

## LONDON BOROUGH OF TOWER HAMLETS

## MINUTES 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 & Renewal)

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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### **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.**

#### **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.**

### **3. UNRESTRICTED MINUTES**

The Chair **Moved** and it was: -

#### **Resolved**

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

### **4. DEPUTATIONS & PETITIONS**

The clerk advised that the Assistant Chief Executive had received no requests for deputations or petitions in respect of the business contained in the agenda.

### **5. OVERVIEW & SCRUTINY COMMITTEE**

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

The Chair informed members of the Cabinet that Councillor Asad, Chair of the Overview and Scrutiny Committee, had **Tabled** a sheet of questions/ comments arising from the deliberations of the Overview and Scrutiny Committee, held on 7<sup>th</sup> April 2009, in respect of the unrestricted business contained in the agenda for consideration, a copy of which would be interleaved with the minutes.

Councillor Asad, Chair of the Overview and Scrutiny Committee:-

- Thanked Councillor Rahman, Leader of the Council, for attending the Overview and Scrutiny Committee the previous evening for the final "Scrutiny Spotlight" of the Municipal Year 2008/09. In acknowledging that there had been some excellent achievements by the Authority, Councillor Asad commented that it was important for it not to rest on its laurels but to continue striving to improve services for local residents; and he considered that the Scrutiny Spotlight sessions had served a useful purpose in this context.
- Informed members of the Cabinet that the Committee:
  - Received an excellent presentation, from officers in the Strategy and Performance Team, highlighting the importance of partnership working and the role of Councillors in ensuring that the Authority's performance continued to improve.
  - Received a detailed presentation from Councillor Khatun, Scrutiny Lead A Safe and Supportive Community, outlining the key points of the report of the Scrutiny Working Group, which she had chaired, on alcohol misuse amongst young people (smashed). Councillor Asad commented that the review had indicated that this was a significant issue of increasing prevalence in the Borough and that further work was needed to identify the exact nature of the problem and associated solutions. The report would now be forwarded to the appropriate Lead Member and Council directorate for response.
  - Would receive presentations in respect of the remaining five scrutiny reviews, undertaken in the Municipal Year 2008/09, at its next meeting.
- Informed members of the Cabinet that he had nothing to add to the questions/ comments raised by the Overview and Scrutiny Committee, as set out in the tabled paper regarding: -
  - Agenda Item 6.1 "Amendments to the Council's Lettings Policy"
  - Agenda Item 6.2 "Local Authority Carbon Management Programme"
  - Agenda Item 6.3 "Communities, Localities & Cultural Services Directorate Capital Programme 2009/10"
  - Agenda Item 8.1 "Commission into the Public Safety of Young People in Tower Hamlets"

The Chair thanked Councillor Asad for:

- Presenting the contribution of the Overview and Scrutiny Committee.
- The work of the Overview and Scrutiny Committee during the past Municipal Year, emphasising the importance of checks and balances in the Authority's formulation of policy and associated decision making process.
- **Moved**, and it was: -

### **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.

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

The Clerk advised that no requests had been received by the Assistant Chief Executive to "call in" for further consideration, by the Overview and Scrutiny Committee, any provisional decisions taken by the Cabinet, at its meeting held on 11<sup>th</sup> March 2009.

## **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.

Councillor Francis, Lead Member Housing and Development, at the request of the Chair, in introducing the report:

- Summarised the salient points contained therein informing members of the Cabinet:
  - That it was proposed that the Authority's existing Lettings Policy was revised in response to a recent Judicial Review and associated judgement against the London Borough of Tower Hamlets.
  - In this case the appellant's lawyer had identified a loophole in the wording of the Lettings Policy and used this to ensure the client's housing need was prioritised, when otherwise it would not have

- been: as the client had been assessed as homeless and eligible for assistance but not in priority need.
- There was a need to close the loophole so that it was not used by other, in a similar position, to secure priority over persons assessed to be both homeless and in priority need. That would be unfair as the statutorily homeless and those assessed to be in priority need were vulnerable elements of the Community, whereas the single homeless were not necessarily vulnerable. If the policy was not amended it would place further pressure on the limited housing resources available to the Council.
  - The revised Lettings Policy would not disadvantage those generally on the housing waiting list.
- Addressed the matters raised by the Overview and Scrutiny Committee, held on 7<sup>th</sup> April 2009, in relation to the report; as set out in the tabled sheet of questions and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings. Also undertaking to provide members of the Overview and Scrutiny Committee with a written copy of his response.

