

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.30 P.M. ON WEDNESDAY, 5 JUNE 2013

COMMITTEE ROOM, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**Members Present:**

Mayor Lutfur Rahman	(Mayor)
Councillor Ohid Ahmed	(Deputy Mayor)
Councillor Rofique U Ahmed	(Cabinet Member for Regeneration)
Councillor Shahed Ali	(Cabinet Member for Environment)
Councillor Abdul Asad	(Cabinet Member for Health and Wellbeing)
Councillor Alibor Choudhury	(Cabinet Member for Resources)
Councillor Rania Khan	(Cabinet Member for Culture)

Other Councillors Present:

Councillor Md. Maium Miah	(Advisor to the Mayor and Cabinet on Third Sector and Community Engagement)
Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Gulam Robbani	(Executive advisor to the Cabinet and Mayor on adult social care)
Councillor Motin Uz-Zaman	(Chair, Overview & Scrutiny Committee)

Officers Present:

Stephen Halsey	(Head of Paid Service and Corporate Director Communities, Localities & Culture)
Aman Dalvi	(Corporate Director, Development & Renewal)
Anne Canning	(Interim Corporate Director, Education Social Care and Wellbeing)
Isabella Freeman	(Assistant Chief Executive - Legal Services, Chief Executive's)
Chris Holme	(Acting Corporate Director - Resources)
Deborah Cohen	(Service Head, Commissioning and Health, Education, Social Care and Wellbeing)
Daisy Beserve	(Senior Strategy Policy and Performance Officer, Strategy Policy and Performance, Chief Executive's)
Robin Beattie	(Service Head, Strategy & Resources & Olympic Impact, Communities Localities & Culture)
Megan Nugent	(Legal Services Team Leader, Planning, Chief Executive's)
Ellie Kuper-Thomas	(Strategy, Policy and Performance Officer - Executive Mayor's Office, One Tower Hamlets, Chief Executive's)
Diana Warne	(Acting Service Head, Learning & Achievement,

Numan Hussain	Education Social Care and Wellbeing) (Political Advisor to the Mayor, Executive Mayor's Office, Chief Executive's)
Takki Sulaiman	(Service Head Communications, Chief Executive's)
Ben Gadsby	(Political Adviser to the Conservative Group)
Alan Ingram	(Democratic Services)

The following is a record of those decisions taken by the Cabinet at their meeting held on Wednesday 5 June 2013.

Most decisions may be 'called in', by the Assistant Chief Executive, for scrutiny by the Overview and Scrutiny Committee to be held on **Tuesday 2 July 2013** on receipt of a written request.

The **deadline** for the receipt of any such written request is **5.00pm on Friday 14 June 2013**. Such requests should be made to John Williams, Service Head Democratic Services-Tel 020 7364 4204.

The request to "call in" a decision must comply with the requirements set out in the Council's Constitution (Part 4 – Rules of Procedure, Section 4.5 – Overview and Scrutiny Procedure Rules, Rules 16.2 and 16.3). This sets out the time-scale for "call in", those persons who may "call in" and those details the request must contain.

The Council's Constitution (Part 4 – Rules of Procedure, Section 4.5 – Overview and Scrutiny Procedure Rules, Rule 16.4) **sets out those decisions that may not be "called in"** for further consideration by the Overview and Scrutiny Committee.

Report authors will be advised by Democratic Services if any decision in respect of an item they have placed on the agenda has been "called in".

Any decision not "called in" for scrutiny can be implemented on Monday 17 June 2013.

Any decision 'called in' for scrutiny but supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 2 July 2013, **can be implemented** the following day, **Wednesday 3 July 2013**.

Any decision 'called in' for scrutiny but not supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 2 July 2013, will be **referred back to the Mayor in Cabinet** for further consideration on **Wednesday 3 July 2013**.

MR L. RAHMAN (MAYOR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE**DECISION**

Apologies for absence were received on behalf of:

- Councillor Shafiqul Haque (Cabinet Member for Jobs and Skills)
- Councillor Rabina Khan (Cabinet Member for Housing)
- Councillor Oliur Rahman (Cabinet Member for Children's Services)

Action by:**ASSISTANT CHIEF EXECUTIVE – LEGAL SERVICES (I. FREEMAN)**

(Senior Committee Officer, Democratic Services, Chief Executive's – A. Ingram)

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

None were declared.

3. UNRESTRICTED MINUTES

The unrestricted minutes of the ordinary meeting of the Cabinet held on 8 May 2013 were presented for information.

4. PETITIONS

No petitions were received.

5. OVERVIEW & SCRUTINY COMMITTEE**5.1 Chair's advice of Key Issues or Questions in relation to Unrestricted Business to be considered**

Nil items.

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

Nil items.

6. A GREAT PLACE TO LIVE

Nil items.

7. A PROSPEROUS COMMUNITY**7.1 Determination of School Admission Arrangements for 2014/15**

NOTE: The Mayor indicated that the following amendments would be made to Appendix 1 of the report:

The paragraph on Page 2 of Appendix 1 (Admission Arrangements for Community Primary Schools 2014/15) that reads:

“In the event of oversubscription within categories 3 and 4 and 5, priority will be given, firstly, to children who live the furthest distance to the nearest alternative school within their catchment area; secondly, to children outside the catchment area, by the shortest walking distance **(See note 3).**”

Be replaced by the following:

“In the event of oversubscription within categories 3 and 4, priority will be given to children for whom the school applied for is their nearest school within the catchment area; secondly, to children who live nearest the school by the shortest walking distance. **(See note 3).**

In the event of oversubscription within category 5, priority will be given to children who live nearest the school by the shortest walking distance. **(See note 3).**”

DECISION

1. To agree the admission criteria for Tower Hamlets primary and secondary community schools in 2014/15, as set out in Appendices 1 (as amended) and 2.
2. To agree the scheme for co-ordinating admissions to Reception and Year 7 for 2014/15, as set out at Appendix 3.
3. To agree the scheme for co-ordinating ‘In-Year’ Admissions for 2014/15, set out at Appendix 4.
4. To agree the planned admission number for each Tower Hamlets School in 2014/15, set out at Appendix 5.
5. To agree the revised constitution of the Tower Hamlets School Admission Forum as outlined in Appendix 6.

