

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.38 P.M. ON WEDNESDAY, 7 SEPTEMBER 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 Rofique U Ahmed	(Cabinet Member for Regeneration)
Councillor Shahed Ali	(Cabinet Member for Environment)
Councillor Abdul Asad	(Cabinet Member for Health and Wellbeing)
Councillor Alibor Choudhury	(Cabinet Member for Resources)
Councillor Shafiqul Haque	(Cabinet Member for Jobs and Skills)
Councillor Rabina Khan	(Cabinet Member for Housing)
Councillor Rania Khan	(Cabinet Member for Culture)

Other Councillors Present:

Councillor Kabir Ahmed	(Executive Advisor to the Mayor and Cabinet)
Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Ann Jackson	(Chair, Overview & Scrutiny Committee)
Councillor Joshua Peck	(Leader of the Labour Group)
Councillor Rachael Saunders	
Councillor Motin Uz-Zaman	(Deputy Leader of the Labour Group)

Others Present:

Officers Present:

Sarah Barr	– (Senior Strategy Policy and Performance Officer, Strategy Policy and Performance, One Tower Hamlets, Chief Executive's)
Isobel Cattermole	– (Acting Corporate Director, Children, Schools & Families)
Deborah Cohen	– (Service Head, Commissioning and Strategy, Adults Health and Wellbeing)
Aman Dalvi	– (Corporate Director, Development & Renewal)
Barbara Disney	– (Commissioning Manager, Older People, Adults Health & Wellbeing)
Isabella Freeman	– (Assistant Chief Executive - Legal Services, Chief

	Executive's)
Stephen Halsey	– (Corporate Director Communities, Localities & Culture)
Chris Holme	– (Service Head Resources, Development & Renewal)
Joynul Khan	– (Intern, Democratic Services, Chief Executive's)
John Kiwanuka	– (Housing Partnerships Manager, Housing Strategy Regeneration and Sustainability, Development & Renewal)
Ellie Kuper-Thomas	– (Interim Policy Adviser to the Mayor, Chief Executive's)
Axel Landin	– (Intern, Democratic Services, Chief Executive's)
Stephen Murray	– (Head of Arts, Communities Localities & Culture)
Chris Naylor	– (Corporate Director Resources)
Jackie Odunoye	– (Service Head Strategy, Regeneration and Sustainability, Development & Renewal)
Murziline Parchment	– (Head of Mayor's Office, Democratic Services, Chief Executive's)
Chris Saunders	– (Political Advisor to the Labour Group, Chief Executive's)
Takki Sulaiman	– (Service Head Communications, Chief Executive's)
Angus Taylor	– (Interim Committee Services Manager (Operational), Democratic Services, Chief Executive's)

MR L. RAHMAN (MAYOR) IN THE CHAIR

ADJOURNMENT

At this juncture the Mayor informed those present that before he and his Cabinet proceeded to consideration of the substantive business set out in the agenda, there would be an opportunity for the public to put questions to himself, the Deputy Mayor, and other Members comprising the Cabinet who were present. Accordingly the **Mayor agreed** the following:

Decision

That the Cabinet adjourn for a short period at 5.40pm, and that the meeting reconvene thereafter.

The meeting adjourned at 5.40pm

The meeting reconvened at 5.55pm

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Oliur Rahman, Cabinet Member for Children's Services.
- Mr Kevan Collins, Chief Executive, for whom Mr Aman Dalvi, Corporate Director Development and Renewal, was deputising.
- Ms Helen Taylor, Corporate Director Adult Health and Wellbeing, for whom Ms Deborah Cohen, Service Head Commissioning and Strategy - Adult Health and Wellbeing, was deputising.
- Mr Chris Holme, Service Head Resources - Development and Renewal, deputising for Mr Aman Dalvi, Corporate Director Development and Renewal.

Noted.

