

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.35 P.M. ON WEDNESDAY, 9 MARCH 2011

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

Members Present:

Mayor Lutfur Rahman (Mayor)	(Mayor)
Councillor Ohid Ahmed (Deputy Mayor)	(Deputy Mayor)
Councillor Alibor Choudhury	(Cabinet Member for Resources)
Councillor Rabina Khan	(Cabinet Member for Housing)
Councillor Rania Khan	(Cabinet Member for Regeneration)
Councillor Oliur Rahman	(Cabinet Member for Children's Services)

Other Councillors Present:

Councillor David Edgar	
Councillor Marc Francis	
Councillor Peter Golds	(Leader, Conservative Group)
Councillor Ann Jackson	(Chair, Overview & Scrutiny Committee)
Councillor Joshua Peck	

Others Present:

Officers Present:

Nadir Ahmed	– (Chief Executive's Business & Policy Support Officer)
Robin Beattie	– (Acting Head, Strategy & Resources, Communities Localities & Culture)
Heather Bonfield	– (Interim Service Head Cultural Services , Communities Localities & Culture)
Isobel Cattermole	– (Acting Corporate Director, Children, Schools & Families)
Ahzaz Chowdhury	– (Political Advisor to Conservative Group, Chief Executive's)
Kevan Collins	– (Chief Executive)
Aman Dalvi	– (Corporate Director, Development & Renewal)
Tony Finnegan	– (Acting Head of Media, Communications, Chief Executive's)
Stephanie Ford	– (Interim Performance Manager, Strategy & Performance, Chief Executive's)

Isabella Freeman	– (Assistant Chief Executive - Legal Services, Chief Executive's)
Afazul Hoque	– (Scrutiny Policy Manager, Scrutiny & Equalities, Chief Executive's)
Shazid Miah	– (Acting Community Liaison Officer to the Mayor, Chief Executive's)
Khaled Abdul Moyeed	– (Interim Political Advisor to the Mayor, Chief Executive's)
Chris Naylor	– (Corporate Director Resources)
Jackie Odunoye	– (Service Head Strategy, Innovation and Sustainability, Development & Renewal)
Helen Taylor	– (Acting Corporate Director Adults Health & Wellbeing)
James Walsh	– (Housing Regeneration Officer, Major Project Development, Development & Renewal)
Chris Worby	– (Interim Service Head, Regeneration, Development & Renewal)
Angus Taylor	– (ExecutiveTeam Leader, Democratic Services, Chief Executive's)

The following is a record of those decisions taken by the Cabinet at their meeting held on Wednesday 9th March 2011.

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 April 2011** on receipt of a written request.

The **deadline** for the receipt of any such written request is **5.00pm on Friday 18th March 2011**. 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 21st March 2011**.

Any decision 'called in' for scrutiny but supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 5th April 2011, can be implemented the following day, Wednesday 6th April 2011.

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 April 2011.

MR L. RAHMAN (MAYOR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Mr S. Halsey, Corporate Director Communities, Localities and Culture for whom Mr R. Beattie, Acting Head of Strategy and Resources, Communities, Localities and Culture, was deputising.

Apologies for lateness were received on behalf of:

- Councillor A. Choudhury, Cabinet Member for Resources.
- Ms. I. Freeman, Assistant Chief Executive (Legal Services), Chief Executive's.

Noted.

2. DECLARATIONS OF INTEREST

Councillor O. Ahmed (Deputy Mayor) declared a personal interest in Agenda item 5.2 (i) "Any Unrestricted Decisions 'Called in' by the Overview & Scrutiny Committee - Cabinet decision 'Called in' - Leasehold Policy Review". The declaration of interest was made on the basis that the referral, by the Overview and Scrutiny Committee held on 7th March 2011, of the provisional decision of the Cabinet, made on 9th February 2011 in relation to the Leasehold Policy Review report (CAB 080/101), to Cabinet for further consideration contained recommendations relating to the Authority's Leasehold Policy and Councillor Ahmed was an LBTH Leaseholder.

Councillor O. Ahmed (Deputy Mayor) declared a personal interest in Agenda item 6.1 "Cotall Street/Bartlett Park". The declaration of interest was made on the basis that the report contained recommendations relating to Poplar HARCA and Councillor Ahmed was a representative of the Authority on the governing body of Poplar HARCA.

Councillor Rania Khan declared a personal interest in Agenda item 6.1 "Cotall Street/Bartlett Park". The declaration of interest was made on the basis that the report contained recommendations relating to Poplar HARCA and Councillor Rania Khan was a representative of the Authority on the governing body of Poplar HARCA.

Noted.

Action by:

ASSISTANT CHIEF EXECUTIVE - LEGAL SERVICES (I. FREEMAN)

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 9th February 2011 be approved and signed by the Mayor, as a correct record of the proceedings.

Action by:

ASSISTANT CHIEF EXECUTIVE - LEGAL SERVICES (I. FREEMAN)

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

4. 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

Nil items.