The Chair **Moved** the recommendations as set out in the report and it was: -

**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”*.

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

Ms Carless, Environmental Sustainability Officer, Development and Renewal, at the request of the Chair in introducing the report:

- Summarised the salient points contained therein as follows:
  - Informing the Cabinet that tackling climate change was now a core policy driver at both local and national government level, and from 2009 all authorities would be assessed by Government through the Comprehensive Area Assessment (CAA), on their ability to work together with local public and private partners to

- reduce their energy consumption both within and beyond organisational boundaries.
- Advising that the 2008 Comprehensive Performance Assessment, in which the Authority had been scored as a four star excellent Council, had contained two key recommendations for improvement including giving greater priority to environmental sustainability. The Audit Commission would be pursuing key lines of enquiry in relation to the Use of Resources element of the CAA which required the Council to make effective use of natural resources. This included assessment of its ability to
    - Understand and quantify its use of natural resources and identify the main influencing factors
    - Manage performance to reduce its impact on the environment
    - Manage environmental risks it faced, working with partners
  - Informing the Cabinet that the Carbon Management Plan (CMP) would contribute to achievement of National Indicators 185 (reduction from local authority operations), 186 (per capita reduction), 194 (air quality), 187 (fuel poverty). It would also reduce financial penalties under the Carbon Reduction Commitment.
  - Detailing the authority's carbon baseline for 2008 and associated energy costs and the main contributors to the baseline: Schools, civic buildings, housing and Leisure.
  - Outlining the cost or value at stake of not undertaking the CMP, defined as the business as usual and reduced emissions scenarios, estimated to be £4 million if the 25% reduction target was reached by 2012 or £9.7 million if the 60% target was reached by 2020.
  - Outlining the key areas of activity in the proposed CMP and advising that a key element of the CMP was the Carbon Embedding Matrix which would commit the Authority to achieving level 5 in all areas by 2011.
  - Addressed the matters raised by the Overview and Scrutiny Committee, held on 7<sup>th</sup> April 2009, in relation to the report; as set out in the tabled sheet of questions and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings.

Councillor Peck, Lead Member Resources and Performance:

- Commented that report was inevitably quite technical, given the subject matter, but that this should not detract from the step change in policy that it contained, possibly one of the biggest in the 3 years of the current Administration, and certainly moving policy further forward in this area than ever before.
- Commented that it was recognised that the Authority's environmental performance had lagged behind improved performance in other areas and a key factor in this had been its energy use. The Audit Commission had highlighted this and the Administration had acknowledged it must be addressed. This was important given the associated costs of business as usual were forecast to rise from

approximately £3.5 million in 2008 to £5.5 million in 2012; and particularly so in the context of the introduction of the Carbon Reduction Commitment (CRC), a “cap and trade” system.

- Commended the ambitious commitment, contained in the proposals, of the Authority achieving a 60% reduction in carbon emissions by 2020. This would place the Authority amongst the leading authorities in this field, with only one authority known to have a more ambitious target: Cardiff at 70%.
- Cautioned that targets must be matched by achievement and this would require organisational re-alignment.
- Advised of an error at page 4 of CMP appended to the report which stated that the CMP committed the Authority to a target of reducing carbon dioxide emissions by 30% by 2012 with an associated cumulative saving of £4.7 million which should actually be 25% and £4 million respectively.
- Formally thanked Ms Carless, Environmental Sustainability Officer, and other officers across the Council that had contributed to the team effort required to bring forward these proposals.

A brief discussion followed in which Members welcomed the proposals and clarification was sought and given with regard to the setting of carbon emission reduction targets for partners of the Authority, such as Registered Social Landlords and also Tower Hamlets Homes (the arms length management organisation for housing stock remaining in the ownership of the Authority) and the provision for monitoring such targets.