2. DECLARATIONS OF INTEREST

Councillor S. Haque declared a personal interest in Agenda item 6.1 "Decent Homes Funding Gap Options for 2011-2015". The declaration of interest was made on the basis that the report contained recommendations relating to funding of the Decent Homes Backlog Programme (a programme of works to bring the condition of the Authority's housing stock up to the Decent Homes Standard) and Councillor Haque was an LBTH Leaseholder.

Noted.

3. UNRESTRICTED MINUTES

The unrestricted minutes of the ordinary meeting of the Cabinet held on 3rd August 2011 had been circulated for information (Agenda – 7th September Cabinet).

4. PETITIONS

The clerk advised that the Assistant Chief Executive (Legal Services) had received no requests for 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

Councillor Jackson, Chair of the Overview and Scrutiny Committee (OSC), addressed members of the Cabinet:

- Advising of key elements of OSC consideration of the report "Strategic Performance and Corporate Revenue and Capital Budget Monitoring – Quarter 1 2011/12 (Month 3) report to end of June 2011" to inform Cabinet consideration of the same report:

- Reporting OSC deliberations/ response to consultation on a new Sex Establishments Policy for the Authority.

The **Mayor** thanked Councillor Jackson for presenting the contribution of the Overview and Scrutiny Committee.

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

5.2(i) Cabinet Decision "Called in" The Baishakhi Mela in Banglatown, Brick Lane: transfer to community management (CAB 035/112)

The Mayor informed members of the Cabinet that:

- Councillor Jackson, Chair of the Overview and Scrutiny Committee (OSC), had **Tabled** a reference (CAB 035/112) setting out the deliberations of the OSC, held on 6th September 2011, in respect of the decision of the Executive Mayor at Cabinet, on 3rd August 2011, made in relation to the report "The Baishakhi Mela in Banglatown, Brick Lane: transfer to community management" (CAB 021/112), a copy of which would be interleaved with the minutes.
- A detailed response to the matters raised by the OSC set out in the tabled reference regarding this agenda item, had been **Tabled** by the Corporate Director, Communities, Localities and Culture, a copy of which is interleaved with the minutes.

Councillor Jackson, Chair of the OSC, addressed the Mayor and Cabinet members in relation to the tabled reference of the OSC (CAB 035/112), and recommendations made by OSC to refer this matter back to the Cabinet for further consideration as set out in paragraph 6.2 of the reference.

Councillor Asad [Cabinet Member for Health and Wellbeing] commented that it was acknowledged that were the Authority to continue to run the Baishakhi Mela ["the Mela"] the costs would be considerable, and in this context sought and was given clarification as to the OSC deliberation of alternatives to returning the Mela to community management.

Mr Halsey, Corporate Director Communities Localities and Culture, at the request of the Mayor, addressed the Mayor and Cabinet members in relation to the matters raised by the OSC in the tabled reference and also his tabled response to this, as follows:

- Emphasising that what was proposed was not a "contract" for a tendered service, but rather an arrangement granting an organisation the right to manage an event in a park with transitional support from the Authority.
- Emphasising that further steps would follow this decision (advertising the opportunity to manage the Mela, detailed bids and shortlisting thereof, selection of an independent panel to assess these and subsequently recommend award to an organisation, allocation of Section 106 funding, agreement of management arrangements) and the process would conclude with submission of a further detailed report

for the consideration of the Mayor and Cabinet seeking approval of the final arrangements and award of the right to manage the Mela.

- Setting out the rationale for the length of the agreement and confirming the robust monitoring arrangements and inclusion of break clauses (whereby the Authority could terminate the arrangement by withholding use of the open space for the event).

The Mayor:

- Thanked Councillor Jackson for presenting the contribution of the OSC.
- Commented that he had noted the comments of the OSC, but having reconsidered the previous decision he considered that it was the right decision and rejected the proposals in the reference from the OSC. Accordingly the **Mayor agreed** the following:

Decision

1. That the comments/ advice/ recommendations of the Overview and Scrutiny Committee, as detailed in the Tabled Reference (CAB 035/112), be noted; and
2. That the provisional decision of the Mayor/Cabinet, made on 3rd August 2011, in relation to the The Baishakhi Mela in Banglatown, Brick Lane: transfer to community management report (CAB 021/112) be reaffirmed.

