

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.35 P.M. ON WEDNESDAY, 8 APRIL 2009

COMMITTEE ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5
CLOVE CRESCENT, LONDON, E14 2BG**Members Present:**

Councillor Lutfur Rahman (Chair)	(Leader of the Council)
Councillor Ohid Ahmed	(Lead Member, Regeneration, Localisation and Community Partnerships)
Councillor Rofique U Ahmed	(Lead Member, Culture and Leisure)
Councillor Anwara Ali	(Lead Member, Health & Wellbeing)
Councillor Alibor Choudhury	(Lead Member, Employment and Skills)
Councillor Marc Francis	(Lead Member, Housing and Development)
Councillor Clair Hawkins	(Lead Member, Children's Services)
Councillor Sirajul Islam (Vice-Chair)	(Deputy Leader of the Council)
Councillor Joshua Peck	(Lead Member, Resources and Performance)
Councillor Abdal Ullah	(Lead Member, Cleaner, Safer, Greener)

Other Councillors Present:

Councillor Abdul Asad	(Chair, Overview and Scrutiny Committee)
Councillor Ahmed Hussain	

Others Present:**Officers Present:**

Elise Boon	– (Group Manager, Transportation & Highways, Communities Localities & Culture)
Rachel Carless	– (Environmental Sustainability Officer, Development & Renewal)
Lara Cerroni	– (Communications Officer)
Deb Clarke	– (Joint Director of Human Resources)
Kevan Collins	– (Corporate Director, Children's Services)
Judith Colvin	– (Communities in Control Co-ordinator, Scrutiny & Equalities, Chief Executive's)
Luke Cully	– (Finance Manager)
Aman Dalvi	– (Corporate Director, Development & Renewal)
Mary Durkin	– (Service Head, Youth and Community Learning)

Jim Elliot	– (Lettings Policy Advisor, Development & Renwal)
Alan Finch	– (Service Head, Corporate Finance)
Monica Forty	– (Head of Achievement 0-11, Early Years Children & Learning, Children's Services)
Isabella Freeman	– (Assistant Chief Executive (Legal Services))
John Goldup	– (Corporate Director, Adults Health & Wellbeing)
Mark Grimley	– (Joint Assistant Director, Organisational Development)
Stephen Halsey	– (Corporate Director, Communities, Localities & Culture)
Stephen Hartley	– (Cabinet Executive Assistant)
Chris Holme	– (Service Head, Resources)
Helen Jenner	– (Service Head, Early Years Children & Learning)
Michael Keating	– (Service Head, Scrutiny & Equalities)
Abdul Khan	– (Environmental Sustainability Officer, Development & Renewal)
Paul Leeson	– (Finance Manager, Development & Renewal)
Martin Smith	– (Chief Executive)
Angus Taylor	– (Executive Team Leader, Democratic Services, Chief Executive's)
Lisa Zychowicz	– (Lead Officer Governor Services, Children's Services)
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The following is a record of those decisions taken by the Cabinet at their meeting held on Wednesday 8th April 2009.

Most decisions may be 'called in', by the Assistant Chief Executive, for scrutiny by the Overview and Scrutiny Committee to be held on Tuesday 5th May 2009 on receipt of a written request.

The **deadline** for the receipt of any such written request is **5.00pm on Tuesday 21st April 2009**. 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 Wednesday 22nd April 2009.

Any decision ‘called in’ for scrutiny but supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 5th May 2009, can be implemented the following day, Wednesday 6th May 2009.

Any decision ‘called in’ for scrutiny but not supported by the Overview and Scrutiny Committee will be referred back to the Cabinet for further consideration on Wednesday 6th May 2009.

COUNCILLOR L. RAHMAN (CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Mr C. Naylor, Corporate Director Resources for whom Ms D. Clarke, Joint Director Human Resources, Resources, was deputising.
- Mr L. Ali, Assistant Chief Executive for whom Mr M. Keating, Service Head Scrutiny & Equalities, Chief Executive’s, was deputising.