The Chair, in **Moving** the recommendations, as set out in the report:

- Thanked all those who had contributed to the development of the proposals.
- Welcomed the ambitious target of a 60% reduction in carbon emissions from the Authority’s activities by 2020 and also that this was more ambitious than neighbouring boroughs.
- Requested that the Corporate Director Development and Renewal ensure that performance against target was adequately monitored to ensure achievement.

And it was:-

**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 CO<sub>2</sub> reduction from LA operations
  - NI186 Per capita CO<sub>2</sub> 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.

### **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.

Mr Halsey, Corporate Director, Communities, Localities and Culture, at the request of the Chair, in introducing the report:

- Briefly summarised salient points contained therein, drawing the attention of members of the Cabinet to the schemes proposed for inclusion in the Communities, Localities and Culture (CLC) 2009/10 Capital Programme, as detailed in Appendix A and B to the report; and also to the element of these funded by London Borough of Tower Hamlets.
- Addressed the matters raised by the Overview and Scrutiny Committee, held on 7<sup>th</sup> April 2009, in relation to the report; as set out in the tabled sheet of questions and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings.

A discussion followed which focused on the following points:-

- The focus on pedestrian and cycling related schemes was welcomed in the context of a recognised need to improve such provision. It was however requested that use of the allocated resources be expeditiously progressed in 2009/10.
- In referring to the proposed scheme, detailed at page 2 of Appendix A to the report, for a cycle contra-flow at Old Ford Road, Councillor Peck reported that cyclists had complained to him that drivers were breaking the 20mph limit along Old Ford Road, and this was in fact exacerbated by the central reservations which had been installed to slow traffic, but which actually forced speeding cars towards the kerb. Speed surveys requested by Councillor Peck, Lead Member Resources and Performance, had proved that the 20mph limit was regularly being exceeded but Highways had concluded that no action should be taken. Councillor Peck requested the Corporate Director Communities Localities and Culture to review this decision, with a view to increasing safety for cyclists.
- Considered that the pedestrian crossing on Grove Road was very dangerous. In this context a fatal accident, several year's ago, and a serious accident when an elderly resident had been knocked down on the crossing by a vehicle, was noted. Councillor Peck, Lead Member Resources and Performance, had pursued this matter and in particular the potential to convert the zebra crossing to a pelican crossing, with Transport for London (TfL), but without success. In this context the Corporate Director Communities, Localities and Culture, was requested to take up this matter with TfL.
- Considered that the pedestrian crossing at the junction of Mile End Road and Burdett Road was dangerous. In this context a fatal accident, shortly after Christmas 2008, when a woman had been killed on the crossing, was noted. Members had been indicating TfL for some months prior to the recent accident that the crossing was dangerous (because it is a busy arterial route and also a very busy pedestrian crossing used by people to access the nearby underground station), however TfL had responded that the crossing did not meet their criteria for undertaking improvements to the crossing (ie a death or serious injury). It was noted that despite the recent fatality TfL were still not taking appropriate action to improve the pedestrian crossing. In this context the Corporate Director Communities, Localities and Culture, was requested to take up this matter with TfL.

- In referring to Appendix B to the report, the following initiatives were welcomed:
  - The prioritisation of capital investment in parks and in particular £460,000 in Bethnal Green Gardens.
  - The proposed £255,000 of capital investment for the refurbishment of Bancroft Library, to provide a home of a fitting standard for the Local History Archive.
  - The investment of £500,000 in CCTV to prevent crime.
- Clarification was sought and given regarding initial capital investment in Victoria Park of approximately £250,000 having actually been included within the 2009/10 CLC Capital Programme.
- The Corporate Director, Communities, Localities and Culture, was requested to address the following safety issues
  - Dangerous crossing outside Central Foundation School on the A11 and in particular the improvement of lighting for it and traffic calming.
  - Dangerous crossings throughout the length of Burdett Road and St Paul's Way but in particular at the junction of Burdett Road and St Paul's Way.
  - Archibald Park – lighting to discourage congregation of gangs.
  - Wellington Way – improved lighting

Councillor Islam, Deputy Leader of the Council:

