

**LONDON BOROUGH OF TOWER HAMLETS****RECORD OF THE DECISIONS OF THE CABINET****HELD AT 5.35 P.M. ON WEDNESDAY, 29 MARCH 2023****COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL****Members Present in Person:**

Mayor Lutfur Rahman	
Councillor Maium Talukdar	(Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning (Statutory Deputy Mayor))
Councillor Saied Ahmed	(Cabinet Member for Resources and the Cost of Living)
Councillor Suluk Ahmed	(Cabinet Member for Equalities and Social Inclusion)
Councillor Gulam Kibria Choudhury	(Cabinet Member for Health, Wellbeing and Social Care)
Councillor Abu Chowdhury	(Cabinet Member for Jobs, Skills and Growth)
Councillor Iqbal Hossain	(Cabinet Member for Culture and Recreation)

**Members In Attendance Virtually:**

Councillor Kabir Ahmed	(Cabinet Member for Regeneration, Inclusive Development and Housebuilding)
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**Other Councillors Present in Person:**

Councillor Nathalie Bienfait

**Officers Present in Person:**

Stephen Halsey	(Interim Chief Executive)
Jennifer Peters	(Divisional Director, Planning and Building Control, Place)
Agnes Adrien	(Head of Litigation, Legal Services)
Stephen Bramah	(Corporate Head of Strategy and Improvement)
Ann Corbett	(Director, Community Safety)
Sharon Godman	(Director, Strategy, Improvement and Transformation)
Joseph Leach	(Business Intelligence and Performance Lead)
Steve Nyakatawa	(Director of Education)
James Thomas	(Corporate Director, Children and Culture)
Sarah Wilks	(Infrastructure Planning Team Leader, Place)
Nigel Davis	(Head of Highways & Transportation)
Abdul Wajid	(Project Officer, Place)
Joel West	(Democratic Services Team Leader (Committee))

**Officers In Attendance Virtually:**

Caroline Holland

(Interim Corporate Director, Resources)

Nisar Visram

(Director of Finance, Procurement &amp; Audit)

**1. APOLOGIES FOR ABSENCE**

Apologies of absence were received from:

- Councillor Kabir Hussain, (Cabinet Member for Environment and the Climate Emergency).
- Ann Sutcliffe, Corporate Director Place (Jennifer Peters, Director Planning and Building Control was deputising).
- Janet Fasan, Director Legal and Monitoring Officer (Agnes Adrien, Head of Litigation was deputising as acting Monitoring Officer).

**2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS**

There were no declarations of disclosable pecuniary interest.

**3. UNRESTRICTED MINUTES****DECISION**

That the unrestricted minutes of the meeting on 22 February 2023 be signed by the Mayor as a correct record of the proceedings.

**4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR**

There were no announcements from the Mayor.

**5. OVERVIEW & SCRUTINY COMMITTEE****5.1 Chair's Advice of Key Issues or Questions**

The Cabinet received and noted the Overview and Scrutiny Committee's pre-decision question on Item 6.2.

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

None.

**6. UNRESTRICTED REPORTS FOR CONSIDERATION****6.1 Budget Monitoring 2022/23 Quarter 3 including Capital****DECISION**

1. To note the council's forecast outturn position against General Fund, Dedicated Schools Budget, Housing Revenue Account and

earmarked reserves for 2022-23, based on forecasts as at 31<sup>st</sup> December 2022;

2. To note the progress made against the 2022-23 savings targets, based on forecasts as at 31<sup>st</sup> December 2022;
3. To note the council's forecast outturn position against General Fund and Housing Revenue Account capital programme approved budgets for 2022-23, based on forecasts as at 31<sup>st</sup> December 2022;
4. 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 (C. HOLLAND)**  
Director of Finance, Procurement and Audit (N. Visram)

**Reasons for the decision**

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.

**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 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.

## **6.2 Strategic Delivery and Performance Reporting Q3 –2022/23**

### **DECISION:**

1. Note the summary status as set out at the beginning of the appendix monitoring report.
2. Review the status of performance measures in Q3 in the appendix to the report.