Noted.

Action by:

ASSISTANT CHIEF EXECUTIVE (L. Ali)

Executive Team Leader, Democratic Services, Chief Executive’s (A. Taylor)

2. DECLARATIONS OF INTEREST

Councillor S. Islam declared a personal interest in Agenda item 6.1 “Amendments to the Council’s Lettings Policy” (CAB 138/089). The declaration of interest was made on the basis that the report contained recommendations relating to the Authority’s Lettings Policy (which determines nominations from the Common Housing Register for properties in the ownership of the Authority (managed by Tower Hamlets Homes]) and Councillor Islam was a tenant of Tower Hamlets Homes.

Councillor Rofique U. Ahmed declared a personal interest in Agenda item 6.3 “Communities, Localities & Cultural Services Directorate Capital Programme 2009/10”. The declaration of interest was made on the basis that the report contained recommendations relating to the 2012 Olympic and Paralympic Games and Councillor Ahmed was a Board Member - Olympic Delivery Authority - Planning Decision Team.

Councillor S Islam declared a personal interest in Agenda item 6.3 “Communities Localities & Cultural Services Directorate Capital Programme 2009/2010”. The declaration of interest was made on the basis that the report contained recommendations relating to the Authority’s Capital Programme for Highways, Councillor Islam had a suggestion to make regarding the inclusion

of a scheme relating to John Scurr Primary School in the Capital Programme and Councillor Islam was a school governor at John Scurr primary school.

Councillor S. Islam declared a personal interest in Agenda item 11.1 Housing Revenue Account Amended Rent Setting Report 2009/10" (CAB 138/089). The declaration of interest was made on the basis that the report contained recommendations relating to the level of housing rent for properties in the ownership of the Authority (managed by Tower Hamlets Homes also known as the ALMO) and Councillor Islam was a tenant of Tower Hamlets Homes.

Councillor O Ahmed declared a personal interest in Agenda item 11.1 Housing Revenue Account Amended Rent Setting Report 2009/10" (CAB 138/089). The declaration of interest was made on the basis that the report contained recommendations relating to the level of housing rent for properties in the ownership of the Authority (managed by Tower Hamlets Homes also known as the ALMO) and Councillor Ahmed was a representative of the Authority on the governing body of Tower Hamlets Homes.

Noted.

Action by:

ASSISTANT CHIEF EXECUTIVE (L. Ali)

Executive Team Leader, Democratic Services, Chief Executive's (A. Taylor)

3. UNRESTRICTED MINUTES

Resolved

That the unrestricted minutes of the ordinary meeting of the Cabinet held on 11th March 2009 be approved and signed by the Chair, as a correct record of the proceedings.

Action by:

ASSISTANT CHIEF EXECUTIVE (L. Ali)

Executive Team Leader, Democratic Services, Chief Executive's (A. Taylor)

4. DEPUTATIONS & PETITIONS

Nil items.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's advice of Key Issues or Questions in relation to Unrestricted Business to be considered

Sheet of questions and comments arising from the Overview and Scrutiny Committee held on 7th April 2009 **Tabled** by the Chair of the Overview and Scrutiny Committee.

Resolved

That the questions and comments of the Overview and Scrutiny Committee be noted, and that these be given consideration during the Cabinet deliberation of the items of business to which the questions/ comments related.

Action by:**ASSISTANT CHIEF EXECUTIVE (L. Ali)**

Executive Team Leader, Democratic Services, Chief Executive's (A. Taylor)

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

Nil Items.

6. A GREAT PLACE TO LIVE**6.1 Amendments to the Council's Lettings Policy (CAB 138/089)**

Councillor S. Islam declared a personal interest in Agenda item 6.1 .Amendments to the Council's Lettings Policy" (CAB 138/089). The declaration of interest was made on the basis that the report contained recommendations relating to the Authority's Lettings Policy (which determines nominations from the Common Housing Register for properties in the ownership of the Authority (managed by Tower Hamlets Homes]) and Councillor Islam was a tenant of Tower Hamlets Homes.