6. A GREAT PLACE TO LIVE

6.1 Decent Homes Funding Gap Options for 2011-2015 (CAB 031/112)

Councillor S. Haque declared a personal interest in Agenda item 6.1 “Decent Homes Funding Gap Options for 2011-2015“. The declaration of interest was made on the basis that the report contained recommendations relating to funding of the Decent Homes Backlog Programme (a programme of works to bring the condition of the Authority’s housing stock up to the Decent Homes Standard) and Councillor Haque was an LBTH Leaseholder.

Councillor Rabina Khan, Cabinet Member for Housing, at the request of the Mayor, in introducing the report, summarised the key points contained therein. Councillor Khan commended the proposals contained in the report as essential to fulfilling the Mayor’s pledge to fund the entire Decent Homes Backlog Programme thereby ensuring that all those living in the Authority’s housing stock enjoyed housing of a decent standard. It was also important to take up the grant funding as this was likely to be a last opportunity to secure Government funding for investment in social housing.

An option was proposed that the Mayor/ Cabinet agree an additional recommendation to those contained in the report as follows:-

- To refer the decisions on the allocation of capital to the Decent Homes Backlog Programme to Full Council, as required by the Authority's Financial Regulations/ Constitution and set out in paragraph 3.1 of the report.

The **Mayor considered and rejected** the option proposing the additional recommendation as this was covered in the report which referred to the funding being included in the budget proposals going forward, and **agreed** the recommendations as set out in the report.

Decision

1. That the options being proposed to bridge the funding gap for the Decent Homes Backlog Programme in 2011/12, 2012/13, 2013/14 and 2014/15, as outlined in Table 1, paragraph 6.11.2 of the report (CAB 031/112), be agreed;
2. That the Corporate Director Development and Renewal be authorised after consultation with the Corporate Director Resources and Cabinet Members for Housing and Resources to resolve the financing of the Decent Homes funding gap with a view to maximising use of available capital resources both to the HRA business plan and the Authority as a whole and subject to any required confirmation in the annual budget going forward;
3. That the projected overspend on the Donegal and Sovereign phase 2 scheme be noted, and the adoption of an increase of £398,000 in the capital estimate, to be funded from savings elsewhere in the programme, as set out in paragraph 7 of the report (CAB 031/112), be approved; and
4. That the Corporate Director Development and Renewal be authorised, with the agreement of the Assistant Chief Executive (Legal Services), to enter into all necessary documents to implement the decisions made in respect of the report (CAB 031/112).

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.2 of the report (CAB 031/112)

Alternative Options Considered

These are detailed in paragraphs 4.1 to 4.2 of the report (CAB 031/112); and that proposed at the Cabinet meeting in the body of the minute relating to this item.

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 COHESIVE COMMUNITY

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

9. A HEALTHY AND SUPPORTIVE COMMUNITY

9.1 Award of contract for Care and Housing Related Support in Extra Care Sheltered Housing (CAB 032/112)

Councillor Abdul Asad, Cabinet Member for Health and Wellbeing, at the request of the Mayor, in introducing the report, summarised the key points contained therein.

The **Mayor agreed** the recommendations as set out in the report.

Decision

1. That the contents of the report (CAB 032/112) be noted;
2. That the award of five year contracts for the provision of care and support services in respect of the Extra Care Sheltered Housing schemes at St Thomas House, Stepney and Shipton Street, Bethnal Green to Bidder A, commencing on a date to be determined by the Corporate Director Adults Health and Wellbeing, be agreed;
3. That the Corporate Director, Adults Health and Wellbeing be authorised, after consultation with Assistant Chief Executive (Legal Services), to agree the terms of the contracts referred to at decision 2. above, and
4. That the Assistant Chief Executive (Legal Services) be authorised to enter into all necessary documents to implement the decisions in Section 2 (paragraphs 2.1 to 2.4) of the report (CAB 032/112).

