Audit)
Peter Robbins	Head of Mayor's office
Esther Trenchard-Mabere	(Associate Director of Public Health, Commissioning & Strategy)
Tim Williams	(Post 16 Development Officer, Children's Services)
Hayley Simmons	(Trainee Solicitor)
Matthew Mannion	(Committee Services Manager, Democratic Services, Governance)

## 1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Shiria Khatun (Deputy Mayor and Cabinet Member for Community Safety)
- Councillor Joshua Peck (Cabinet Member for Work and Economic Development)
- Debbie Jones (Corporate Director, Children's Services) for whom Christine McInnes (Divisional Director, Education and Partnership) was deputising.

## 2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no Declarations of Disclosable Pecuniary Interest.

## 3. UNRESTRICTED MINUTES

### DECISION

1. That the unrestricted minutes of the Cabinet meeting held on Tuesday 10 January 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**

Overview and Scrutiny Pre-Decision consideration of the Council's Budget proposals had been circulated to all Cabinet Members and tabled at the meeting. In addition Pre-Decision Scrutiny Questions were received in relation to Agenda Items 5.3 (Housing Revenue Account Budget Report) and 5.4 (Establishing Housing Delivery Vehicles) were tabled along with responses from officers.

All the above were considered during discussion of the relevant agenda items.

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

Nil items.

#### **5. UNRESTRICTED REPORTS FOR CONSIDERATION**

##### **5.1 General Fund Revenue and Capital Budget and Medium Term Financial Plan 2017/18 to 2019/20**

The tabled comments and recommendations of the Overview and Scrutiny Committee were noted by the Mayor.

#### **DECISION**

1. To agree a General Fund Revenue Budget of £338.896m subject to any changes arising from the Final Local Government Finance Settlement for referral to Council.
2. To agree the Council Tax (Band D) at £966.80 for 2017-18 be referred to Full Council for consideration.
3. To authorise the Corporate Director, Resources after consultation with the Mayor and Lead Member of Resources to make any changes required to the budget following the final settlement announcement in February.
4. To approve the capital programme to 2021-22; as detailed in Appendix 9 (b – d) of the report.
5. To approve and refer to Full Council for consideration and agreement the Capital Strategy, and initiate a comprehensive review of the Council's approach to the prioritisation and governance of capital expenditure based on the outcomes based budgeting methodology already adopted for the revenue elements of the MTFs.

6. To note the following:

**General Fund Revenue Budget for 2017-18 and Medium Term Financial Strategy 2017-18 to 2019-20**

The initial budget proposal and Council Tax for 2017-18 together with the Medium Term Financial Strategy set out in Appendix 1a to the report.

**Budget Consultation**

The outcome of consultation with business ratepayers, residents and other stakeholders as reported to The Mayor in Cabinet in December 2016 and attached for ease of reference at Appendix 10 to the report.

**Funding**

The funding available for 2017-18 and the indications and forecasts for future years as set out in Section 3.4 of the report.

**Growth and Inflation**

The risks identified from potential growth and inflation commitments arising in 2017-18 and future years together with new initiatives identified as Mayoral Priority Growth as set out in Section 3.5 of the report and Appendix 3 to the report.

**Savings**

New proposed saving items to be delivered in 2017-20 as set out in Section 3.6 and Appendix 4 of the report.

**Financial Risks: Reserves and Contingencies**

The strategic budget risks and opportunities as set out in Section 3.7 of the report and the assessment of risk as detailed in Appendix 6 to the report.

**Reserves and Balances**

The proposed approach to the strategic use of reserves as set out in Section 3.8 and the projected movement in Reserves as detailed Appendix 7 to the report.

**Schools Funding**

The position for schools' funding including the Dedicated Schools Grant as set out in Section 3.9 of the report.

**Housing Revenue Account**

The position for the Housing Revenue Account as set out in Section 3.10 and Appendix 8 to the report.

**Capital**

The Capital Strategy detailed in Appendix 9a and the capital programme to 2021-22; including the proposed revisions to the current programme, as set out in Section 3.11 and detailed in Appendix 9 (b – d) to the report.

To adopt a capital estimate for all new schemes detailed in Appendix 9c to the report.