Resolved:

1. That paragraph 2.2.2 of the Lettings Policy (Community Group 2) be amended as follows: *"to include persons who are statutorily homeless and who have an assessed priority need and are accepted as unintentionally homeless."*;
2. That paragraph 2.2.3 of the Lettings Policy (Community Group 3) be amended as follows: *"to include persons who are statutorily homeless and who do not have an assessed priority need, and all other housing applicants who do not fall within groups 1,2 or 4"*; and
3. That paragraph 2.3 of the Lettings Policy be amended as follows: *"Group 3 If you are not included in any of these other groups or have been assessed as homeless but are not in priority need, your application will normally be placed in Group 3"*.

Action by

CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL**(A. Dalvi)**

Service Head Strategy, Regeneration and Sustainability, Development and Renewal (J. Odunoye)

6.2 Local Authority Carbon Management Programme (CAB 139/089)**Resolved:**

1. That the Carbon Management Plan attached at Appendix 1 to the report (CAB 139/089), be approved;
2. That the following targets for reducing carbon emissions from Council operations as outlined in the Carbon Management Plan be agreed:-
 - 25% by 2012
 - 40% by 2016
 - 60% by 2020
3. That a corporate framework be developed to verify, achieve and maintain carbon reduction targets over the longer term within the Authority's Strategic Plan;
4. That the Authority's Capital Strategy be revised to include the aim of 'Reducing the Council's carbon footprint and assisting the community to do likewise';
5. That all new capital scheme funding applications include a Carbon Impact Assessment;
6. That the Corporate Director Development and Renewal be instructed to review the Asset Management Plan (AMP) to assess the forward 'Carbon Reduction Commitment' risks being created by schemes already agreed within the capital programme, in the context of the Asset Management Plan's ability to deliver savings and cost reductions over the medium term;
7. That it be noted that the target carbon reductions included in the Carbon Management Plan and the implementation of the projects detailed in the plan are essential to the achievement of the following National Indicators:
 - NI185 %C CO₂ reduction from LA operations
 - NI186 Per capita CO₂ emissions in the LA area
8. That the introduction of the Carbon Reduction Commitment from 2010/2011 onwards and the potential financial penalties for not reducing carbon emissions, be noted.

Action by**CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL**

(A. Dalvi)

Service Head Strategy, Regeneration and Sustainability, Development and Renewal, (J. Odunoye)

6.3 Communities, Localities & Cultural Services Directorate Capital Programme 2009/2010 (CAB 140/089)

Councillor Rofique U. Ahmed declared a personal interest in Agenda item 6.3 "Communities, Localities & Cultural Services Directorate Capital Programme 2009/10". The declaration of interest was made on the basis that the report contained recommendations relating to the 2012 Olympic and Paralympic Games and Councillor Ahmed was a Board Member - Olympic Delivery Authority - Planning Decision Team.

Councillor S Islam declared a personal interest in Agenda item 6.3 "Communities Localities & Cultural Services Directorate Capital Programme 2009/2010". The declaration of interest was made on the basis that the report contained recommendations relating to the Authority's Capital Programme for Highways, Councillor Islam had a suggestion to make regarding the inclusion of a scheme relating to John Scurr Primary School in the Capital Programme and Councillor Islam was a school governor at John Scurr primary school.