- In referring to a recent deputation to the full Council, by parents and governors from John Scurr Primary School, Bethnal Green, which had highlighted the dangers to pedestrians of traffic congestion caused by parents dropping their children by car at the school entrance, commented that no mitigating action appeared to have been taken. Mr Halsey, Corporate Director Communities Localities and Culture, undertook to respond to Councillor Islam in writing regarding this matter.
- Considered that there was a need for the installation of a zebra crossing on the approach to Bangabhandu Primary School in Bethnal Green.
- Considered that New Road, Whitechapel, a busy road used by children to reach Kobi Nazrul Primary School was now dangerous to cross and merited improvements to the highway.
- Accordingly proposed the following additional recommendation, to those set out in the report, for the consideration of members of the Cabinet:

“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.”

Councillor Ullah, Lead Member Cleaner Safer Greener, commented as follows:

- Safer school routes were a priority for the Administration and there had been significant investment in such schemes.
- The cycle instruction courses made available through the Council promoted the uptake of cycling as a mode of transport in the Borough.
- Highways improvements recently undertaken on the Chicksand Estate had been transformational.
- The points raised regarding road safety were acknowledged and he undertook to take these forward where possible. However he noted that many related to highways which were the responsibility of TfL. Further that were the Greater London Authority more receptive to representations from Tower Hamlets the outcome would be much faster.

Mr Halsey, Corporate Director, Communities, Localities and Culture, commented that there were many ongoing issues with TfL, It was recognised that the relationship with TfL, at a local level, required significant improvement and this was being addressed at the highest level. Mr Halsey also undertook to examine the matters raised by Members in the discussion.

The Chair **Moved** (taking account of the proposed amendment from Councillor Islam); and it was: -

**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.

## **7. A PROSPEROUS COMMUNITY**

The Clerk advised that there were no business to be considered under this section of the agenda.

## **8. A SAFE AND SUPPORTIVE COMMUNITY**

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

The Chair, in introducing the report:-

- Formally thanked Mr Collins, Corporate Director Children's Services, and Ms Durkin, Service Head Youth and Community Learning, and their Officer Team Officer team for their support of the Commission's activities and the report setting out the findings and recommendations of the Commission.
- Commented that the commission, which he had welcomed the opportunity to chair, had met over six months and looked at the safety of young people.
- Commissioners had been drawn from across the spectrum of agencies working with young people, and young people themselves (two deputy young mayors sat on the commission). Other commissioners were from the college, the police, churches and mosques, the local authority, the fire brigade. The Chair formally thanked all the commissioners for contributing their valuable time to assist the Commission with its work.

Councillor Hawkins, Lead Member Children's Services, commented as follows:-

- The public safety of young people was an issue of enormous significance and central to the Community Plan theme of One Tower Hamlets and therefore a key driver for the Authority.
- Violent crime and the fear of it was a real and significant issue for the young people of Tower Hamlets. The perceptions of such crime were often disproportionate to the reality, indeed the Commission had found that the crime rate was falling, however both perceptions and reality must be addressed particularly as the victims of such crime were often young people themselves.
- One issue that had emerged had been how poor access to transport and mobility could limit the options and experiences of young people. One outcome was territorialism, which was greatly damaging to both those in the associated groups of young people, as well as for those they encountered. It was positive to have pride in your community, but not to be defensive if others came into that community.

- Issues such as this were emotive, however the Commission's review had been worthwhile because of an honest and transparent examination of such issues. The contribution of all the witnesses to this was commendable, and the outcome had been illuminating.
- The Commission had found that the vast majority of young people were law abiding and this premise had identified challenging issues. One was that young people were entitled to congregate in public places in a social manner, also to use the amenities such as parks; and the Authority needed to protect them when they were there.
- The Commission had shown how important it was to listen and recent initiatives with young people, and other initiatives such as the Young Mayor's election and the You Decide campaign, had created a positive foundation to build on in this respect.
- It was important now to provide the necessary support to families, which provided a much needed focus which transcended ethnicity and generation.
- There was much to take forward in conjunction with partners of the Council, as a result of the Commission, and the findings would contribute to the next Youth Justice Plan.

