

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.33 P.M. ON WEDNESDAY, 26 FEBRUARY 2020

**C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Mayor John Biggs	
Councillor Sirajul Islam	(Statutory Deputy Mayor and Cabinet Member for Housing)
Councillor Rachel Blake	(Deputy Mayor and Cabinet Member for Planning, Air Quality and Tackling Poverty)
Councillor Asma Begum	(Deputy Mayor and Cabinet Member for Community Safety and Equalities)
Councillor Sabina Akhtar	(Cabinet Member for Culture, Arts and Brexit)
Councillor Amina Ali	(Cabinet Member for Adults, Health and Wellbeing)
Councillor David Edgar	(Cabinet Member for Environment)
Councillor Danny Hassell	(Cabinet Member for Children, Schools and Young People)
Councillor Motin Uz-Zaman	(Cabinet Member for Work and Economic Growth)

Other Councillors Present:

Councillor Peter Golds	(Leader of the Conservative Group)
Councillor James King	
Councillor Puru Miah	
Councillor Dan Tomlinson	(Mayoral Advisor for Highways and Public Realm)
Councillor Andrew Wood	

Officers Present:

Magdalene Bannis-Roy	Youth Services Strategic Transformation Development Lead
Kevin Bartle	Interim Divisional Director of Finance, Procurement and Audit
Stephen Bramah	(Deputy Head of the Mayor's office)
Terry Bryan	(Head of Pupil Services and School Sufficiency)
David Courcoux	(Head of the Mayor's Office)
Thorsten Dreyer	(Head of Intelligence and Performance)
Lucy Fordham	Senior Communications Officer
Chris Harrison	Liveable Streets Technical Director
Dan Jones	(Divisional Director, Public Realm)
Debbie Jones	(Corporate Director, Children and Culture)
Daniel Kerr	(Strategy and Policy Manager)

Ronke Martins-Taylor	(Divisional Director, Youth & Commissioning)
Neville Murton	Corporate Director of Resources
Denise Radley	(Corporate Director, Health, Adults & Community)
Ann Sutcliffe	(Corporate Director, Place)
Will Tuckley	(Chief Executive)
Asmat Hussain	(Corporate Director, Governance and Monitoring Officer)
Matthew Mannion	(Head of Democratic Services, Governance)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Candida Ronald (Cabinet Member for Resources and the Voluntary Sector)
- Councillor Danny Hassell (Cabinet Member for Children, Schools and Young People) who would need to leave the meeting early to attend another Committee as would Debbie Jones (Corporate Director, Children and Culture)

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no Declarations of Disclosable Pecuniary Interests.

3. UNRESTRICTED MINUTES

DECISION

1. That the unrestricted minutes of the Cabinet meeting held on Wednesday 29 January 2020 be approved and signed by the Chair as a correct record of the meeting.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

See the minutes.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions

Pre-Decision Scrutiny Questions and officer responses were received in relation to Agenda Items:

- 6.1 – Liveable Streets Wapping
- 6.2 – Youth Service Review 2019/20
- 6.3 – Determination of School Admission Arrangements 2021/22
- 6.5 – Quarterly Performance and Improvement Monitoring – Q3 2019/20

These were considered during discussion of the relevant agenda items.

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

Nil items.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Liveable Streets Wapping consultation outcome report

The Pre-Decision Scrutiny Questions and officer responses were noted.

DECISION

1. To note the results of the engagement to date and public consultation of Wapping Liveable Streets.
2. To approve the final scheme design for the Wapping area as part of the Liveable Streets programme (Appendix B to the report).
3. To approve the use of using existing frameworks or term contracts to award an order up to a value of £1.1 million for the completion of the works.

Action by:

CORPORATE DIRECTOR, PLACE (A. SUTCLIFFE)

(Divisional Director, Public Realm (D. Jones)

(Programme Director (C. Harrison)

Reasons for the decision

This project will make fundamental improvements to infrastructure on the street, public spaces and change the travel behaviour of residents, businesses and visitors to the Wapping area. These changes seek to address the following known issues in the area:

- Poor pedestrian access to and from public transport links
- Lack of sufficiently wide footways and dropped kerbs, providing a barrier to walking particularly for the mobility impaired or those with pushchairs
- Speeding traffic and anti-social driving
- Anti-social behaviour, drug dealing and crime, particularly near green spaces on Wapping High Street and near the Station

An extensive engagement process has been undertaken over the past nine months involving residents, businesses, emergency services and internal council services. The outcome of this extensive engagement process shows overall support for the proposals.