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.2 of the report (CAB 032/112)

Alternative Options Considered

These are detailed in paragraphs 4.1 to 4.2 of the report (CAB 032/112)

10. ONE TOWER HAMLETS

10.1 Strategic Performance and Corporate Revenue and Capital Budget Monitoring Quarter 1 2011/12 (Month 3) Report to the end of June 2011 (CAB 033/112)

Councillor Alibor Choudhury, Cabinet Member for Resources, at the request of the Mayor, in introducing the report, summarised the key points contained therein, as follows:-

- Highlighting headlines for significant improvements in the Authority's performance and overall performance.
- Indicating the action being taken by the Mayor's Administration to mitigate underperformance in respect of three high risk measures/ improvement plans where performance was over 10 per cent off target.
- Summarising that the Authority was on target to meeting agreed savings targets and therefore deliver services pledges within budget.
- Highlighting that growth risks provided for within the Medium Term Financial Plan had materialised and it was now necessary to draw down the provision with the recommended virement.
- Advising that significant work remained to be done to monitor/ ensure delivery of £30 million of savings in 2011/12, but also to identify further savings necessary against a backdrop of a 7.8 per cent cut in grant from Central Government and the Government's failure to deliver promised economic growth.

The **Mayor agreed** the recommendations set out in the report with the following amendment in relation to recommendation 2.1: "That Quarter 1 2011/12 performance be noted."

Decision

1. That Quarter 1 2011/12 performance be noted;
2. That the Council's financial position, as outlined in paragraphs 3 and 4 and Appendices 1-4 of the report (CAB 033/112), be noted; and
3. That the budget virements detailed in Appendix 3 to the report (CAB 033/112) be approved.

Reasons for Decisions

These are detailed in paragraph 2.3 of the report (CAB 033/112)

Alternative Options Considered

These are detailed in paragraph 2.3 of the report (CAB 033/112)

10.2 Recording/ Webcasting Council Meetings (CAB 034/112)

Ms Freeman, Assistant Chief Executive (Legal Services), at the request of the Mayor, in introducing the report, summarised the key points contained therein:

- Drawing the attention of the Mayor/ Cabinet to the assessment of the positives / negatives of the four options set out in Section 6 of the report and budgetary considerations set out in Section 8.
- Advising that were the Mayor to agree Option 3 “full webcasting service” there would be a need to examine the security of this, such as the potential for editing or tampering with the footage on You Tube; and also a need to train councillors so it was used effectively.

An alternative option was proposed that the Mayor/ Cabinet agree Option 3 “full webcasting service”, set out in paragraphs 6.8 to 6.13 of the report, with the associated costs resourced by the reallocation of funding used to provide the Mayoral car and maintain communications posts within the Mayoral Office.

Councillor Ahmed, Deputy Mayor, emphasised that in the context of current financial constraints facing the Authority additional expenditure necessary to implement recording or webcasting Council meetings could not be justified.

The **Mayor, considered and rejected** the alternative option proposed, and in relation to recommendation 2.1 **agreed** Option 4 contained in paragraph 6.14 of the report, noting that this decision made it unnecessary to consider the subsequent recommendations 2.2 and 2.3.

Decision

That in relation to future recording and/or webcasting of Council meetings, Option 4, as set out in Section 6 of the report (CAB 034/112), be agreed.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 034/112)

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 034/112); and that proposed at the Cabinet meeting in the body of the minute relating to this item.

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

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

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.

SUMMARY OF EXEMPT PROCEEDINGS

14. EXEMPT / CONFIDENTIAL MINUTES

Exempt / confidential minutes of the ordinary meeting of the Cabinet held on 3rd August 2011 had been circulated for information (Agenda 7th September 2011 Cabinet).

15. OVERVIEW & SCRUTINY COMMITTEE

Nil items.

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 COHESIVE COMMUNITY

Nil items.

19. A HEALTHY AND SUPPORTIVE 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 6.25 p.m.

Chair, Mayor Lutfur Rahman
Cabinet