

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.32 P.M. ON TUESDAY, 18 JANUARY 2022

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

Members Present in person:

Mayor John Biggs	
Councillor Asma Begum	(Deputy Mayor and Cabinet Member for Children, Youth Services, Education and Equalities (Statutory Deputy Mayor))
Councillor Rachel Blake	(Deputy Mayor and Cabinet Member for Adults, Health and Wellbeing)
Councillor Kahar Chowdhury	Cabinet Member for Highways and Public Realm – (Job Share post as part of Social Inclusion and Public Realm portfolio)

Members In Attendance Virtually

Councillor Sabina Akhtar	(Cabinet Member for Culture, Arts and Sports)
Councillor Mufeedah Bustin	(Cabinet Member for Social Inclusion (Job Share as part of the wider Social Inclusion and Public Realm Portfolio))
Councillor Danny Hassell	(Cabinet Member for Housing)
Councillor Asma Islam	(Cabinet Member for Environment and Planning)
Councillor Sirajul Islam	(Cabinet Member for Community Safety)
Councillor Candida Ronald	(Cabinet Member for Resources and the Voluntary Sector)

Officers In Attendance Virtually:

Janet Fasan	(Director of Legal & Monitoring Officer)
Will Tuckley	(Chief Executive)
Matthew Mannion	(Head of Democratic Services, Governance)

Officers In Attendance Virtually:

Allister Bannin	(Head of Strategic and Corporate Finance)
Kevin Bartle	(Corporate Director, Resources & Section 151 Officer)
Katie Cole	(Associate Director of Public Health)
Sharon Godman	(Director, Strategy, Improvement and Transformation)
Keith Stanger	(Head of Safer Neighbourhood Operations)
Denise Radley	(Corporate Director, Health, Adults & Community)
Ann Sutcliffe	(Corporate Director, Place)

James Thomas
Nisar Visram

(Corporate Director, Children and Culture)
(Director of Finance, Procurement & Audit)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Motin Uz-Zaman (Cabinet Member for Work, Economic Growth and Faith).

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER 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 15 December 2021 be approved and signed by the Chair as a correct record of proceedings.

4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR

See the minutes.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions

There were no Pre-decision Scrutiny Questions.

Note – Scrutiny will be reviewing the 2022-23 Budget Report on Monday 24 January 2022.

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

Nil items.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Mayor's Foreword to the Council's Budget Report

DECISION

1. To note the Mayor's Foreword to the Council's Budget Report.

Reasons for the decision

N/A

Alternative options

N/A

6.2 The Council's 2022-23 Budget Report and Medium Term Financial Strategy 2022-25**DECISION**

Cabinet agreed to submit the budget and policy framework aspects of the report for review by the Overview and Scrutiny Committee.

1. To propose a General Fund Revenue Funding Requirement of £383.551m for 2022-23 subject to any remaining changes arising from the final Local Government Finance Settlement, which includes a surplus of £5.413m in 2022-23 which will be allocated to one-off projects.
2. To approve the Council Tax Base calculation for 2022-23 and agree that authority to approve this in future years is delegated to the Section 151 Officer.
3. To propose to freeze the Tower Hamlets element of Council Tax and to only levy a 1% Adult Social Care precept for 2022-23. This will result in a Band D Council Tax of £1,146.54 (Council share) 2022-23 to be referred to Full Council for approval.
4. To propose that the Interim Corporate Director – Resources, after consultation with the Mayor and Lead Member of Resources, makes any changes required to the budget following the final settlement announcement.
5. To note that the Council is joining the 8 Authority Pool for Business Rates with seven other London Local Authorities for 2022-23 and note that delegated authority has been given to the Section 151 Officer to implement the Council's inclusion in the pool.
6. To approve the 2022-23 transfers to and from reserves as set out in paragraph 3.9 of the report.
7. To approve the continuation of £1m funding from the Public Health grant to the Key Stage Two extension of Free School Meals.
8. To approve that the increase in the Social Care Grant for 2022-23 is allocated in full to the services (75% to adult social care and 25% to children's social care).
9. To propose the 2022-23 Housing Revenue Account budget as set out in Appendix 7 to be referred to Full Council for approval.
10. To approve the HRA housing rent and service charge increases as outlined in section 3.11.

11. To approve the 2022-23 Management Fee payable to Tower Hamlets Homes (THH) of £33.236m as set out in paragraph 3.11.16 of the report.
12. To note that under the Management Agreement between the Council and THH, THH manages delegated HRA income and expenditure budgets on behalf of the Council. In 2022-23, THH will manage delegated income budgets totalling £98.842m and delegated expenditure budgets totalling £32.128m.
13. To propose the 2022-23 Schools Budget.
14. To agree that the National Schools Funding Formula (NSFF) adopted by Tower Hamlets originally in 2019-20 continues for 2022-23. The only changes included are increases to the factor values in line with the NSFF and the use of the mobility factor in the NSFF for the first time.
15. To agree that the Minimum Funding Guarantee (the mechanism that guarantees schools a minimum uplift in per-pupil funding) is set as close as possible to 2.0%, the maximum allowed after consideration for growth and factor changes in School allocations.
16. To agree that the structure of the Early Years Funding Formula remains unchanged except that the two year old hourly rates will increase in line with the Early Years National Funding Formula.
17. To note that the Local Council Tax Reduction Scheme will remain unchanged for 2022-23.
18. To note the Equalities Impact Assessment and specific equalities considerations as set out in Section 4 of the report.