**Action by:****CORPORATE DIRECTOR, RESOURCES (Z. COOKE)**

(Divisional Director, Finance and Procurement (N. Murton))

**Reasons for the decision**

The Council is under an obligation to set a balanced and sustainable budget and to set a Council Tax for the next financial year by 11th March 2017 at the latest. The setting of the budget is a decision reserved for Full Council. The Council's Budget and Policy Framework requires that a draft budget is issued for consultation with the Overview & Scrutiny Committee to allow for their comments to be considered before the final budget proposals are made to Full Council.

The announcements that have been made about Government funding for the Council in the Autumn Statement and the Provisional Local Government Finance Settlement require a robust and timely response to enable a balanced budget to be set.

Through its successful application for a 'guaranteed' multi-year settlement from the government and the adoption of an outcomes based approach over a 3 year planning period the Council is afforded the opportunity to develop proposals which are more transformational in nature and allow sufficient time for needs led, outcome based service redesign.

A Medium Term Financial Strategy (MTFS) covering the entirety of the resources available to the Council is considered to be the best way that resource prioritisation and allocation decisions can be considered and agreed in a way that provides a stable and considered approach to service delivery and takes into account relevant risks and uncertainty.

As the Council develops its detailed proposals it must continue to keep under review those key financial assumptions which underpin the Council's MTFS; in particular as the Council becomes ever more dependent on locally raised sources of income through the Council Tax and retained business rates these elements become fundamental elements of its approach and strategies.

**Alternative options**

The Council is required to respond to the budget reductions in Government funding of local authorities and to set an affordable Council Tax and a balanced budget, while meeting its duties to provide local services. This limits the options available to Members. Nevertheless, the Council can determine its priorities in terms of the services it seeks to preserve and protect where possible, and to the extent permitted by its resources, those services it wishes to prioritise through investment, during a continued period of budget reductions.

The Council could continue with the current approach of agreeing proposals on an annual basis but this does not support a strategic approach which allows for proposals to be managed and implemented over a longer period of time. It is also inconsistent with the Council's Efficiency Plan which underpins agreement of a Four Year funding settlement from government.

## 5.2 Treasury Management Strategy Statement 2017/18

### DECISION

1. To approve the following for submission to Council.
  - i) Adopt the following policy and strategies:
    - a) The Minimum Revenue Provision Policy Statement set out in section 2 at annex A attached to this report;
    - b) The Treasury Management Strategy Statement set out in sections 5 & 6 at annex A attached to this report;
    - c) The Annual Investment Strategy set out in section 7 at annex A attached to this report, which officers involved in treasury management, must then follow;
  - ii) Approve the prudential and treasury management indicators as set out in appendix 1 of annex A attached to this report.
  - iii) Delegate authority to Corporate Director Resources to use alternative forms of investment, should the appropriate opportunity arise to use them, and should it be prudent and of advantage to the Council to do so. This delegated authority is subject to prior consultation with the Lead Member for Corporate Finance on any possible use of these instruments.

#### Action by:

**CORPORATE DIRECTOR, RESOURCES (Z. COOKE)**

(Investment and Treasury Manager (B. Tobun))

#### Reasons for the decision

It is consistent with the requirements of treasury management specified by CIPFA, to which the Council is required to have regard under the Local Government Act 2003 and regulations made under that Act, for the Council to produce three strategy statements to support the Prudential Indicators which ensure that the Council's capital investment plans are affordable, sustainable and prudent. The three documents that the Council should produce are:

- Minimum Revenue Provision Policy Statement
- Treasury Management Strategy, including prudential indicators
- Investment Strategy

#### Alternative options

The Council is bound by legislation to have regard to the CIPFA requirements for treasury management. If the Council were to deviate from those requirements, there would need to be some good reason for doing so. It is not considered that there is any such reason, having regard to the need to ensure that the Council's capital investment plans are affordable, sustainable and prudent.

The strategies and policy statement put forward in the report are considered the best methods of achieving the CIPFA requirements. Whilst it may be possible to adopt variations of the strategies and policy statement, this would risk failing to achieve the goals of affordability, sustainability and prudence.

### **5.3 Housing Revenue Account Budget Report 2017/18**

The Pre-Decision Scrutiny Questions and responses were noted.