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

5.2(i) Cabinet Decision "Called in" Leasehold Policy Review (CAB 103/101)

Councillor O. Ahmed (Deputy Mayor) declared a personal interest in Agenda item 5.2 (i) "Any Unrestricted Decisions 'Called in' by the Overview & Scrutiny Committee - Cabinet decision 'Called in' - Leasehold Policy Review". The declaration of interest was made on the basis that the referral, by the Overview and Scrutiny Committee held on 7th March 2011, of the provisional decision of the Cabinet, made on 9th February 2011 in relation to the Leasehold Policy Review report (CAB 080/101), to Cabinet for further consideration contained recommendations relating to the Authority's Leasehold Policy and Councillor Ahmed was an LBTH Leaseholder.

Reference from the Overview and Scrutiny Committee, held on 7th March 2011, **Tabled** by the Chair of the Overview and Scrutiny Committee.

Response of Corporate Director Development and Renewal to the reference from Overview and Scrutiny Committee, held on 7th March 2011, **Tabled**.

Resolved

1. That the advice /comments of the Overview and Scrutiny Committee, as detailed in the Tabled Reference (CAB 103/101) be noted;
2. That the provisional decision of the Cabinet, made on 9th February 2011, in relation to the Leasehold Policy Review report (CAB 080/101) be reaffirmed;
3. That the Corporate Director Development and Renewal be instructed to examine the final report of the Beevers and Struthers independent audit of leasehold service charges, upon its publication, to identify any implications arising in respect of the Authority's Leasehold Policy and to bring forward any appropriate revisions to this Policy for Cabinet consideration; and
4. That Corporate Director Development and Renewal, after consultation with the Assistant Chief Executive (Legal Services), be instructed to examine the basis and rationale for any differential charging of leaseholders by Registered Social Landlords, also the mechanism by which any costs were absorbed/ redistributed, and the scope for the Authority to act similarly at a future point.

Action by:

CORPORATE DIRECTOR – DEVELOPMENT & RENEWAL (A. DALVI)

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

6. A GREAT PLACE TO LIVE

6.1 Cotall Street/ Bartlett Park (CAB 098/101)

Councillor O. Ahmed (Deputy Mayor) declared a personal interest in Agenda item 6.1 "Cotall Street/Bartlett Park". The declaration of interest was made on the basis that the report contained recommendations relating to Poplar HARCA and Councillor Ahmed was a representative of the Authority on the governing body of Poplar HARCA.

Councillor Rania Khan declared a personal interest in Agenda item 6.1 "Cotall Street/Bartlett Park". The declaration of interest was made on the basis that the report contained recommendations relating to Poplar HARCA and

Councillor Rania Khan was a representative of the Authority on the governing body of Poplar HARCA.

Resolved:

1. That, subject to the conditions at paragraph 6.4 of the report (CAB 098/101) the Corporate Director of Development and Renewal after consultation with the Assistant Chief Executive (Legal) be authorised to negotiate terms and conditions of the disposal in accordance with the proposals in clause 6 in order that the Mayor can use his Executive powers to decide whether to proceed with the disposal of Cotall Street and land at Stainsby Road to the proposed Registered Providers; and
2. That, in the event the Mayor agrees the disposal, referred to in resolution 1. above, the Corporate Director of Development and Renewal after consultation with the Assistant Chief Executive (Legal Services) be authorised to enter into all necessary documentation to put into effect the decision described in resolution 1 above and the Assistant Chief Executive (Legal Services) be authorised to execute all necessary documents to implement that decision.

Action by:

CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL (A. DALVI)

Services Head Regeneration, Development and Renewal (C. Worby)

Housing Regeneration Manager, Major Project Development, Development and Renewal (N. McGowan).

ASSISTANT CHIEF EXECUTIVE LEGAL SERVICES (I. FREEMAN)

6.2 Commercial Activities in Parks (CAB 099/101)

Resolved:

1. That the number of commercial and non-commercial event days in Victoria Park (excluding 2012) be restricted to ten days or less where this can be achieved whilst still securing income targets. This limit to exclude events such as charity fun-runs;
2. That the Corporate Director Communities, Localities and Culture be instructed to explore the possibility of reducing the number of commercial event days for 2011;
3. That the current closing time (11.00pm) remain unchanged;
4. That one consecutive weekend of commercial music events be permitted;

5. That Officers continue to monitor levels of security, stewarding and traffic management and improve these as necessary in response to need;
6. That noise control levels continue to be monitored and adjusted as necessary in the light of ongoing experience;
7. That negotiation for the Live Site in 2012 be considered outside of these arrangements;
8. That arrangements to allow a maximum of ten commercial events in Victoria Park in 2011 continue;
9. That the two-day Paradise Gardens event no longer proceed;
10. That in place of a single major fireworks event in Victoria Park, four smaller community fireworks events take place, one in each paired LAP;
11. That the opportunity to promote events in Victoria Park be tendered for the year 2013 and onwards;
12. That income generating opportunities in other suitable parks continue to be pursued where these do not impact unduly on the local community and planned sporting arrangements;
13. That the Corporate Director Communities, Localities and Culture examine the location of commercial and non-commercial events within Victoria Park with a view to mitigating any noise impact on nearby residents.
14. That the Corporate Director Communities, Localities and Culture be instructed to keep the Authority's policy in respect of events in parks under review and to advise the Mayor and Cabinet of any appropriate revisions.