As part of the 30 October 2019 Cabinet approval, the decision making for the Liveable Streets programme is:

- Under £250k – decision to be made by Divisional Director, Public Realm.

- Over £250k-below £1 million – Decision to be made by Divisional Director, Public Realm in consultation with the Mayor and Lead Member.
- Over £1 million or significant impact on two or more wards – decision to cabinet for political decision.

Due to the estimated spend of over £1.1 million this is for Mayor in Cabinet.

Alternative options

Through the public consultation, we have received suggestions and alternative proposals which have been assessed by the project team for viability and alignment with the Liveable Streets objectives. These options and recommendations can be found in Appendix E.

The key alternative proposals that have not been included are:

- Providing an additional closure at the southern end of Clegg Street
- Removal of further parking spaces along Wapping High Street to improve vehicle flow
- Relocating cycle hire parking from Wapping Lane to Wapping Dock Street
- Extending Pennington Street one way from Artichoke Hill to Wapping Lane.

In summary, these options would not help to achieve the aims of the Liveable Streets programme; and/or further encourage people to travel on foot, by bike and on public transport.

6.2 Youth Service Review 2019/2020 and proposals for change

The reasons for urgency were agreed.

The recommendations were amended and then agreed.

The Pre-Decision Scrutiny Questions and officer responses were noted.

DECISION

1. To endorse the proposal set out in the report to create a newly restructured, mixed economy Youth Service subject to further consultation with the Mayor on the overall budget envelope;
2. To approve a new 12 month contract, from 1st April 2020 to 31st March 2021, to all current Community and Voluntary Sectors (CVS) youth activity providers (universal and specialist) in order to provide continuity of provision and to coincide with the implementation of the redesigned youth service in 2021/22 subject to a further consultation with the Mayor over the impact of cost growth on service providers.
3. To note that an update report would be presented to Cabinet later in the process.

Action by:**CORPORATE DIRECTOR, CHILDREN AND CULTURE (D. JONES)**

(Divisional Director, Youth and Commissioning (R. Martins-Taylor)

(Youth Service Strategic Development Lead (M. Bannis-Royer)

Reasons for the decision

The need to respond to the views of children, young people; and key stakeholders in partnerships and the community in terms of what they have identified that they want from a transformed Youth Service.

The Youth Service Review has highlighted the potential to deliver a better value service with improved performance and outcomes.

The need to undertake Service transformation arising from the findings of the 2019/20 Youth Service Review.

The need to achieve savings within the Youth Service arising from the 2020/21 to 2023/24 Medium Term Financial Strategy (MTFS) proposals.

Alternative options

Do nothing and maintain the status quo (not recommended): With this option the provision of Youth Service activity would continue under the current arrangements which have been in place since 2016/17.

This option is not recommended as no Medium Term Financial Strategy savings could be realised; the imbalances between the funding and outcomes for internal youth provision and externally commissioned youth provision would be maintained; all round performance would not be improved; the service changes that have been highlighted through the 2019/20 Youth Service Review could not be implemented; and value for money would not be achieved.

Provide a service that meets statutory requirements only (not recommended): With this option, the local authority would provide only a minimum Youth Service offer as required by law. This could be as little as signposting young people through a website or small amounts of grant funding. However, this option is not recommended as it does not align with Tower Hamlets Every Chance for Every Child priorities which are to provide the right help at the right support and to support young people to access enriching opportunities and activities. In addition to this Tower Hamlets Youth Service has a long history of providing universal youth activity as well as more targeted working to support vulnerable young people who would benefit from engagement in positive activities.

Outsource the entire Youth Service (not recommended): With this option all Youth Service functions would be outsourced including universal Youth Hubs and youth participation. However, this option is not recommended as it could result in high management costs; risks of subcontracting which could impact the quality of service delivery. Furthermore, it would risk undermining areas where a borough wide, council led approach is required. This includes

the youth participation work so that young people can effectively participate in and influence the work of the council. It also includes the targeted youth support which is required to align effectively with statutory work undertaken by children's social care and the youth offending service.