A discussion followed during which the recommendations contained in the report of the Commission into the Public Safety of Young People, were welcomed, and additionally the following points made:

- Although the Community had come a long way in terms of its approach to young people, elders in the community often still had unwarranted perceptions of them. Young people were an asset enriching the community.
- Support provided to families would be critical in the achievement of the Commission's recommendations and the expeditious cascading of this to youth clubs at the front line of youth provision would be welcomed.
- A sensitive and appreciative approach to young people, on the part of the Metropolitan Police, would be needed as the warmer weather facilitated young people to remain outside. Much formalised gang activity was related to the economics of drug culture.
- The identification of Tower Hamlets as a low crime borough on the map of London Boroughs was to be celebrated.
- Consideration that the voices of young people, which had not come through strongly enough in early drafts of the Commission's report had now done so in the final version.

Mr Collins, Corporate Director Children's Services, at the request of the Chair, addressed the matters raised by the Overview and Scrutiny Committee, held on 7<sup>th</sup> April 2009, in relation to the report; as set out in the tabled sheet of questions and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings.

The Chair, in **Moving** the recommendations, as set out in the report, formally thanked Mr Collins, Corporate Director Children's Services, and Ms Durkin, Service Head Youth and Community Learning, for their contribution and that of their Officer team in supporting the work of the Commission.

And it was:-

**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.

**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)**

Mr Collins, Corporate Director Children's Services, at the request of the Chair, in introducing the report, summarised the salient points contained therein as follows:

- The Tower Hamlets Local Safeguarding Children's Board had been established in 2006 in response to legislation. As a result of its partnership approach to safeguarding children in Tower Hamlets, there had been full engagement with all stakeholders and the Board was considered to be a leader amongst the boards of London boroughs.
- The Board had last reported to Cabinet in 2007 and the associated business plan had been adhered to. The paper before the Cabinet contained a further annual report and business plan for consideration and approval. The recommended work plan had been the subject of wide ranging consultation and agreement with all appropriate partners and agencies.
- The report particularly focused on the implications for Tower Hamlets of the Baby P case, the recent report of Lord Laming following a further review of safeguarding arrangements, and the 4 serious case reviews undertaken by the Board since April 2007.
- The report also captured learning from the recent Joint Area Review and Corporate Area Assessment.
- The report recommended the appointment of an independent chair of the Board, chaired to date by Mr Collins, and also endorsement of the proposal that the Board should appoint an independent chair of any future serious case reviews. Although Lord Laming had been ambivalent in his recommendations in this regard, Mr Collins considered this approach to be sensible.
- A further report would contain proposals for supporting the training of Councillors in understanding both safeguarding issues and their associated role and responsibilities. He considered this key to management of the Authority's reputation in the community.
- The proposals contained in the report would build on the Authority's existing strong position on safeguarding children.

Councillor Hawkins, Lead Member Children's Services: \_

- Commented that safeguarding children was a fundamental duty of the authority.

- Paid tribute to the dedication, hard work, commitment of child social workers, and all involved in such social work: including the voluntary sector organisations and professional agencies such as the Metropolitan Police.
- Welcomed the stock take of Tower Hamlets Local Safeguarding Children's Board arrangements.
- Stated her support for the proposed independent chair of the Board and also of independent chairs appointed by the board for any serious case review.
- Formally thanked Mr Collins, Corporate Director Children's Services, and Ms Rambellas, former Service Head Children's Social Care, for their contribution to the Board's activities, and also the review into safeguarding arrangements; commenting that solid judgements had resulted in the strong position of the Authority to date in this area.
- Emphasised the importance of continued partner working in this area.
- Stated her support for the training of Councillors in safeguarding in order that such work could be properly scrutinised and robustly challenged.
- Commended the proposals contained in the report to members of the Cabinet.

