

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE CABINET**

**HELD AT 5.35 P.M. ON WEDNESDAY, 1 JULY 2009**

**COMMITTEE ROOM, 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, Resources and Performance)
Councillor Rofique U Ahmed	(Lead Member, Culture and Leisure)
Councillor Anwara Ali	(Lead Member, Health & Wellbeing)
Councillor Abdul Asad	(Lead Member, Children's Services)
Councillor Rania Khan	(Lead Member, Regeneration, Localisation and Community Partnerships)
Councillor Joshua Peck (Vice-Chair)	(Deputy Leader of the Council)
Councillor Oliur Rahman	(Lead Member, Employment and Skills)
Councillor Abdal Ullah	(Lead Member, Cleaner, Safer, Greener)

**Other Councillors Present:**

Councillor M. Shahid Ali	
Councillor Tim Archer	(Scrutiny Lead Member: A Healthy Community)
Councillor Stephanie Eaton	(Leader Liberal Democrat Group)
Councillor Peter Golds	(Leader Conservative Group)
Councillor Fazlul Haque	
Councillor Alexander Heslop	(Scrutiny Lead Member: A Great Place to Live)
Councillor Sirajul Islam	(Chair, Overview & Scrutiny Committee)
Councillor Denise Jones	(Scrutiny Lead Member: A Safe and Supportive Community)
Councillor Muhammad Abdullah Salique	
Councillor Rachael Saunders	
Councillor Dulal Uddin	

**Others Present:**

**Officers Present:**

Mohammed Ahad	– (Scrutiny Policy Officer)
Lutfur Ali	– (Assistant Chief Executive)
Andrew Black	– (Major Project Development Planner, Development and Renewal)
Isobel Cattermole	– (Service Head, Resources, Children, Schools & Families)
Kevan Collins	– (Deputy Chief Executive and Corporate Director of Children, Schools & Families)
Aman Dalvi	– (Corporate Director, Development & Renewal)
Mary Durkin	– (Service Head, Youth and Community Learning)
Tony Finnegan	– (Communications Officer)
Isabella Freeman	– (Assistant Chief Executive (Legal Services))
John Goldup	– (Corporate Director, Adults Health & Wellbeing)
Dean Grant	– (Acting Leader's Executive Assistant)
Stephen Halsey	– (Corporate Director, Communities, Localities & Culture)
Afazul Hoque	– (Acting Scrutiny Policy Manager)
Michael Keating	– (Service Head, Scrutiny & Equalities)
Chris Naylor	– (Corporate Director, Resources)
Jackie Odunoye	– (Service Head Strategy Regeneration and Sustainability, Development & Renewal)
Charles Skinner	– (Service Head Communications)
Nick Smales	– (Service Head 2012 Olympic and Paralympics Games)
Chris Worby	– (Service Head, Housing Regeneration, Development & Renewal)
Kazim Zaidi	– (Political Advisor to the Labour Group)
Nadir Ahmed	– (Trainee Committee Officer)
Angus Taylor	– (Executive Team Leader, Democratic Services)

### **COUNCILLOR L. RAHMAN (CHAIR) IN THE CHAIR**

#### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of:

- Councillor M. Francis, Lead Member Housing and Development.
- Mr M. Smith, Chief Executive for whom Mr K. Collins, Deputy Chief Executive, was deputising.
- Ms I. Cattermole, Service Head Resources, Children's Services, was deputising for Mr K. Collins in his capacity as Corporate Director Children's Services.

**Noted.**

#### **2. DECLARATIONS OF INTEREST**

**Councillor A. Asad** declared a prejudicial interest in Agenda item 7.2 “Outcome of the Tendering Process for the Youth Service in LAP's 1, 2 and 3” (CAB 012/090). The declaration of interest was made on the basis that the report contained recommendations relating to the award of contract for Youth Service provision in LAP 3 to Bishop Challoner School and Councillor Asad currently received remuneration from Bishop Challoner School in relation to its Youth Service provision.