Action by:**INTERIM CORPORATE DIRECTOR, RESOURCES (K. BARTLE)**

(Director of Finance, Procurement and Audit (N. Visram))

Reasons for the decision

The Council is under an obligation to set a balanced and sustainable budget and to set the Council Tax Levels for the financial year 2022-23 by 11 March 2022 at the latest. The Council's Chief Financial (S151) Officer must confirm the robustness of the estimates applied and the adequacy of the Council's reserves as part of the budget setting report to Council.

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.

More details are set out in the report.

Alternative options

Whilst the Council will adopt a number of approaches to the identification of measures aimed at delivering its MTFs it must set a legal and balanced budget and maintain adequate reserves. The scale of the changes experienced mitigate against continuing on the basis agreed in March 2021 without a re-appraisal of both the financial and policy position.

The Council is required 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.

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, in realising all the Council's statutory duties having regard to the matters set out in the report.

6.3 Fees and Charges 2022-23

DECISION

1. To approve the proposed changes to discretionary fees and charges as detailed in the appendices, subject to the conditions set out in Recommendation 4.
2. To approve new discretionary fees and charges as detailed in the appendices, subject to the conditions set out in Recommendation 4.
3. To note the revised statutory fees and charges as detailed in Appendix 2 to the report.
4. To note the Equalities Implications as set out in Section 4 of the report and that, where it is highlighted in section 4.5 that a proposed fee or charge requires a full Equality Impact Analysis (EIA), this EIA will be undertaken prior to the introduction of the change to the respective fee or charge.
5. To approve delegation for amendments to fees and charges, including those to take account of the result of EIAs, to the relevant Corporate Director in liaison with the Lead Member and the Mayor.
6. To approve the commencement of the consultation process in respect of Street Trading fees and charges. To delegate the consideration of any representations and the determination of the decision to the relevant Corporate Director in liaison with the Lead

Member and the Mayor prior to introduction of any change in fees and charges.

Action by:

INTERIM CORPORATE DIRECTOR, RESOURCES (K. BARTLE)

(Head of Strategic and Corporate Finance (A. Bannin))

Reasons for the decision

Fees and charges are reviewed annually as part of the Council's budget setting process. This ensures that they are set at the appropriate level for the prevailing economic conditions and represent good practice in terms of the Council's aim to provide value for money.

Alternative options

Whilst the changes to existing and the introduction of new fees and charges recommended in this report follow a review of the current charging regime, other alternatives can be adopted by Members if they so wish. The financial impact of any alternatives will need to be reflected in the Council's Medium Term Financial Strategy (MTFS).

6.4 Approval of the Partnership Agreement for the Child Death Review Service

DECISION

1. To approve that the London Borough of Tower Hamlets joins the Child Death Review Partnership, as set out in the report under which the London Borough of Newham will undertake the relevant statutory functions on behalf of Tower Hamlets.
2. To Authorise the Director of Legal Services to approve and sign the Partnership Agreement.

Action by:

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

(Associate Director of Public Health (K. Cole))

Reasons for the decision

To be compliant with the new legalisation set out in the Children Act 2004, as amended by the Children and Social Work Act 2017. Under the partnership agreement the London Borough of Newham will be undertaking some statutory functions on behalf of the London Borough of Tower Hamlets in order to be compliant with the changes in legislation.

Alternative options

The other alternative is that Tower Hamlets could join the other Child Death Review Panel in North East London which includes the London Boroughs and the CCGs of Barking and Dagenham, Havering and Redbridge.

6.5 CCTV Transformation Procurement – Synectics Graphical User Interface (GUI) software upgrade.

The reasons for urgency were agreed.

DECISION

1. To approve option one (see paragraph 3.10 of the report) which is the recommendation for a direct award, following publication of a VEAT (Voluntary Ex-Ante Transparency Notice) under Regulation 32, in respect of the upgrade of the CCTV graphical user interface (GUI) software.
2. To note the specific risks relating to recommendation
3. To authorise the Corporate Director Health Adults and Communities to enter into any and all appropriate contracts to give effect to recommendation 1.

Action by:

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

(Safer Neighbourhoods Team (K. Stanger))

Reasons for the decision

This is an urgent decision. This item is first in the procurement critical path for the overall corporate CCTV Transformation Programme. Alternative procurement options (detailed at 2.1 below) have a minimum 4-month lead-in times without any certainty of a successful outcome as it is likely that the existing provider is the only provider who can provide the upgrade services to the existing infrastructure which would have a severely detrimental impact on the overall capital programme delivery timelines and operational consequences.

The consequences of and delay would have significant financial and operational implications. It is a key operational imperative that there is no break in service provision in order to maintaining continuity for all Council and partner services that utilise public space CCTV in Tower Hamlets.

Alternative options

To comply with the rules of the Eastern Shires Purchasing Organisation (ESPO) procurement framework – which would mean running a mini-competition with a neutral specification of all providers on the ESPO framework. We believe this is not a feasible option as there is only one provider who can fulfil our requirements to upgrade our current system (Synectics). It is likely that no other competitive bids may be able to be submitted as a competitor would need to have access to information and coding which is proprietary to the existing supplier to perform the upgrade.

To investigate if there is another framework the council can use where the technical item/s we wish to purchase have been pre-priced and the rules of the framework allow us to go the particular supplier. Significant and detailed market engagement/benchmarking was undertaken in August, September and November 2021 to attempt to identify an alternative procured route to market. However, it did not appear that a framework was available that would meet the requirements of the upgrade of our current system.

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. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION

Nil items.

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

Nil items.

The meeting ended at 6.07 p.m.

Mayor John Biggs