

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.05 P.M. ON TUESDAY, 7 MARCH 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 Shiria Khatun	(Deputy Mayor and Cabinet Member for Community Safety)
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 Amy Whitelock Gibbs	Cabinet Member for Health & Adult Services

Other Councillors Present:

Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Abdul Mukit MBE	
Councillor John Pierce	
Councillor Andrew Wood	

Officers Present:

Mark Baigent	(Interim Divisional Director, Housing and Regeneration)
John Coker	(Strategic Housing Manager, Place)
Margaret Cooper	(Section Head Transport & Highways, Public Realm, Communities Localities & Culture)
Shalina Hussain	(Communications Officer, Communications, Chief Executive's)
Judith St John	(Acting Divisional Director, Sports, Leisure and Culture)
Debbie Jones	(Corporate Director, Children's)
Neville Murton	(Divisional Director, Finance, Procurement & Audit)
Matthew Pullen	Infrastructure Planning Team Leader
Denise Radley	(Corporate Director, Health, Adults & Community)
Karen Sugars	(Acting Divisional Director, Integrated Health)
Ann Sutcliffe	(Divisional Director, Property & Major Programmes)
Will Tuckley	(Chief Executive)
Graham White	(Acting Corporate Director, Governance)

Melanie Aust	(Business, Enterprise, High streets & Town Centres Manager)
Dr Somen Banerjee	(Director of Public Health)
Peter Robbins	Head of Mayor's office
Matthew Mannion	(Committee Services Manager, Democratic Services, Governance)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Ayas Miah
- Councillor Joshua Peck

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 7 March 2017 be approved and signed by the Mayor as a correct record of proceedings.

4. OVERVIEW & SCRUTINY COMMITTEE

4.1 Chair's Advice of Key Issues or Questions

Nil items.

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

Nil items.

5. UNRESTRICTED REPORTS FOR CONSIDERATION

5.1 Tower Hamlets Carers Strategy 2016 - 2019

DECISION

1. To note the contents of this report and approve the Carers' Strategy, 2016-19 attached as Appendix 1 to the report.

2. To note the contents of the Carers' Dignity Charter which has been co-designed with carers, with a recommendation that it is endorsed by the council and health partners.

Action by:

CORPORATE DIRECTOR, HEALTH, ADULTS AND COMMUNITY (D. RADLEY)

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

(Service Manager, Strategic Commissioning)

Reasons for the decision

Tower Hamlets Carers' Strategy, 2012-2015 has come to an end and needs to be refreshed. Within this time there have been a number of major legislative and policy changes within health and social care that impact on carers. This includes the refreshed 2014/16 National Carers' Strategy, 'Recognised, Valued and Supported, the next steps for the Carers' Strategy', the Children and Families Act 2014, and the Care Act 2014.

The Care Act 2014 and Children and Families Act 2014 require local authorities to be proactive in identifying carers, to assess the needs of carers in their own right and to provide support which meets their needs. These legislative changes put further emphasis on the need for support to carers, both locally and nationally and the present strategy seeks to capitalise on that opportunity. The refreshed Tower Hamlets Carers' Strategy will ensure that the existing systems and processes meet the needs of unpaid carers of all ages and that the Council complies with its legal obligations in a clear and transparent way.

This strategy has also been produced as a direct response to a health scrutiny challenge session, held on 13th May 2015 at Tower Hamlets Carers' Centre. The challenge session focused on how the Care Act 2014 had been implemented locally, specifically in relation to the council's duty to support unpaid carers. A key recommendation made at this challenge session was "that the Carers' Strategy be developed in partnership with local service providers, the Carers' Forum and in consultation with local carers". Key recommendations from the health scrutiny challenge session have been embedded into the new Tower Hamlets Carers' Strategy. The strategy responds to the invaluable feedback we received from individual carers, the Carers' forums, and professionals.

Alternative options

The alternative option is to do nothing, which means the council is at reputational risk of not meeting its obligations to carers. Additionally, the strategy is designed to support the delivery of excellent services for carers in the borough. If the Council took no action to support carers, there is a high risk of the caring relationship breaking down and individuals losing their independence and control. It might also place added pressure on budgets for directly-provided care and increase the numbers of people entering residential care provision.

5.2 Consultation on Health and Wellbeing Strategy 2017-2020 -summary of findings and implications

DECISION

1. To note the findings of the consultation and the approach to delivering the strategy.
2. To approve the Strategy.

Action by:

CORPORATE DIRECTOR, HEALTH, ADULTS AND COMMUNITY (D. RADLEY)

(Director of Public Health (S. Banerjee))

Reasons for the decision

The purpose of the decision is to formally approve the Tower Hamlets Health and Wellbeing Strategy that has been developed by the Tower Hamlets Health and Wellbeing Board following a period of consultation between the 11th November and 23rd December

Alternative options

To proceed with the strategy without formal approval.

5.3 Leasehold Alterations, and Housing Parcel of Land Sales Policies

DECISION

1. To agree the Leasehold Alterations policy set out in **section 3** of the report, and detailed in Appendix 1 and 2 to the report.
2. To agree the Housing Land Sales policy set out in **section 4**, and detailed in Appendix 3 to the report.