#### **DECISION**

##### Revenue

1. To approve the draft 2017/18 Housing Revenue Account budget as set out in Appendix 1 to the report.
2. To approve the draft 2017/18 Management Fee payable to Tower Hamlets Homes (THH) of £31.946 million as set out in Table 4 at paragraph 10.8 of the report.
3. To note that under the Management Agreement between the Council and THH, THH manages delegated income and expenditure budgets on behalf of the Council. The principal delegated income budgets are for rental income and service charges, and the major item of delegated expenditure is repairs and maintenance. In 2017/18, THH will manage delegated income budgets totalling £88.262 million, and delegated expenditure budgets of £24.066 million.
4. To note the HRA Medium Term Financial Plan (2017/18 to 2021/22) outlined in Appendix 2 to the report.

##### Capital

1. To adopt a capital estimate of £17.625 million in relation to works programmed for 2017/18 on Council housing stock, as outlined in paragraph 12.2 of the report.
2. To note that the capital estimate of £17.265 million set out in 1. above includes a sum of £1 million to fund Overcrowding Reduction Initiatives as outlined in paragraph 12.3, £500,000 for the Aids and Adaptations programme, £1.5 million for the Capitalisation of Voids and £650,000 for the Capitalisation of Fees and Salaries as detailed in paragraph 12.4, as well as £500,000 as a contingency for urgent works as outlined in paragraph 12.5 of the report.

#### **Action by:**

**CORPORATE DIRECTOR, PLACE (A. DALVI)**  
**CORPORATE DIRECTOR, RESOURCES (Z. COOKE)**

(Finance Business Partner (P. Leeson))

(Senior Accountant (K. Ball))

**Reasons for the decision**

The Mayor is required by the Local Government and Housing Act 1989 to determine a balanced Housing Revenue Account (HRA) budget prior to the start of the new financial year. The Council must also approve the Management Fee payable to Tower Hamlets Homes (THH) so that it can fulfil its obligations under the Management Agreement to manage the housing stock on behalf of the Council.

In accordance with Financial Regulations, capital schemes must be included within the Council's capital programme, and capital estimates adopted prior to any expenditure being incurred. This report seeks the adoption of the necessary capital estimates for various schemes in order that they can be progressed.

**Alternative options**

The Council has a statutory duty to set a balanced HRA and provide THH with the resources to fulfil its obligations under the Management Agreement. Whilst there may be other ways of delivering a balanced HRA, the proposals contained in this report are considered the most effective, having regard to the matters set out in the report.

**5.4 Establishing Housing Delivery Vehicles**

The Pre-Decision Scrutiny Questions and responses were noted.

The recommendations were amended and then agreed.

**DECISION**

1. To agree to establish Seahorse Homes Limited, a Wholly Owned Company Limited by Shares, and Mulberry Housing Society, a Community Benefit Society, and delegate to the Corporate Director, Place after consultation with the Corporate Director, Resources and the Corporate Director Governance authority to take all necessary steps for this purpose including but not limited to approving the Rules of the Society and Articles of Association of the Company.
2. To agree that the officers identified in section 4 of the report be appointed as directors and members of the Wholly Owned Company (WOC) and Community Benefit Society (CBS) respectively.
3. To authorise the Corporate Director, Place to recruit three independent members to the CBS, after consultation with the Mayor and Statutory Deputy Mayor and Cabinet Member for Housing Management and Performance and Cabinet Member for Strategic Development, ensuring that the appointments are made on the basis of relevant skills and expertise and the recruitment process follows equalities principles in terms of promoting diversity on the Board.
4. To authorise the Corporate Director, Resources to agree and sign off the final business case.