**Councillor Shahid Ali** declared a personal interest in Agenda item 6.1 “Blackwall Reach Regeneration Project” (CAB 007/090). The declaration of interest was made on the basis that the report contained recommendations relating to Robin Hood Gardens and Councillor Ali was also a former resident of Robin Hood Gardens and former chair of the Robin Hood Gardens Tenants and Residents Association.

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 6.2 “Ocean Estate Regeneration” (CAB 008/090). The declaration of interest was made on the basis that:

- The report contained recommendations relating to the regeneration of the Ocean Estate area and Councillor Ahmed was also a member of the governing body of the Ocean Regeneration Trust.
- The report contained recommendations relating to the regeneration of the Ocean Estate area including Mile End and Globe Town Ward and Councillor Ahmed was one of the Ward Councillors for Mile End and Globe Town Ward.

**Councillor Oliur Rahman** declared a personal interest in Agenda item 6.2 “Ocean Estate Regeneration” (CAB 008/090). The declaration of interest was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate area including St Dunstan's and Stepney Green Ward and Councillor Rahman was one of the Ward Councillors for St Dunstan's and Stepney Green Ward.

**Councillor Abdal Ullah** declared a personal interest in Agenda item 6.2 “Ocean Estate Regeneration” (CAB 008/090). The declaration of interest was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate area including St Dunstan's and Stepney Green Ward and Councillor Ullah was one of the Ward Councillors for St Dunstan's and Stepney Green Ward.

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 6.3 “Draft - Ocean New Deal for Communities Delivery Plan for 2009/10” (CAB 009/090). The declaration of interest was made on the basis that:

- The report contained recommendations relating to the regeneration of the Ocean Estate area and Councillor Ahmed was also a member of the governing body of the Ocean Regeneration Trust.
- The report contained recommendations relating to the regeneration of the Ocean Estate area including Mile End and Globe Town Ward and Councillor Ahmed was one of the Ward Councillors for Mile End and Globe Town Ward.

**Councillor Oliur Rahman** declared a personal interest in Agenda item 6.3 “Draft - Ocean New Deal for Communities Delivery Plan for 2009/10” (CAB 009/090). The declaration of interest was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate area including St Dunstan’s and Stepney Green Ward and Councillor Rahman was one of the Ward Councillors for St Dunstan’s and Stepney Green Ward.

**Councillor Abdal Ullah** declared a personal interest in Agenda item 6.3 “Draft - Ocean New Deal for Communities Delivery Plan for 2009/10” (CAB 009/090). The declaration of interest was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate area including St Dunstan’s and Stepney Green Ward and Councillor Ullah was one of the Ward Councillors for St Dunstan’s and Stepney Green Ward.

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 6.4 “Local Homes Initiative” (CAB 010/090). The declaration of interest was made on the basis that the report contained recommendations relating to Bancroft Road Garage site 1 and 2 which were located in Mile End and Globe Town Ward and Councillor Ahmed was one of the Ward Councillors for Mile End and Globe Town Ward.

**Councillor S. Islam** declared a personal interest in Agenda item 6.4 “Local Homes Initiative” (CAB 010/090). The declaration of interest was made on the basis that the report contained recommendations relating to Tower Hamlets Community Housing, and Councillor Islam was a representative of the Authority on the governing body of Tower Hamlets Community Housing.

**Councillor Lutfur Rahman** declared a personal interest in Agenda item 7.2 “Outcome of the Tendering Process for the Youth Service in LAP's 1, 2 and 3” (CAB 012/090). The declaration of interest was made on the basis that the report contained recommendations relating to LAP 2 which included Spitalfields and Banglatown Ward and Councillor Rahman was a member of of the LAP 2 Steering Group and one of the Ward Councillors for Spitalfields and Banglatown Ward.

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 11.1. “Five Borough Olympic Legacy Multi Area Agreement” (CAB 015/090). The declaration of interest was made on the basis that the report contained recommendations relating to the 2012 Olympic and Paralympic Games and Olympic Park and Councillor Ahmed was a Board Member - Olympic Delivery Authority - Planning Decision Team.