Deliver all youth activity in-house (not recommended): With this option all youth activity would be brought back in-house to be delivered by the local authority with no externally commissioned provision. However, this option is not recommended because a wholly in-house delivered Youth Service would lack the ability to access the expertise and leverage additional resources and assets that the community and voluntary sector are able to attract.

The creation of a public sector mutual (not recommended): This option would see the creation of a youth public sector mutual or cooperative to deliver youth services on behalf of the council. However, our research highlights that existing youth mutual have struggled to survive financially especially as local authorities, who are often the main funder, shrink their expenditure on youth provision. This, coupled with the uncertain economic climate makes setting up a mutual or cooperative to deliver youth services a significant risk.

Setting up an OnSide Youth Zone (not recommended): Our research into the viability of adopting the OnSide Youth Zone approach was considered in 2017/18. OnSide Youth Zones are set up as independent local charities that provides an innovative way of funding and resourcing local authority youth provision utilising a model that is comprised of new capital build; use of land donated for lease by the local authority; local authority revenue funding; local donor funding; and charges levied for young people's use of the facilities.

Implement changes to the Youth Service based on the findings from the Youth Service Review and lessons learned (recommended): This option will enable the Youth Service to incorporate the key lessons learned from the 2019/20 Youth Service Review consultations and to reconfigure the service accordingly. As a result, the Service will be more responsive to the needs of children and young people; it will offer greater partnership engagement; and it will support the delivery of shared partnership outcomes.

Under this recommendation a mixed economy Youth Service will provide a combination of commissioned and internally delivered services. It proposes that universal youth service delivery is commissioned and that a retained youth service focusses on oversight of commissioning; strengthening youth voice and empowerment and delivery of more intensive, targeted youth work.

This option builds upon the commissioning expertise in the Youth Service; the findings of the Youth Service Review; and offers opportunities to use the ability and proficiency of CVS to fund raise attracting additional funds to enhance the youth offer across the borough.

Further details on the options are set out in the Cabinet report.

6.3 Determination of School Admission Arrangements for 2021/22

The Pre-Decision Scrutiny Questions and officer responses were noted.

DECISION

1. To agree the admissions policy and oversubscription criteria for admission to Community Nursery Schools/Classes in 2021/22, as set out in Appendix 1 to the report.
2. To agree the admissions policy and oversubscription criteria for admission to Community Primary Schools in 2021/22, as set out in Appendix 2 to the report.
3. To agree the admissions policy and oversubscription criteria for admission to Community Secondary Schools in 2021/22 as set out in Appendix 3 to the report.
4. To agree the schemes for co-ordinating admissions to, Nursery, Reception and Year 7 for 2021/22, as set out in Appendix 4 to the report.
5. To agree the scheme for co-ordinating 'In-Year' Admissions for 2021/22, as set out in Appendix 5 to the report.
6. To agree the planned admission number for each school in Tower Hamlets in 2021/22, as set out in Appendix 6 to the report, noting the change in numbers at:
 - Cayley Primary School
 - Malmesbury Primary School.
 - Olga Primary School.
 - Canon Barnett Primary School
 - Bangabandhu Primary School.
 - Stewart Headlam Primary School
 - Oaklands Secondary School.

Action by:

CORPORATE DIRECTOR, CHILDREN AND CULTURE (D. JONES)

(Service Head, Pupil Services and School Sufficiency (T. Bryan)

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 and planned admission numbers provide a framework to plan the provision of school places more coherently, taking account of existing and future school locations; travelling distance; pupil demographics and migration; and changes to school organisation in this and 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 compliant 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.

6.4 Poplar Baths - Refinancing

The recommendations were amended and then agreed.

DECISION

1. To agree the arrangements for the refinancing of the Poplar Baths Scheme
2. To delegate to the Corporate Director, Resources in consultation with the Corporate Director, Governance, approval for changes to the project documentation to give effect to the refinancing proposal (including but not limited to paragraph 3.41 of the report) and to finalise and arranging the execution of all arrangements and documents (including those ancillary to the documents mentioned [above]).