5. To authorise the Corporate Director, Resources to
  - a) make equity investments up to £6M in the WOC
  - b) grant up to £9M of retained Right To Buy receipts and £2.5M of s106 commuted sums to the CBS with appropriate grant conditions;
  - c) make available to the WOC a commercial loan facility up to £24M;
  - d) make available to the CBS a loan facility up to £18.5M charged below a full commercial rate;
  - e) enable both loan facilities by use of reserves and prudential borrowing within the General Fund as necessary;subject to the above being in line with the Council's Budget framework, where required, the negotiation and finalisation of the loan agreements and decision to release funding subject to satisfactory due diligence delegated to the Corporate Director, Resources.
6. To authorise the Corporate Director, Resources to approve the WOC and CBS's first business plan.
7. To agree to provide the WOC and CBS with a credit facility of up to £50,000 each for use as working capital and delegate to the Corporate Director, Resources the negotiation and finalisation of the necessary agreements.
8. To delegate authority to the Corporate Director, Place after consultation with the Mayor, Statutory Deputy Mayor and Cabinet Member for Housing Management and Performance and Cabinet Member for Strategic Development, the Corporate Director, Resources and the Corporate Director, Governance to approve the Shareholder Agreement, Deed of Covenant and any other necessary agreements required between the Council and the WOC and CBS respectively. In particular, ensuring that the Deed of Covenant protects the local accountability and focus of the CBS by restricting the scope for future changes in ownership (including mergers and acquisitions), business purpose, scope, or status (such as registration as a Registered Provider).
9. To authorise the Chief Executive to exercise the Council's rights as Shareholder.
10. To authorise the Corporate Director, Governance to execute the agreements referred to in recommendations 5, 7 and 8 above.
11. To agree that, subject to final sign off of the business case as specified in 4 above and the Council and the WOC entering into the ancillary agreements referred to in recommendations 5, 7 and 8 above, the Company may commence trading.

**Action by:****CORPORATE DIRECTOR, PLACE (A. DALVI)**

(Interim Divisional Director, Housing and Regeneration (M. Baigent))

**Reasons for the decision**

The Council is pursuing a range of housing delivery routes to achieve its strategic objectives, as recently set out in the Borough's new Housing Strategy. In summary, this report proposes a four-fold delivery approach, comprising:

- Housing Revenue Account (HRA) new build and acquisition of permanent accommodation;
- General Fund (GF) new build and acquisition of temporary accommodation;
- Wholly Owned Company (WOC) new build and acquisition of permanent homes on a commercial basis;
- Community Benefit Society (CBS) new build and acquisition of permanent homes on a charitable basis.

In this approach, the WOC and CBS vehicles would work together in tandem on key development sites. The report sets out the rationales and criteria for delivering any given opportunity that arises through one or more of the four housing delivery routes.

This combined housing delivery strategy is designed to achieve the following aims:

- Increase housing supply across tenures.
- Meet housing needs of the most disadvantaged.
- Deliver an affordable range of homes including at Social and Living Rents
- Secure a long term supply of suitable temporary accommodation, as well as reducing overall numbers in temporary accommodation.
- Make use of retained RTB receipts.
- Make use of available land and regeneration opportunities.
- Invest in assets that deliver a long run financial return to the Council.
- Make short term savings in revenue expenditure on temporary accommodation.
- Avoid unnecessary complexity whilst focusing on speed of delivery.

**Alternative options**

There is a wide range of housing delivery players including private developers, Registered Providers (RPs) / housing associations and local authorities. Between them these players deliver a range of new homes across tenures – social rents, “affordable” rents, shared ownership, market rents and market sale.

Rather than establish new housing delivery vehicles, the Council could rely on other partners in the private developer and RP sectors to deliver new homes, providing land and financial resources (including retained RTB receipts) to secure delivery and negotiate long term access arrangements to new homes for Council nominees.

However, despite considerable efforts over the last year, the uptake of partnership offers to RPs has not materialised. Moreover, the advantage of Council-sponsored vehicles is the closer alignment with strategic purpose, the greater level of security and certainty over access arrangements, and the scope for long term revenue and capital return to the Borough, with assets and return on investment more closely protected.

In particular, the acquisition and development of new housing through a CBS will enable delivery of further social and intermediate rented homes making use of retained RTB receipts, without impacting on the HRA borrowing headroom.

In summary, the proposed WOC and CBS vehicles should be seen as complementary and enhancements rather than as alternatives or replacements for other delivery approaches such as through the HRA and GF.

## **5.5 Strategic Plan 2016-19 - Delivery Plan 2017/18**

### **DECISION**

1. To approve the Strategic Plan (appendix 1 to the report); and
2. To note that the final Strategic Plan and accompanying Delivery Plan will be presented to Cabinet in April 2017.

### **Action by:**

**ACTING CORPORATE DIRECTOR, GOVERNANCE (G. WHITE)**

(Divisional Director, Strategy, Policy and Equalities (S. Godman))

### **Reasons for the decision**

It is important that the Council sets out its key priorities and how it will measure progress against them. This report presents the draft Strategic Plan. The final Strategic Plan and accompanying delivery Plan will be considered by Cabinet in April 2017.