Action by:

CORPORATE DIRECTOR, PLACE (A. DALVI)

(Interim Service Head Regeneration, Strategy, Sustainability and Housing Options (M. Baigent))

(Housing Client Manager (J. Kiwanuka))

(Head of Asset Management (R. Chilcott))

Reasons for the decision

The Council's sale of housing owned land policy and procedure seeks to ensure that land sales are dealt with consistently and best value is always sought. The Council also has a separate responsibility to deal ethically and fairly with all potentially interested parties. This means that any party who may have an interest in making an offer for housing land has the opportunity to do so in circumstances no less favourable than any other party.

The Council is obliged to seek 'best consideration' upon disposal of any asset, (as required by Section 123 of the Local Government Act 1972). This means that the Council is under a statutory and public duty to obtain the best price reasonably obtainable for any property, or land, which it sells. In the last few years, the Council has received an increasing number of enquiries with regards to a) sales of communal grounds for use as private garden, and b) sales of communal drying rooms, lofts and storage spaces. Therefore it is necessary to review the original policy so as to set out an approach towards the discretionary sale of HRA Land and to make it clear from the outset what area's the Council will consider in terms of the disposal of its assets.

Under the terms of their lease, leaseholders are able to request that the landlord considers requests for alterations and the Council has a duty to consider such applications. This allows the Council, like other social landlords, to manage its assets by preventing unauthorised alterations and improvements which can adversely affect its buildings both internally and externally. The Council and Tower Hamlets Homes (THH) have become aware that there are an increasing number of such unauthorised alterations. Therefore, the Council has reviewed its approach to give clear guidance as to what type of alterations is acceptable and prevent the increase in unauthorised alterations.

Alternative options

Resident's expectations and Council priorities have changed since 2011 and 2004 when policies for leasehold alterations and housing land sales were agreed respectively.

Retaining the policies in the current form would not serve the aspiration of the Council and that of the residents. Therefore, it is of significant importance for the Council to refresh its policies to be consistent and equitable to the residents' expectations and its aspirations.

Leaseholders have applied for Council consent on a range of works both internal and external; this report proposes a new and more systematic policy for the Council with clearer definitions of the different types of alterations and the criteria for authorising them.

5.4 The Infrastructure Delivery Framework: Approval of S106 Funding to Roman Road Town Centre Delivery Project

DECISION

1. To approve the allocation of **£331,197** of S106 funding to the **Roman Road Town Centre Delivery Project** as profiled in the Project Initiation Document attached at Appendix A to the report and Table 1 in the report.
2. To approve the adoption of a capital budget for **£327,000** as profiled in the Project Initiation Document attached at Appendix A to the report and Table 2 in the report.

Action by:

CORPORATE DIRECTOR, PLACE

(Business, Enterprise, High streets & Town Centres Manager (M. Aust))

Reasons for the decision

Approval is sought to deliver this project for the following reasons:

1. The project will help contribute to the delivery of positive improvements to people's lives that will underpin the Community Plan themes of:
 - A Great Place to Live;
 - A Fair and Prosperous Community;
 - A Safe and Cohesive Community.
2. They will improve the wellbeing of residents and workers; improve the economic vitality of Roman Road East Town Centre, including employment and enterprise opportunities, as well as overall levels of public participation.

Please refer to the attached Project Initiation Document (PID) for more information about the projects.

Alternative options

The expenditure items within the attached PID can be individually or collectively approved. The only alternative option is to not allocate the funding to some or any of these projects.

It should be noted that the use of S106 funding proposed for allocation in this report is restricted, as it must be spent in accordance with the terms and conditions of its expenditure pertaining to a specific S106 agreement related to the development from which it originates. This may restrict the spend of S106 funding for certain infrastructure types or projects and also by the geographic location of the project.

Any alternative spend of this funding would have to be on the projects that would meet the requirements of the relevant S106 agreement.

5.5 Local Implementation Plan - Delivery Plan Update

DECISION

1. To note the reallocation of the schemes proposed for funding in the LIP Delivery Plan 2017-18 (Appendix 1 to the report).
2. To note that the schemes were approved in the Council's 2017/18 Capital Programme in the January 2017 Cabinet Budget Report.
3. To agree that where possible the Council's Framework Contracts for Highways (CLC 4371) be used for the implementation of these works as appropriate.

Action by:

CORPORATE DIRECTOR, PLACE (A. DALVI)

(Head of Engineering (M. Cooper))

Reasons for the decision

Financial Regulations require the adoption of capital estimates for specific schemes to authorise expenditure by Council Officers on the delivery.

Alternative options

None considered.