A discussion followed during which the proposals contained in the report were welcomed, and which focused on the following points:-

- What provision existed for the continued review and refreshing of policy in this area and in particular that relating to support of families, where orthodoxy appeared to ebb and flow.
- Consideration that there were positives and negatives in the amalgamation of children's Education and Social Services in response to the first report of Lord Laming, but little value in revisiting these given the impetus of the current arrangements.
- The elements needed to create a relentless and reliable system over time that safeguarded children, and the need for continued focus on the principle that the best life chances for children came from an upbringing in a loving family unit and therefore the Authority's provision of support for that.
- Consideration that the arguments were not entirely persuasive for the appointment of an independent chair of the LSCB and there were disadvantages to this; but also recognition that the exposure of the Authority must be minimised. It was stated that there was value in the way Tower Hamlets undertook the safeguarding of children and that the professionals in the field sometimes needed to resist pressures from politicians in Government.
- The proposals for the training of Councillors were welcomed.
- Consideration that the proposed structures would result in the clear political oversight of safeguarding children found to be absent in the London Borough of Haringey.
- The importance of recruiting a skilled workforce in this field.

The Chair **Moved** the recommendations as set out in the report and it was: -



**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;

**9. A HEALTHY COMMUNITY**

The Clerk advised that there were no business to be considered under this section of the agenda.

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

Mr Keating, Service Head Scrutiny and Equalities, at the request of the Chair, in introducing the report, summarised the salient points contained therein, highlighting in particular:

- The proposed equality schemes consolidated a range of work that was already in place but had been ambitiously refreshed to ensure Tower Hamlets remained at the cutting edge of diversity and equality practice in Local Government. The refresh had facilitated an adult debate in spite of some potential challenges such as the relationship between faith and sexual orientation.
- Strong performance in this area was vital to continued excellence in the Comprehensive Area Agreement, as the achievement of One Tower Hamlets was central to the Community Plan

- Table 1 detailed at page 4 of the report which set out the key priorities to address inequality across the equality strands.
- The emphasis on partnership working and workforce to reflect the community articulated in the schemes.
- The articulation within the schemes of how activities meshed with Council priorities and also how to take the work forward in terms of corporate activities.
- Recognition that some information was not as sophisticated as it could be and consequently each scheme had an associated action plan based on Community Plan themes.

A discussion followed, during which the proposed equality schemes were broadly welcomed, and which focused on the following points:-

- How to ensure an effective dress code was in place which could address issues related to dress dictated by faith, for example Muslim women wearing the niqab.
- Negatives, positives and rationale with regard to terminology in the equality schemes being specific in respect of ethnicity, for example Bangladeshi and Somali rather than BME.

Councillor Islam, Deputy Leader of the Council:-

- Formally thanked Mr Keating, Service Head Scrutiny and Equalities and his Officer team for their dedication and hard work in producing the 6 Equality Schemes.
- Commented that equality was a key driver for the Authority and underpinned all its activities and everyone connected with the Authority had a responsibility to strive to achieve this. The proposed Equality Schemes articulated what the Council and its partners needed to deliver to achieve the high aspiration of 'One Tower Hamlets', which was about reducing inequalities and poverty, strengthening cohesion and making sure communities in Tower Hamlets continued to live well together.
- Noted that 2009 marked the tenth anniversary of the publication of the Stephen Lawrence report - a significant landmark in the history of how the public sector dealt with issues of equality and the initiation of the Authority's legal duties to promote equality.
- Commented that the Authority had come a long way since those first duties came in to force both in terms of equality outcomes we achieved across the 6 equality strands, and confidence and capacity to tackle inequality. The next significant landmark would be the Single Equality Bill, which would overhaul and replace current equality legislation and present new challenges.
- Considered that the proposed Equality Schemes would further enhance the Authority's capacity to respond to the requirements of the Single Equality Bill, and meet the big challenges in terms of inequality that Tower Hamlets continued to face.

The Chair **Moved** the recommendations as set out in the report and it was: -

**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.

## **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**

The Chair informed members of the Cabinet that the Joint Director of Human Resources had **Tabled** an errata sheet containing an amendment to Table 8 detailed on page 12 of Appendix 1 to the report, a copy of which would be interleaved with the minutes.