Resolved:

1. That the schemes listed in appendices A & B to the report (CAB 140/089) be included within the Communities Localities & Cultural Services Directorate's 2009/2010 Capital Programme;
2. That, subject to the identification of available funding, as set out in paragraph 3.2 of the report, (CAB 140/089), the Capital Estimates (sum specified in estimated scheme cost column) be adopted for the schemes as outlined in Appendices A & B to the report, (CAB 140/089);
3. That that the Council's Measured Term Contracts be used for the implementation of the Transportation and Highways Works where appropriate; and
4. That the Corporate Director Communities, Localities and Culture, give consideration to future inclusion of the following in the Communities, Localities and Culture Capital Programme:
 - Improvements to the highway in the vicinity of the entrance to John Scurr Primary School, Bethnal Green, to increased pedestrian safety.
 - Installation of a pedestrian crossing in proximity to Bangabhandu Primary School, Bethnal Green.
 - Improvements to the highway in the vicinity of New Road, Whitechapel and Kobi Nazrul Primary School, to increased pedestrian safety.

Action by
CORPORATE DIRECTOR COMMUNITIES, LOCALITIES AND CULTURE
(S . HALSEY)
Finance Manager, Communities, Localities & Culture (L. Cully)

7. A PROSPEROUS COMMUNITY

Nil Items.

8. A SAFE AND SUPPORTIVE COMMUNITY

8.1 Commission into the Public Safety of Young People in Tower Hamlets (CAB 141/089)

Resolved:

That the recommendations of the Commission into the Public Safety of Young People in Tower Hamlets, as set out in the report (CAB 141/089), be endorsed.

Action by:
CORPORATE DIRECTOR, CHILDREN'S SERVICES (K. COLLINS)
Service Head, Youth and Community Learning, Children's Services (M. Durkin)

8.2 Tower Hamlets Safeguarding Children's Board Annual Report 2008/9, Business Plan 2007/10, Summary of Lord Laming's report and outcome of Serious Case Review Evaluations (CAB 142/089)

Resolved:

1. That the contents of the Tower Hamlets Local Safeguarding Children's Board (LSCB) annual report and business plan and outcomes arising from LSCB 'stocktake', be noted;
2. That the summary of Lord Laming's report be noted;
3. That the appointment of an independent chair of the LSCB be agreed;
4. That it be noted that the appointment, referred to in resolution 3 above, will be made by the Director of Children's Services after consultation with the Authority's Board partners;
5. That it be agreed that the Authority should support appointment of an independent chair by the LSCB for any future serious case reviews;

6. That it be noted that a further report will be provided in relation to the full implementation of any changes arising from Government's response to Lord Laming's report. This will include proposals to support elected councillors in developing a greater understanding of the issues relating to safeguarding and their role and responsibilities in this area; and
7. That the outcome of the Ofsted evaluations of Serious Case Reviews undertaken in 2007/08, be noted;

Action by:**CORPORATE DIRECTOR, CHILDREN'S SERVICES (K. COLLINS)**

Service Head, Children's Social Care, Children's Services (K. Rambellas)

9. A HEALTHY COMMUNITY

Nil Items.

10. ONE TOWER HAMLETS**10.1 Age, Race, Religion/Belief and Sexual Orientation Equality Schemes 2009-2012 (CAB 143/089)****Resolved:**

That the Age, Race, Religion/Belief and Sexual Orientation Equality Schemes 2009-12, as set out in Appendix 1 of the report (CAB 143/089), be agreed.

Action by:**ASSISTANT CHIEF EXECUTIVE (L. Ali)**

Service Head, Scrutiny and Equalities, Chief Executive's (M. Keating)

Diversity and Equality Coordinator, Scrutiny and Equalities, Chief Executive's (F. Jones)

10.2 Annual Report on the Workforce to Reflect the Community Strategy and Progression of Under-Represented Groups in the Council (CAB 144/089) - To Follow

Errata Sheet Tabled.

Resolved:

1. That the performance of the Authority on its Workforce to Reflect the Community Strategy, be noted; and
2. That the Workforce to Reflect the Community Strategy 2009/2010 and associated Action Plan, set out in Appendix 1 to the report (CAB 144/089), be agreed.