5.6 Academy Conversion - Bygrove and Stebon Primary Schools

DECISION

1. To agree to the grant of a 125-year lease to the new academy trust for Stebon Primary School;
2. To note that the proposed grant of a 125 year lease to the new Academy Trust for Stebon Primary School will be subject to the Commissioners' consent;
3. To agree that the Council's existing lease for Bygrove Primary School site may be surrendered, in order to allow a new lease to be agreed between the Westminster Diocese and the academy trust;
4. To authorise the Corporate Director, Place, to agree the final terms and conditions for the grant of the new lease for Stebon Primary School and the surrender of the existing lease for Bygrove Primary School;
5. To approve the Council to enter into commercial and staffing transfer agreements for both schools;

6. To authorise the Corporate Director, Children's Services, after consultation with the Acting Corporate Director, Governance and the Corporate Director, Resources to enter into and undertake any remaining issues and/or agreements associated with the conversion of the two schools;
7. To authorise the Acting Corporate Director Governance to execute all documentation required to implement the decisions;
8. To authorise the Corporate Director, Resources to execute the Local Government (Contract) Act 1997 Certificate required to implement the decisions.

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

(Service Manager, Policy, Programmes and Community Insight (L. Richards)

(Academy Conversions Project Manager (P. Stone)

Reasons for the decision

Both schools are maintained community schools and received academy orders dated 17 October 2016. The schools intend to convert simultaneously and form a new multi academy trust.

Both schools have indicated their wish to convert to academies on 1 April 2017.

Alternative options

There is no alternative to the planned course of action. Once applications from Governing Bodies have been approved by the Secretary of State, the expectation is that the local authority will work with schools on all transfer matters.

5.7 Best Value Action Plan: Fourth 6 monthly update report**DECISION**

1. To agree the final 6 monthly update prior to submission to the Secretary of State (Appendix 1 to the report);
2. To agree the Best Value arrangements for 2017 – 18 as set out in paragraph 3.6 of the report.
3. To agree the Best Value Improvement Plan 2017-18 (Appendix 2 to the report) which will be monitored on a six monthly basis by Cabinet and the Overview and Scrutiny Committee;

Action by:**ACTING CORPORATE DIRECTOR, GOVERNANCE (G. WHITE)**

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

Reasons for the decision

The Council is required to monitor the Best Value Action Plans to comply with Secretary of State Directions. The Best Value Improvement Plan 2017-18 details the Council's improvement journey during the next financial year.

Alternative options

The Council is required to comply with Secretary of State Directions. The actions within the plans have been the subject of consultation with a range of parties, and the Commissioners, which has considered alternative options.

The Council can take no actions next year. This is not recommended as the Best Value Improvement Plan supports the continuous improvement across the areas found in the Best Value Plans.

5.8 Corporate Budget Monitoring - Month 9 (Q3 2016/17)**DECISION**

1. To note the Council's Revenue and Capital financial forecast outturn position as at the end of December 2016 as detailed in Sections 3 to 8 of the report.
2. To note the summary savings position and management action being taken.
3. To note the summary Balance Sheet Information.

Action by:

CORPORATE DIRECTOR, RESOURCES (Z. COOKE)

(Chief Accountant (K. Miles))

Reasons for the decision

The regular reporting of Revenue and Capital Budget Monitoring information provides detailed financial information to members, senior officers and other interested parties on the financial performance of the council. It sets out the key variances being reported by budget holders and the management action being implemented to address the identified issues.

Set alongside relevant performance information it also informs decision making to ensure that members' priorities are delivered within the agreed budget provision.

It is important that issues are addressed to remain within the approved budget provision or where they cannot be contained by individual service management action, alternative proposals are developed and solutions proposed which address the financial impact; Members have a key role in approving such actions as they represent changes to the budget originally set and approved by them.

Alternative options

The Council could choose to monitor its budgetary performance against an alternative timeframe but it is considered that the reporting schedule provides the appropriate balance to allow strategic oversight of the budget by members and to manage the Council's exposure to financial risk. More frequent monitoring is undertaken by officers and considered by individual service Directors and the Council's Corporate Management Team including approval of management action.

To the extent that there are options for managing the issues identified these are highlighted in the report in order to ensure that members have a full picture of the issues and proposed solutions as part of their decision making.

5.9 Draped Seated Woman - selection of local hosting partner

The Exempt Appendix was noted and agreed as exempt.

DECISION

1. To agree that the award of the contract to host "Draped Seated Woman" (locally known as "Old Flo") be awarded to the bidder with the highest score (see exempt Appendix 1 to the report)
2. To delegate to the Corporate Director – Children's Services and in her absence to the Acting Divisional Director, Sport, Leisure, Culture and Youth authority to enter into a contract with the said highest scoring bidder.

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

(Acting Divisional Director, Sport, Leisure, Culture and Youth (J. St John))

Reasons for the decision

The decision is required in order to implement the Mayor's pledge to return Draped Seated Woman by Henry Moore back to Tower Hamlets. In line with the Mayor's decision taken on 1st December 2016, which set the contract approach, officers have now completed a procurement exercise. This report sets out the outcome of the procurement process and recommends to the Mayor that the highest scoring bidder be appointed to host Draped Seated Woman.

Alternative options

The following alternative options are available to the Mayor:

Not to accept the officers' recommendation to appoint the highest scoring bidder and restart the procurement process.

Not to accept the officers' recommendation to appoint the highest scoring bidder and develop alternative options to return Draped Seated Woman to the borough.

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 6.30 p.m.

Mayor John Biggs