Ms Clarke, Joint Director of Human Resources, at the request of the Chair, in introducing the report, summarised the salient points contained therein, informing members of the Cabinet that:

- This report was linked to the report previously considered “Age, Race, Religion/Belief and Sexual Orientation Equality Schemes 2009-12”.
- The Workforce to Reflect the Community Strategy was key for the Authority and like any good strategy was a live document and constantly updated/ refreshed.
- This report focussed primarily on the 3 areas below and future activities would focus on these priorities:
  - Increasing the number of BME/disabled senior managers
  - Increasing the number of disabled people generally
  - Increasing the number of Bangladeshi employees generally and at senior levels
- For the first time an analysis of the workforce in each Directorate was detailed, together with targets for training and positive action schemes aimed at achieving a step change in performance.
- It was also important to recognise the successes to date:
  - Nearly half of the Authority’s employees were BME which placed it at the top of performance the performance league for all 432 local authorities.
  - Half of the Authority’s employees aged under 30 were Bangladeshi.

A discussion followed, during which the proposed strategy was broadly welcomed, and which focused on the following points:-

- Ms Clarke, Joint Director of Resources and her Officer team, were formally thanked for their hard work in developing the proposals.
- Councillor Rahman, Leader of the Council, and Councillor Islam, Deputy Leader of the Council were thanked for their commitment and leadership in progressing delivery of the objectives of the Administration relating to Workforce to Reflect the Community.
- With reference to paragraph 3.3 bullet point 2 clarification sought and given with regard to equality of opportunity in workforce progression. Noted that the Corporate Equality Steering Group would be examining this in detail in the near future.

- With reference to Appendix 1, page 3, bullet point 10 [agency staff not reflective of community they serve] commented that in Children's Services more than 50% of the workforce were agency staff and consideration that this area merited further Council-wide examination, and an analysis of agency staff was required before the issue could be addressed.
- Clarification sought and given with regard to Workforce to Reflect the Community targets and activities beyond 2010.
- Negatives, positives and rationale with regard to terminology being specific in respect of ethnicity, for example Bangladeshi rather than BME.
- Noted the recent improvement in the representation of BME communities at Corporate Management Team and consideration that this was reflective of the Authority's determination to ensure a Workforce to Reflect the Community.
- Consideration that further analysis of the composition of the workforce by Directorate was required; also detail as to the representation of the Somali community at all levels of the workforce. Noted the assurance of Ms Clarke, Joint Director of HR that further work would be undertaken to ascertain the Somali profile in the workforce.
- With reference to Appendix 1, page 11, Table 7 [Ethnicity Table of Agency Staffing] consideration that an additional categorisation for the Somali community was required. Noted also that the table indicated that approximately 10% of agency staff were from the Bangladeshi community, which was not reflective of the community they served. Noted that agency recruitment was often not based in Tower Hamlets. Noted that agencies undertook monitoring of the temporary workforce for the Council, but had not to date monitored Somali representation. Also noted that future WRC targets would be set to ensure agency staff were reflective of the community and also the assurance of Ms Clarke, Joint Director of HR that she would review agency arrangements for workforce monitoring and that joint working between agencies and Job Centre Plus to identify appropriate BME candidates for temporary jobs was intended.
- With reference to Appendix 1, page 12, Table 8 [representation by ethnicity at each grade] clarification sought and given as to how the Authority intended to improve BME representation above PO! Grade. Clarification sought and given with regard to positive action re shadowing, mentoring and acting up. The Chair considered that it would be helpful for a policy to be brought forward in relation to the encouragement of BME staff to take up opportunities to act up into vacancies at a higher grade.

Councillor Islam, Deputy Leader of the Council:-

- Commented that the Workforce to Reflect the Community like any good strategy should not sit on the shelf but be a live document, constantly updated and refreshed.
- Acknowledged the points raised in the discussion.
- Noted significant progress to date on WRC and in particular increased BME representation in the Corporate Management Team. Also noted

the many mechanisms already in place to progress WRC: shadowing and mentoring arrangements, Aspiring Leaders Programme, positive action social worker scheme; and indicated that it was intended to continue these and roll out such initiatives across Tower Hamlets but also in the Primary Care Trust and schools.

The Chair **Moved** the recommendations as set out in the report and it was: -

**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.

**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.

The Chair informed members of the Cabinet that the special circumstances and reasons for urgency associated with the proposals were detailed on the front page of the report. The Cabinet subsequently agreed the special circumstances and reasons for urgency as set out on the front page of the report and also set out below:

- On 6<sup>th</sup> March 2009, the Minister of State for Housing and Planning announced that she intended to reduce the national average guideline rent increase as a consequence of the “unprecedented global downturn in the economy.”