### **ACTION BY:**

#### **INTERIM CHIEF EXECUTIVE (S.HALSEY)**

Data Analytics, Business Intelligence, and Performance Lead (J. Leach)

### **Reasons for the decision**

The council's reporting cycle involves quarterly reports, all of which include operational performance measures. Targeted performance measurement is relevant to strategic policy as it helps services to be designed so that they can deliver strategic objectives. By examining performance measures of operational activity, the council can make informed decisions about how to effectively steer the organisation towards the goals of the organisation. The Mayor and 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 utilise performance information to inform resource allocation

### **Alternative options**

No alternative options were presented.

## **6.3 Report on the outcome of public representations received in response to the statutory Notice on the proposal for the amalgamation (merger) of The Bishop Challoner RC Federation Girls' and Boys' Schools**

### **DECISION**

1. To consider the report and its supporting documents, particularly the statutory notice (Appendix 1 to the report) and the Equality Assessment (Appendix 2 to the report), along with comments made by respondents to the Statutory Notice.
2. To agree to the amalgamation (merger) of Bishop Challoner Catholic Girls' and Boys' Schools to create a Bishop Challoner Co-educational Catholic School for 11-18 year olds from 1st September 2023.

**ACTION BY:**  
**CORPORATE DIRECTOR CHILDREN AND CULTURE (J. THOMAS)**  
Service Head, Pupil Access and School Sufficiency (T. Bryan)

**Reasons for the decision**

The recommendation is made in order to determine the council's decision following the responses received to the statutory notice.

The proposal is being put forward as part of the strategy for the Bishop Challoner Federation to provide an integrated 11 to 18 secondary school provision, rather than maintain separate boys' and girls' schools. This merger will provide additional opportunities to maximise expertise and resources across the staff group, build on the existing co-educational practices and raise expectations and success for pupils.

The merger would be achieved through the 'technical closure of Bishop Challoner Catholic Boys' School on 31<sup>st</sup> August 31 2023 and the expansion, and renaming, of Bishop Challoner Catholic Girls' School to become Bishop Challoner Catholic School from 1<sup>st</sup> September 2023. The existing buildings for Bishop Challoner Boys School would become part of the merged school.

In line with the DfE guidance (October 2018), 'Making significant changes (prescribed alterations) to maintained schools' and 'Opening and Closing Maintained Schools', public consultation has been undertaken in the form of a first stage informal consultation followed by a formal statutory notice inviting further representation over the necessary 28 day period.

**Alternative options**

Cabinet could decide not to agree to the recommendation for the schools amalgamation. In which case the schools would continue as separate institutions and seek to find alternative ways to ensure their individual sustainability, as well as gain most benefit from their existing federation.

Cabinet could decide to delay its decision on the schools amalgamation. However, this could mean the amalgamation taking place later than the proposed date of 1st September 2023, by which time the position for both schools will be less advantageous and the uncertainty over the future unsettling for children, staff and parents.

**6.4 Award of Highways and Street Lighting Contract**

**DECISION**

1. To approve the contract award for the Highways and Street Lighting Term Service Contract, as outlined in the report, to the highest scoring contractor emboldened under the section "Final Score" detailed in Appendix 1 to the report for an initial period of 60 months from 1.7.2023, with a right for the Council, in its absolute discretion, to extend the contract for a period of up to a further 24 months in accordance with the advertised opportunity.

2. Note that that any exercise of the contractual option to extend will only be undertaken by the relevant Chief Officer following consultation with the Mayor.

**ACTION BY:**  
**CORPORATE DIRECTOR PLACE, (A. SUTCLIFFE)**  
Director, Public Realm (D. Jones)

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

At the Cabinet Meeting of 28 September 2022 the Mayor mandated that the final decision to award the contract should be restricted to the Mayor only in this case. The Council's constitution requires decisions of the Mayor to be made in a particular formal setting hence the need for this report

#### **Alternative options**

Any award must be made in accordance with the tendered results. Therefore, there are only two options. The first is to follow the recommendation. The second is to not award a contract at all. However, in the event that the Mayor settled on this alternative option it is likely that the Council would be challenged on this decision especially if the Council subsequently opened a new competitive exercise for the same or similar works or services. A subsequent procurement would also severely restrict the Council's ability to deliver road maintenance as a reprocurement time scale would likely be many months with no obvious short term or interim solutions

### **6.5 London City Airport: Neighbouring Authority Agreement**

#### **DECISION**

To approve the entering into a Neighbouring Authority Agreement with London City Airport.