Action by:

**CORPORATE DIRECTOR COMMUNITIES, LOCALITIES AND CULTURE
(S. HALSEY)**

Interim Service Head Cultural Services – Communities Localities and Culture
(H. Bonfield)

7. A PROSPEROUS COMMUNITY

Nil items.

8. A SAFE AND SUPPORTIVE COMMUNITY

Nil items.

9. A HEALTHY COMMUNITY

Nil items.

10. ONE TOWER HAMLETS**10.1 Children's and Adults' Services Reorganisation (CAB 100/101)****Resolved:**

1. That the existing two Council directorates of Children, Schools and Families and Adults Health and Wellbeing be reorganised into one new unified directorate;
2. That it be agreed that the recruitment of an Executive Director, amalgamating the existing posts of Corporate Director Children, Schools and Families / Corporate Director Adults Health and Wellbeing proceed;
3. That the Chief Executive, after consultation with the Assistant Chief Executive (Legal Services) and the current Corporate Directors of Children Schools and Families and Adults Health and Wellbeing, be responsible for ensuring that the amalgamation of the two Corporate Director posts still ensures that the social care needs of children and schools services and adults' health and wellbeing in the local community are given equal emphasis and are managed in a co-ordinated way; and
4. That a progress report on the implementation of the new arrangements be submitted for Cabinet consideration in January 2012.

Action by:

CHIEF EXECUTIVE (K. COLLINS)

**ACTING CORPORATE DIRECTOR, CHILDREN SCHOOLS AND FAMILIES
(I. CATTERMOLE)**

**ACTING CORPORATE DIRECTOR, ADULT HEALTH AND WELLBEING (H.
TAYLOR)**

10.2 Strategic Performance and Corporate Budget Monitoring to 31st December 2010 (CAB 101/101)**Resolved:**

1. That the Council's financial position as outlined in paragraphs 5 and 6 and appendices 1-7 of the report (CAB 101/101) be noted;

2. That the Quarter 3 2010/11 performance, including areas where further work is needed to ensure the Authority delivers improved outcomes, be noted;
3. That the actions being taken to address the reported overspends be noted; and
4. That specific 'You Decide!' actions, as set out in section 8 of the report (CAB 101/101), be approved.

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

Service Head, One Tower Hamlets, Chief Executive's (M. Keating)

Service Head, Corporate Finance, Resources (A. Finch)

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

12. UNRESTRICTED REPORTS FOR INFORMATION**12.1 Exercise of Corporate Directors' Discretions (CAB 102/101)****Resolved:**

That the exercise of Corporate Directors' discretions, as set out in Appendix 1 of the report (CAB 102/101), be noted.

CORPORATE DIRECTOR RESOURCES (C. NAYLOR)

Service Head, Corporate Finance, Resources (A. Finch)

Chief Financial Strategy Officer, Resources (O. Shonola)

Finance Officer, Resources (L. Stone)

13. EXCLUSION OF THE PRESS AND PUBLIC**Resolved:**

That pursuant to regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the press and public be excluded from the remainder of the meeting:

- (a) As it was likely, in view of the nature of the business to be transacted in Section Two of the agenda, that if members of the public were present during consideration of this business there would be disclosure of exempt information.
 - Exempt information is defined in section 100I and, by reference, Schedule 12A of the Local Government Act 1972 ("the 1972 Act"). To be exempt, information must fall within one of the categories

listed in paragraphs 1 to 7 of Schedule 12A, must not fall within one of the excluded categories in paragraphs 8 and 9 and the public interest in maintaining the exemption must outweigh the public interest in disclosing the information.

- Agenda item Agenda item 14. "Exempt/ Confidential Minutes" (of the meeting of the Cabinet held on 9th February 2011) contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs of the Council.
- (b) As although there is a public interest favouring public access to local authority meetings, in this case the Cabinet concluded that given the information contained in:
- Agenda item Agenda item 14. "Exempt/ Confidential Minutes" (of the meeting of the Cabinet held on 9th February 2011) relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs of the Council.

that the public interest in maintaining the exemption on the information outweighed the public interest in disclosing it.

SUMMARY OF EXEMPT PROCEEDINGS

14. EXEMPT / CONFIDENTIAL MINUTES

Minutes of the meeting of the Cabinet held on 9th February 2011 agreed.

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 7.20 p.m.

**Kevan Collins
CHIEF EXECUTIVE**