### **Alternative options**

This is year two of a three year Strategic Plan agreed by Cabinet in April 2016. The Mayor in Cabinet may choose not to agree the draft Strategic Plan. This course of action is not recommended as there would be significant planning gap: the Strategic Plan is a key element of the Council's business planning arrangements. It is important for the Council to articulate its priorities.

The Mayor in Cabinet may choose to amend the draft Strategic Plan prior to approval. If he wishes to amend the Plan, regard would need to be given to the Council's medium term financial plan, as well as any impact arising from the changes. Amendments may be made to the draft Strategic Plan prior to its final approval in Cabinet, alongside the Strategic Plan Delivery Plan, in April 2017.

## 5.6 Delivering the Prevent Duty; Promoting Safeguarding in Tower Hamlets

### DECISION

1. To agree the action plan in response to the review recommendations.

#### Action by:

**ACTING CORPORATE DIRECTOR, GOVERNANCE (G. WHITE)**

(Corporate Strategy and Equalities Officer (G. Hussain))

#### Reasons for the decision

The Council's constitution requires the Executive to respond to recommendations from the Overview and Scrutiny Committee. The action plan within this report outlines the Executive response to the 13 recommendations arising from the review.

#### Alternative options

To take no action. This is not recommended as the proposed recommendations are strategic, measurable and attainable. A timetable for delivering the recommendations has also been agreed by the Prevent Operational Working Group (POWG) and Officers at the most senior levels of the organisation. The action plan is outlined in Appendix Two.

To agree some, but not all recommendations. All of the recommendations are achievable at little additional cost to the organisation.

## 5.7 Review of Maternity Services at the Royal London Hospital

### DECISION

1. To note the scrutiny review report as agreed by the Health Scrutiny Sub-Committee on 28<sup>th</sup> June 2016 (Appendix 1 to the report) and agree the Action Plan in response to the review recommendations. (Appendix 2 to the report).
2. To note the outcome of the latest Care Quality Commission (CQC) inspection of Maternity Services at the Royal London Hospital (RLH).

#### Action by:

**ACTING CORPORATE DIRECTOR, GOVERNANCE (G. WHITE)**

(Corporate Strategy, Policy and Performance Officer (D. Kerr))

#### Reasons for the decision

The Health Scrutiny Sub-Committee identified the performance of maternity services at the Royal London Hospital (RLH) as the subject for a review in its work programme for 2015-16. The Sub-Committee wanted to find out the extent to which patients' experiences have improved since the move from the old Royal London Hospital (RLH) to the new site, which opened in 2012, and to examine the improvement plans that Barts Health Trust (BHT) and the

Tower Hamlets Clinical Commissioning Group (THCCG) have developed for the service.

In doing so, the Sub-Committee's main objective was to produce an informed, practical and evidence-based review, including recommendations and an Action Plan that would help the RLH and partners implement improvements to maternity care. Barts Health Trust has agreed in principle to endorse the recommendations outlined in the review and to work with the council and other stakeholders through a Maternity Partnership Board to address the issues identified.

Since the completion of this review and Action Plan, a CQC inspection of maternity services at RLH has identified a number of concerns and rated the service as 'Inadequate' (December 2016).

This report seeks the endorsement of the Mayor in Cabinet of the Sub-Committee's review and its related Action Plan. Through the implementation of the Action Plan many of the issues identified in both the scrutiny review and the CQC inspection report will be targeted and improved.

#### **Alternative options**

To take no action. This is not recommended as the scrutiny review provides an evidence base for improving maternity services in Tower Hamlets.

To agree some, but not all recommendations. All of the recommendations are achievable within existing resources as outlined in the Action Plan.