Action by:

CORPORATE DIRECTOR, RESOURCES (N. MURTON)

Reasons for the decision

The council entered into a long-term Public Private Partnership with Folera Limited in 2014 that delivered the restoration of leisure facilities at Poplar Baths, affordable housing and Haileybury community centre.

The senior financing debt arranged for the development period was due to mature in 2019, prompting a refinancing exercise to be carried out by Folera, and by extension the Council. The Council's approval of the refinancing is required, due to the Council's position as underwriter of elements of the project.

Alternative options

The Council has considered, and discounted, as part of the negotiations the option of itself providing the senior debt financing. However, the original agreement requires the refinancing to take place at this point in time.

There are other lenders in the market that could provide alternatives to the arrangement proposed however, the option currently proposed by Folera is understood to represent the most cost-effective solution and it is in all parties interest to secure the most advantageous terms for refinancing.

6.5 Quarterly Performance & Improvement Monitoring – Q3 2019/20

The Pre-Decision Scrutiny Questions and officer responses were noted.

DECISION

1. To note the Quarter 3 2019/20 summary status as set out at the beginning of the attached monitoring report;
2. To note the performance of the strategic measures at the end of Quarter 3 2019/20; and
3. To note progress in delivering Strategic Plan activities.

Action by:

CHIEF EXECUTIVE (W. TUCKLEY)

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

(Head of Intelligence and Performance (T. Dreyer)

Reasons for the decision

The council's Performance & Accountability Framework sets out the process for monitoring the timely and effective delivery of the Strategic Plan to improve outcomes for residents. In line with the framework, the Mayor in Cabinet receives regular update reports to ensure oversight of pace, delivery, performance and improvement at Cabinet level.

This report promotes openness, transparency and accountability by enabling Tower Hamlets residents to track progress of activities that impact on their lives and the communities they live in.

Alternative options

Cabinet can decide not to review the performance information. This is not recommended as Members have a key role to review and challenge underperformance and also utilise performance information to inform resource allocation.

6.6 Revenue and Capital Budget Monitoring Quarter 3 2019/20

DECISION

1. To note the Council's projected outturn position against General Fund, Dedicated Schools Budget, Housing Revenue Account and Capital Programme budgets agreed for 2019-20, based on information as at the end of December as detailed in the Appendices to the report.
2. To approve the capital change notes, total of £12.6m to be added into the Council's capital programme, as detailed in Appendix 7 to the report.
3. To note that there are no equalities implications directly resulting from this report, as set out in Section 4 of the report.

Action by:

CORPORATE DIRECTOR, RESOURCES (N. MURTON)

(Chief Accountant (T. Harlock))

Reasons for the decision

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 Leadership Team (CLT) 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.

Alternative options

The regular reporting of Revenue and Capital Budget Monitoring information through the year and the preparation of the provisional outturn position after the year end 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.

Further information across the Council's key financial activities is also included to ensure that CLT and Members have a full picture to inform their consideration of any financial decisions set out in this report and also their

broader understanding of the Council's financial context when considering reports at the various Council Committees.

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; CLT and Members have a key role in approving such actions as they represent changes to the budget originally set and approved by them.

6.7 Nomination to Outside Bodies

The reasons for urgency were agreed.

DECISION

1. To agree the nominations to outside bodies as shown in Paragraph 3.3 of the report.

Action by:

CORPORATE DIRECTOR, GOVERNANCE (A. HUSSAIN)

(Senior Committee Services Officer (J. West))

Reasons for the decision

Having representatives on outside bodies increases the Council's engagement with the local community and improves its potential to offer leadership and guidance in relation to activities taking place in the borough.

London-wide initiatives can also offer considerable benefits that promote delivery of the Council's key priorities. Conditions of some London-wide partnerships and trusts are that the Council is represented on their boards.

Alternative options

The Mayor could decide not to make appointments to outside bodies at all. However, this is not recommended as it would reduce the Council's opportunity to be involved in and to support good work within the community and it would also reduce the Council's leadership opportunities. There are also a number of bodies where the Council is required or expected to provide a representative.

7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

8. EXCLUSION OF THE PRESS AND PUBLIC

Nil items.

9. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

10. OVERVIEW & SCRUTINY COMMITTEE

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

Nil items.

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

Nil items.

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

Nil items.

The meeting ended at 7.30 p.m.

Mayor John Biggs