Action by:**CORPORATE DIRECTOR RESOURCES (C. NAYLOR)**

Joint Director of Human Resources (D. Clarke)

Joint Assistant Director Organisational Development, Workforce Strategies and Equalities, Resources (M. Grimley)

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**11.1 Housing Revenue Account Amended Rent Setting Report 2009/10 (CAB 145/089)**

Councillor S. Islam declared a personal interest in Agenda item 11.1 "Housing Revenue Account Amended Rent Setting Report 2009/10" (CAB 138/089). The declaration of interest was made on the basis that the report contained recommendations relating to the level of housing rent for properties in the ownership of the Authority (managed by Tower Hamlets Homes also known as the ALMO) and Councillor Islam was a tenant of Tower Hamlets Homes.

Councillor O Ahmed declared a personal interest in Agenda item 11.1 "Housing Revenue Account Amended Rent Setting Report 2009/10" (CAB 138/089). The declaration of interest was made on the basis that the report contained recommendations relating to the level of housing rent for properties in the ownership of the Authority (managed by Tower Hamlets Homes also known as the ALMO) and Councillor Ahmed was a representative of the Authority on the governing body of Tower Hamlets Homes.

Reasons for Special Circumstances and Urgency agreed.

Resolved:

1. That in accordance with the requirements of the Department of Communities and Local Government's guidance, it be agreed that it was the Authority's intention to pass on the reduced rent increases to tenants; and it also be agreed that the Authority wished to take up the offer of the receipt of additional HRA Subsidy, in order to do this.
2. That the decision of the Cabinet, taken at its meeting held on 14th January 2009 [in relation to Agenda item 10.4 "Housing Revenue Account - First Budget and Rent Setting Report - 2009/10 (CAB 097/089)] to increase rents by a weekly average of £4.47, from the first rent week in April 2009, not be implemented;
3. That the 2009/10 rent increase be deferred until rent week 9 (which begins on 1 June 2009) in order to facilitate the introduction of the lower rent increase [referred to in resolution 1. above];

4. That the Corporate Director, Development & Renewal be authorised to bid for additional subsidy following the decision to lower the average rent increase in 2009/10 to equal or lower than 3.1%;
5. Subject to the subsidy referred to in resolution 4. above being secured, that an average weekly rent increase of £2.80 per week with effect from the 1st June 2009 (i.e. rent week 9) be agreed. Also that it be noted that In conjunction with resolution 3 above, this would equate to an average rent increase of 2.9% over a full year if implemented from 1st April 2009;
6. That the Corporate Director, Development & Renewal, after consultation with the Lead Member for Housing and Development, be authorised to implement the rent increase, referred to in resolution 5. above, having regard to the final Government settlement of Housing Subsidy with such variation as that may require; and
7. That the amended 2009/10 Housing Revenue Account Budget, as set out in Appendix 1 to the report (CAB 145/089), be approved.

Action by:**CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL****(A. DALVI)**

Services Head Resources, Development and Renewal, (C. Holme)

Finance Manager, Development & Renewal (P. Leeson)

12. UNRESTRICTED REPORTS FOR INFORMATION

Nil Items.

13. EXCLUSION OF THE PRESS AND PUBLIC

The agenda circulated contained no Section Two business (business containing information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972. There was therefore no requirement to exclude the press and public, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, to allow for consideration of such business prior to the conclusion of the meeting.

14. EXEMPT / CONFIDENTIAL MINUTES

Nil Items.

15. OVERVIEW & SCRUTINY COMMITTEE**15.1 Chair's advice of Key Issues or Questions in relation to Exempt / Confidential Business to be considered.**

Nil Items.

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

Nil Items.

16. A GREAT PLACE TO LIVE

Nil Items.

17. A PROSPEROUS COMMUNITY

Nil Items.

18. A SAFE AND SUPPORTIVE COMMUNITY

Nil Items.

19. A HEALTHY COMMUNITY

Nil Items.

20. ONE TOWER HAMLETS

Nil Items.

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

Nil Items.

22. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil items.

The meeting ended at 7.15 p.m.

Martin Smith
CHIEF EXECUTIVE