## **5.8 Exam Results 2016**

### **DECISION**

1. To note the 2016 Local Authority education results, and to note the proposed strategies for support and challenge in the areas identified below to further raise performance:
  - 1.1. To continue the reform of Early Years provision and support to increase the number of 'school ready', healthy children;
  - 1.2. To further develop schools and providers understanding of new requirements in curriculum, assessment, testing/ examinations and the inspection framework;
  - 1.3. To further develop school and early years capacity across the borough to deliver particularly English and maths;
  - 1.4. To continue to implement targeted, evidence based programmes within a context of sound teaching and learning to close gaps in achievement between identified groups;
  - 1.5. To continue to develop school capacity in supporting children and young people with SEND, noting the SEN Review will also be reported shortly, and that pupils with special needs once again show strong comparative data;

- 1.6. To develop consistently high quality employment, education and training pathways for young people of all abilities and interests; and,
  - 1.7. To work with any school that has significantly underachieved to improve standards through effective leadership, data analysis and improved teaching and learning strategies.
2. To note how the Tower Hamlets Education Partnership will take-on these recommendations and to suggest protocols and procedures that may be necessary. These will include:
- a protocol on results sharing so that results are shared early to allow interventions to be planned in a timely manner
  - to review the performance outcomes within the developing business plan to ensure that the Partnership has the capacity and expertise to address the issues identified in this analysis such as the continuing underperformance of children from a white (free school meal) British background;

**Action by:****CORPORATE DIRECTOR, CHILDREN'S SERVICES (D. JONES)**

(Divisional Director, Education and Partnerships (C. McInnes))

**Reasons for the decision**

Report requested by Cabinet

**Alternative options**

Not applicable – the report is on education assessment outcomes for each key stage.

**5.9 School Admissions 2018/19****DECISION**

1. To agree the oversubscription criteria for admission to Community Nursery Schools/Classes in 2018/19, as set out in Appendix 1 to the report.
2. To agree the proposal to establish central system for the co-ordination of applications for admission to Tower Hamlets nursery schools and classes as outlined in paragraph 3.8 of the report.
3. To agree the oversubscription criteria for admission to Community Primary Schools in 2018/19, as set out in Appendix 2 to the report.
4. To agree the oversubscription criteria for admission to Community Secondary Schools in 2018/19, as set out in Appendix 3 to the report.

5. To agree the schemes for co-ordinating admissions to the Reception Year and Year 7 for 2018/19, as set out in Appendix 4 to the report.
6. To agree the scheme for co-ordinating 'In-Year' Admissions for 2018/19, as set out in Appendix 5 to the report.
7. To agree the planned admission number for each school in Tower Hamlets in 2018/19, as set out in Appendix 6 to the report.

**Action by:****CORPORATE DIRECTOR, CHILDREN'S SERVICES (D. JONES)**

(Head of Pupil Services (T. Bryan)

(Divisional Director, Education and Partnerships (C. McInnes)

**Reasons for the decision**

The Council decides and implements its school admission arrangements through local consultation and collaboration, enabling it to fully understand and meet circumstances in its area. In doing so, the Council seeks to provide a clear framework intended to ensure that arrangements are lawful, reasonable and minimise delay to children accessing education.

The proposed schemes, consultation and recommendations in this report are consistent with the Council's statutory duties as set out in the most recent revision of the School Admissions Code (Dec 2014).

The co-ordination of admissions arrangements together with school catchment areas provide a framework to plan the provision of school places more coherently, taking account of existing and future school locations; travelling distance; pupil migration and changes in neighbouring boroughs.

**Alternative options**

The Council has a statutory duty to annually determine the arrangements for admission to its community schools and to formulate a complying scheme for co-ordinating admissions at the main points of entry (i.e. reception, Year 3 for junior schools and Year 7 for transfer from primary to secondary school). If Cabinet fails to take such action the Council would be acting contrary to the law.

The recommendations in this report have been prepared with regard to the need for arrangements to be clear, objective and fair. Due consideration has been given to alternative admission arrangements, but any alternative action could lead to inequality and leave the Council open to legitimate complaint and legal challenge. If Cabinet wished to consider adoption of alternative arrangements, then full consideration would need to be given to the guidance provided, particularly as to the legal requirements.

## 5.10 Accommodation and Space Management Policy

### DECISION

1. To note and endorse the Accommodation and Space Management Policy (Appendix 1 to the report);
2. To note and endorse the policy context set out in section 3.3 of the report; and
3. To note that this report marks the completion of one of the actions in the property section of the Best Value Action Plan as set out in section 3.4 of the report.

### Action by:

#### **CORPORATE DIRECTOR, PLACE (A. DALVI)**

(Divisional Director, Property and Major Programmes (A. Sutcliffe))

### Reasons for the decision

To ensure accommodation is used in the most efficient and effective way, and in a manner that recognises the cost of it.