**ACTION BY**  
**CORPORATE DIRECTOR PLACE, (A SUTCLIFFE)**  
Jennifer Peters, Director Planning and Building Control (J. Peters)

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

Entering into a Neighbouring Authority Agreement with London City Airport will enable the Council to oversee and if required enforce the planning obligations within the Section 106 legal agreement between London City Airport and Newham Council where it affects properties within Tower Hamlets Borough. This includes ensuring residents affected by the expansion of London City Airport are provided with noise insulation subsidised by the Airport.

#### **Alternative options**

The only alternative option is for the Council to not sign the Neighbouring Authority Agreement. Not signing the agreement would mean Tower Hamlets Council does not have any legal status for overseeing and enforcing the associated Section 106 Legal agreement where it relates to properties within Tower Hamlets Borough. There would therefore be a risk that residents within

Tower Hamlets would miss out on any compensation they might have been otherwise eligible for owing to their proximity to London City Airport.

## **6.6 Voluntary and Community Sector – Grants Policy & Outcomes Framework**

### **DECISION:**

1. To note the consultation and engagement undertaken to develop the policy and outcomes framework as set out in para 3.3 and Appendix 2 to the report.
2. To agree the Grants Policy and Outcome Framework as set in paras 3.4-3.5 and Appendix 3 to the report.
3. To authorise the Chief Executive to finalise the detailed prospectus of each grants programme.
4. To note the proposed timetable for new grants arrangements as outlined in para 3.6 of the report and agree the three and a half-year programme for the Mayor's Community Grants, from October 2023 to March 2027.
5. To agree the grant assessment arrangements as set out in para 3.7 of the report, subject to amending the second bullet point to of paragraph 3.7(d) to 'Track record of successful service delivery, or for new organisations, clear ability to demonstrate capacity and skills to deliver services successfully'.
6. To agree the budget for the grants programme as set out in para 3.8 of the report.
7. To agree that the proposed governance process for the development and implementation of the grants programme for the VCS as set out in paragraph 3.9 of the report and note a further update will be provided to Cabinet April 2023.
8. To authorise the Chief Executive to agree the final grant awards for the Mayor's Community Grants Programme.
9. To authorise the Chief Executive to agree an extension of 4 weeks of existing grants programme, if necessary, as set out in para 3.6 (a) of the report..
10. To note the result of the equalities impact screening as set out in para 4.1 of the report.

### **ACTION BY:**

**DIRECTOR STRATEGY, IMPROVEMENT & TRANSFORMATION (S. GODMAN)**

Head of Corporate Strategy & Communities (A. Hoque)

**Reasons for the decision**

The Council's Strategic Plan 2022-26 sets out our priorities, ambitions, and actions as well as our commitment to partnership work in the borough. One of the ways in which we demonstrate our commitment is through our investment in VCS commissioning and grants. The Council's current grant arrangements end in September 2023, and in line with our new strategic priorities, this paper sets out our new VCS grants policy and outcome framework.

Tower Hamlets VCS is a crucial partner that provides important community services and activities that improve outcomes for residents. Our VCS played a key role in supporting the borough's recovery from the pandemic and continues to address the current cost of living crisis.

- The new funding policy and outcomes framework will ensure we work with the VCS to:
- Secure VCS services that they are best placed to deliver
- Support the delivery of provision to address priority needs in the community
- Preserve good practice within existing Council-funded VCS service provision
- Ensure a good mix of VCS provision in terms of service reach and ability to deliver innovative service responses
- Support the development of a sustainable VCS with a broad range of organisations who are able to respond to the diverse needs in the community

**Alternative options**

The Council can decide not to fund the VCS through a grants programme. This option is not recommended as it would:

- remove vital VCS services that are improving the lives of our residents
- go against our commitment to partnership working with the VCS.

Continue with existing grants programmes. This is not recommended as it would not deliver our revised priorities as set out in the Strategic Plan.

**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 6.25 p.m.

Chair, Mayor Lutfur Rahman  
Cabinet