**Councillor Oliur Rahman** declared a personal interest in Agenda item 11.1. “Five Borough Olympic Legacy Multi Area Agreement” (CAB 015/090). The declaration of interest was made on the basis that the report made reference to the Department for Work and Pensions and Councillor Rahman was an employee of Job Centre Plus which was part of the Department for Work and Pensions.

**Councillor S. Islam** declared a personal interest in Agenda item 11.2 "Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996" (CAB 016/090). The declaration of interest was made on the basis that the report contained recommendations relating to Tower Hamlets Community Housing, and Councillor Islam was a representative of the Authority on the governing body of Tower Hamlets Community Housing.

**Councillor J Peck** declared a personal interest in Agenda item 11.2 "Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996" (CAB 016/090). The declaration of interest was made on the basis that the report contained recommendations relating to the Gateway Housing Association and Councillor Peck was a member of the governing body of the Gateway Housing Association.

**Noted.**

### **3. UNRESTRICTED MINUTES**

The clerk advised that the minutes relating to Agenda item 4.0 "Declarations of Interest" and Agenda item 12.2 "Disposal of various Council owned properties" both contained a typographical error in respect of Councillor Ohid Ahmed's declaration of interest, which had in fact been personal and not prejudicial as detailed, and suggested that the minutes be amended accordingly.

The Chair **Moved** (taking account of the Clerk's advice); and it was: -

#### **Resolved**

That subject to the amendments set out below the unrestricted minutes of the ordinary meeting of the Cabinet held on 10<sup>th</sup> June 2009 be approved and signed by the Chair, as a correct record of the proceedings:-

- Page 4 - Agenda item 4.0 "Declarations of Interest" penultimate paragraph: relating to Councillor Ohid Ahmed's declaration pertaining to Agenda item 12.2 "Disposal of various Council owned properties" deletion of word "prejudicial" and insertion of word "personal".
- Page 18 - Agenda item 12.2 "Disposal of various Council owned properties" second paragraph: relating to Councillor Ohid Ahmed's declaration pertaining to this agenda item deletion of word "prejudicial" and insertion of word "personal".

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

At this juncture the Chair:

- Informed members of the Cabinet that the Assistant Chief Executive had received two valid requests, to address them as follows:

- Local residents from Robin Hood Gardens and Chair of Robin Hood Gardens Tenants and Residents Association in relation to Agenda Item 6.1 “Blackwall Reach Regeneration Project”
- Local residents in respect of Agenda Item 6.2 “Ocean Estate Regeneration”
- The Chair also indicated that he considered it inappropriate to vary the Order of Business following receipt of the deputations, because the Clerk had advised that both reports which were the subject matter of a deputation would also be the subject of matters to be raised by the Chair of the Overview and Scrutiny Committee at Agenda item 5.1 “Chair’s Advice of Key Issues or Questions in relation to Unrestricted Business to be considered” for the Cabinet to take into account during their deliberation of the reports. The two reports would subsequently comprise the next business to be considered, in accordance with the order of business detailed in the agenda.

Accordingly the Chair **Moved** the following motion for the consideration of members of the Cabinet, and it was: -

**Resolved**

1. That the deputations be received in the order notice was given; and
- 2, That business be considered in accordance with the order of business detailed in the agenda.

At this juncture the Chair Informed members of the Cabinet that a statement had been **Tabled** by each of the deputations, a copy of which would be interleaved with the minutes.

Following receipt of both deputations, points of clarification sought from and given by each deputation, the Chair thanked the deputations for coming to address the Cabinet and then **Moved** the following motion for the consideration of members of the Cabinet and it was: -

**Resolved**

1. That the following deputations be formally received and noted: -
  - Mr D. Pauling & Mr A. Hussain, resident of Robin Hood Gardens and Chair of Robin Hood Gardens Tenants & Residents Association respectively, in relation to Agenda Item 6.1 “Blackwall Reach Regeneration Project” (CAB 007/090).
  - Ms K. Hibbert, local resident in respect of Agenda Item 6.2 “Ocean Estate Regeneration” (CAB 008/090).
2. That the points raised by the deputations be given consideration during the Cabinet deliberation of the items of business to which the deputations related; and

3. That any outstanding issues raised by the deputation be referred to the Corporate Director Development and Renewal for attention and response in writing within 28 days, in accordance with the Authority's Constitution (Part 4, Rules of Procedure, Section 4.1 Council Procedure Rules, Rule 20 Deputations).