To strengthen the governance arrangements in relation to the recharging of services for accommodation as well as any office moves.

To complete the action in relation to the 'asset rental account' on the Best Value action plan, agreed by the authority's Executive on 4<sup>th</sup> March 2015.

### Alternative options

The alternative option would be to not note and endorse this report. However, the council is keen to introduce more rigour to the use, allocation and charging process for accommodation.

In addition, not agreeing this report would mean an action on the Best Value action plan remains outstanding.



## 5.11 Ombudsman Formal Report

### DECISION

1. To note the content of the Report
2. To note the action taken in Children's Social Care to remedy the situation

#### Action by:

#### **CORPORATE DIRECTOR, CHILDREN'S SERVICES (D. JONES)**

(Divisional Director, Children's Social Care (N. Patel)

(Service Manager – Complaints and Information (R. Dowden)

#### Reasons for the decision

The Council accepts the Ombudsman's findings

#### Alternative options

The Council does not wish to challenge the findings, so no alternative options are proposed.

## 5.12 Contracts Forward Plan - Quarter 4 (2016-2017)

### DECISION

1. To note the contract summary at Appendix 1 to the report,
2. To request that information updates be provided to the Mayor and Cabinet Members on the following contracts before they proceed to an award.
  - a) DR5172 – Hard Facilities Management
  - b) AHS5185 – Public Health Community Development Programme
  - c) AHS5186 – Health Promotion Programme – Sexual Health
3. To confirm that subject to the above all contracts set out in Appendix 1 to the report can proceed to contract award after tender.
4. To authorise the Service Head - Legal Services to execute all necessary contract documents in respect of the awards of contracts referred at recommendation 3 above.
5. To note the forecast forward plan schedule detailed in Appendix 2 and request that information be provided to the Mayor and Cabinet Members in relation to item R4799 Leaseholders Building Insurance.

#### Action by:

#### **CORPORATE DIRECTOR, RESOURCES**

(Head of Procurement (Z. Ahmed)

**Reasons for the decision**

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 £250,000, and any contract for capital works with an estimated value exceeding £5,000,000, 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 the period Q4 of the Financial Year.

**Alternative options**

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.

**5.13 Corporate Directors' Decisions****DECISION**

1. To note the Corporate Directors' decision set out in Appendix 1 to the report.

**Action by:**

**CORPORATE DIRECTOR, RESOURCES (Z. COOKE)**

**Reasons for the decision**

Financial Regulations require that regular reports be submitted to Cabinet setting out financial decisions taken under Financial Regulation B10.

The regular reporting of Corporate Directors' Decisions should assist in ensuring that Members are able to scrutinise officer decisions.

**Alternative options**

The Council is bound by its Financial Regulations (which have been approved by Council) to report to Cabinet setting out financial decisions taken under Financial Regulation B10.

If the Council were to deviate from those requirements, there would need to be a good reason for doing so. It is not considered that there is any such reason, having regard to the need to ensure that Members are kept informed about decisions made under the delegated authority threshold and to ensure that these activities are in accordance with Financial Regulations.

#### **5.14 List of Individual Executive Mayoral Decisions**

##### **DECISION**

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

##### **Action by:**

**COMMITTEE SERVICES MANAGER (M. MANNION)**

##### **Reasons for the decision**

This is a noting report to aid transparency.

The reasons each decision were taken are set out in their specific reports.

##### **Alternative options**

The alternative option would be to not produce this report, but that would not aid transparency of decision making.

#### **5.15 Updates to Lead Member Responsibilities**

##### **DECISION**

1. To note the report.

##### **Action by:**

**ACTING CORPORATE DIRECTOR, GOVERNANCE (G. WHITE)**

##### **Reasons for the decision**

To note minor changes to Cabinet Lead Member responsibilities.

##### **Alternative options**

Not applicable to a noting report.

#### **6. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**

Nil items.

#### **7. EXCLUSION OF THE PRESS AND PUBLIC**

Nil items.

#### **8. EXEMPT / CONFIDENTIAL MINUTES**

Nil items.

**9. OVERVIEW & SCRUTINY COMMITTEE**

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

Nil items.

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

Nil items.

**10. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT**

Nil items.

The meeting ended at 8.23 p.m.

Mayor John Biggs