- On the 26<sup>th</sup> March 2009, Communities and Local Government (DCLG) published a consultation document setting out its proposals for amending Housing Subsidy Determination 2009/10. The consultation document invites Local Authorities to bid for additional subsidy if they are prepared to reduce their actual rent increase to 3.1% or less. Authorities wishing to take up the offer must notify the Department of Communities & Local Government by Friday 24<sup>th</sup> April, 2009. Members consideration of the Minister of State's offer is therefore urgently required in order satisfy this requirement.
- The report was unavailable for public inspection within the standard timescales set out in the Authority's constitution for the reasons set out above.
- The report has been completed prior to the issue of the Department of Communities and Local Government's final amended Subsidy Determinations. The figures within the report are based on an assessment of the implications contained within the consultation document published on the 26<sup>th</sup> March 2009. Any significant changes between the draft and final determinations could have a major impact upon the Housing Revenue Account. Members will be notified of any significant changes.
- If the Council fails to indicate a wish to pass on reduced rent increases to tenants, then the guideline rent increase will remain unaltered from that notified in December, and no additional subsidy will be made available.

Councillor Francis, Lead Member Housing and Development, in introducing the report, summarised the salient points contained therein commenting that:

- Cabinet had considered a report in January 2009 in relation to the setting of a housing rent level for properties in the ownership of the Authority. At the time, Government had issued a national guideline that rent increase by 6.2%. However after taking advice and deliberating the matter Cabinet had considered that a lower rent increase was appropriate and had approved an average rent increase of 5.5% approximately £4.50 per week for a household. This would have resulted in a £320,000 deficit in the Housing Revenue Account, which the Authority had intended to mitigate through efficiencies and drawing down reserves.
- He had sought support from Cabinet for the lobbying of Government to change their guidance relating to rent increases, because it had been calculated on the basis of historic level of inflation which was much higher than was actually the case in January. Ministers had now bowed to national pressure and 3 weeks previously had revised their guideline rent increase to 3.1% and had also made available additional subsidy to facilitate implementation of this by local authorities.
- To reflect the change in Government guidance the report proposed that Cabinet now approve a revised average weekly rent increase of £2.80 per week equating to 2.9% in 2009/10.
- The average rent increase for Registered Social Landlords in 2009/10 had been 7 to 8% three times higher than that now proposed for homes owned by Tower Hamlets. He considered that RSL's should be lobbied

further to reduce their rent increases in line with Government guidance, so that their tenants also benefitted.

- There remained the option for the Authority to allocate additional resources to effect an even lower rent increase. However he considered that this would divert resources which could otherwise be invested in estates for example the Estate Improvement Programme encompassing the block cleaning programme (or deep clean of estates), when the proposed rent increase was manageable.
- Letters had been issued to tenants indicating the rent level would not be set, because the Council was awaiting details of the permitted levels of rent increase from Government. However if Cabinet approved the proposal in the report letters would be issued to tenants in week beginning 13 April 2009 giving notification of the rent increase in 2009/10.
- Urged members to continue to support the lobbying of Government for lower increases in housing rent in future and ultimately an end to the annual rent review system.

Members of the Cabinet commended Councillor Francis, Lead Member Housing and Development, for his clarity of vision, dedication and hard work in the delivery of the Administration's aspirations relating to housing and delivering for vulnerable elements of the Community in a time of recession.

Clarification was sought and given as to how the Authority could work in partnership to achieve a low rent increase for tenants of RSL's.

The Chair, in **Moving** the recommendations, as set out in the report:

- Formally thanked Mr Holme, Service Head Resources Development and Renewal, and his Officer Team for their efforts in developing the revised proposals.
- Welcomed the lower rent increase proposed commenting that this would assist many local residents a great deal in coping with the impact of the severe economic downturn.

And it was:-

**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 14<sup>th</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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.

## **12. UNRESTRICTED REPORTS FOR INFORMATION**

The Clerk advised that there were no business to be considered under this section of the agenda.

## **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.

Chair, Councillor Lutfur Rahman  
Cabinet