Action by:

**CORPORATE DIRECTOR, EDUCATION, SOCIAL CARE AND WELLBEING
(A. CANNING)**

(Head of Pupil Admissions and Exclusions, Education, Social Care and Wellbeing (T. Bryan)

Reasons for the decision

The Council’s aim is to determine and implement its school admission arrangements through local consultation, 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 arrangements are both lawful and fair, ensuring that every effort is made to meet the needs of all children.

The Council is particularly concerned that its school admission arrangements should promote and enable fair access to educational opportunity, secure choice and diversity as well as respond to parental and community

representations. Each recommendation in this report is consistent with the Council's Statutory Duties as set out in the current School Admissions Code.

Alternative options

The Council has a statutory duty to annually determine admission arrangements for its community and voluntary controlled schools and to formulate a complying scheme for coordinating 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 in the report, particularly as to the legal requirements.

8. A SAFE AND COHESIVE COMMUNITY

Nil items.

9. A HEALTHY AND SUPPORTIVE COMMUNITY

Nil items.

9.1 Adult Autism Services

DECISION

To approve the proposals in the report to:

- (i) Establish a new Adults Diagnostic and Intervention Service (Appendix 1); in partnership with Tower Hamlets Clinical Commissioning Group using NHS section 256 funding, commissioned via NHS procurement procedures and
- (ii) Commission this service through the Council with advice from clinical commissioners within the NHS.

Action by:

**CORPORATE DIRECTOR, EDUCATION, SOCIAL CARE AND WELLBEING
(A. CANNING)**

(Service Head of Commissioning and Strategy, Education, Social Care and Wellbeing (D. Cohen)

Reasons for the decision

The proposed changes support:

- (1) Meeting statutory obligations of the National Autism Act 2009;

- (2) Delivering reforms set out in the Children's and Families Bill 2013; and
- (3) Having services in place to meet the needs of residents who meet eligibility criteria (Fair Access to Care Services).

Alternative options

People who have a learning disability as their primary identified need, as well as Autism, are usually seen by the Community Learning Disability Services but it is unlikely that they will have access to the specialist service they need. There is currently a lack of capacity within the Community Learning Disability Service (CLDS) or local mental health services, to take on of the additional role of delivering a clear and consistent pathway for autism diagnosis through the offer of a diagnostic and post-diagnostic support service. People who are high functioning, including those with Asperger's Syndrome who often have an average or above average IQ, are often undiagnosed until a time of crisis, which may be a mental health breakdown or their carer not being able to cope. Access to a range of support, including "talking therapies", behavioural support can greatly increase goals and aspirations for individuals and their families and carers. Consultation with local carers at drop-in sessions and learning from visits to national best practice (the Liverpool Asperger Service) also shows that people with autism (a social communication disorder) identify better with specialist autism services and not those associated with having a learning disability or mental health condition. For this reason, a reconfiguration or expansion of the Community Learning Disabilities Service is not recommended as viable at this time.

Due to the legislative requirements to have these services not implementing the proposed option presents the following risks:

A large undiagnosed population of young people in transition and adults with autism not able to access and retrieve services appropriate to need. Due to the lack of services for adults, once young people with autism leave school they can become dislocated from support services, isolated and not able to access social and economic opportunities that can lead to fulfilling and rewarding lives: Tower Hamlets not meeting its obligations under the National Autism Act 2009 (particularly in relation to developing a clear and consistent path for diagnosis);

Tower Hamlets rated as red for delivery against aims of the national autism strategy (monitored up to now through the Public Health Observatory) and Autism Self-Assessment Framework; and Carers of people with autism not accessing appropriate community based support with the potential for their condition to escalate into requiring more costly high need support. The Royal College of General Practitioners report that 40% of carers will experience depression or mental health problems.

10. ONE TOWER HAMLETS

Nil items.

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

12. UNRESTRICTED REPORTS FOR INFORMATION

Nil items.

13. EXERCISE OF CORPORATE DIRECTORS' DISCRETIONS

DECISION

1. To note the exercise of Corporate Directors' discretions as set out in Appendix 1.

14. EXCLUSION OF THE PRESS AND PUBLIC

Exclusion resolution was not adopted in the absence of any exempt/confidential items.

15. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

16. OVERVIEW & SCRUTINY COMMITTEE

16.1 Chair's advice of Key Issues or Questions in relation to Exempt / Confidential Business to be considered.

Nil items.

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

Nil items.

17. A GREAT PLACE TO LIVE

Nil items.

18. A PROSPEROUS COMMUNITY

Nil items.

19. A SAFE AND COHESIVE COMMUNITY

Nil items.

20. A HEALTHY AND SUPPORTIVE COMMUNITY

Nil items.

21. ONE TOWER HAMLETS

Nil items.

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

Nil items.

23. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil items.

The meeting ended at 6.03 p.m.

Isabella Freeman
ASSISTANT CHIEF EXECUTIVE (Legal Services)