## 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 Islam, 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 30<sup>th</sup> June 2009, in respect of the unrestricted business contained in the agenda for consideration, a copy of which would be interleaved with the minutes.

Councillor Islam, Chair of the Overview and Scrutiny Committee, addressed members of the Cabinet:

- Reporting consideration of the Diversity and Equality Action plan 2009/10 by the Overview and Scrutiny Committee and submitting a variety of comments from the discussion to inform Cabinet consideration of the same report.
  - The continuous focus on driving equalities through the organisation and achieving real changes for local residents had been welcomed.
  - The commitment to deliver on the six equalities strands and meeting the requirements of the proposed new Equality Bill and using the Equality Framework for Local Government to tackle inequality, both internally and in the wider community, had been welcomed.
  - Concerns were raised about a number of performance indicators contained within the report and recent data not being available on some targets, changes to some targets and what they meant and how they would be measured.
  - The opportunity to use the Members' Diversity and Equality Working Group to undertake detailed work around the six strands to develop Member awareness of how some of the actions identified would be implemented and also to bring issues of concern from local constituents to the forefront of the Authority's agenda was welcomed.
  - Concerns were raised that the Action Plan did not address the issue of Living Wage which had an impact on the ability of residents to access services equally.
  - Consideration that Officers should continue to explore improvements to the accessibility of the report and making more explicit the links between the performance indicators, the priority areas of inequality and the action plan itself.

- Reporting receipt of updates from the 6 Scrutiny Lead Members on areas of work they were proposing to undertake in the year ahead:
  - Prosperous Community – Reducing Worklessness amongst young people 16-24
  - Excellent Public Services – Challenge Session on Dangerous Dogs and considering area of review
  - One Tower Hamlets - Community Leadership in Tower Hamlets and how it can help improve community cohesion
  - Safe and Supportive – Challenge Session on Bullying in Schools and maybe a review on reducing youth offending
  - Great Place to Live – Review on the Private Rented Sector and a Challenge Session on Council’s relationship with RSLs
  - Healthy Community - Review on preventing childhood obesity looking at fast food outlets in the borough
- *Key Issues or Questions (Pre Scrutiny)*  
 Informing 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: -
  - Item 6.1 “Blackwall Reach Regeneration Project”
  - Item 6.2 “Ocean Estate Regeneration”
  - Item 6.3 “Draft - Ocean New Deal for Communities Delivery Plan for 2009/10”
  - Item 7.2 “Outcome of the Tendering Process for the Youth Service in LAP's 1,2 and 3”

The Chair thanked Councillor Islam for presenting the contribution of the Overview and Scrutiny Committee; and then **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 10<sup>th</sup> June 2009.

## **6. A GREAT PLACE TO LIVE**

### **6.1 Blackwall Reach Regeneration (CAB 007/090)**

**Councillor Shahid Ali** declared a personal interest in Agenda item 6.1 “Blackwall Reach Regeneration Project” (CAB 007/090). The declaration of interest was made on the basis that the report contained recommendations relating to Robin Hood Gardens and Councillor Ali was also a former resident of Robin Hood Gardens and former chair of the Robin Hood Gardens Tenants and Residents Association.

Mr Dalvi, Corporate Director Development and Renewal, at the request of the Chair, in introducing the report, summarised the salient points contained therein, commenting as follows:

- The Blackwall Reach Regeneration Project (BRRP) had been initiated when the property market had been at its peak and its development value expected to generate a surplus of approximately £100 million, to be shared amongst the development partners, with the affordable housing element funded without recourse to affordable housing grant. It had been anticipated in this context that the project would deliver 3000 homes, however it was dependent upon the Authority’s application to the Secretary of State for a certificate of immunity against listing. Since then the property market had crashed, there had been a significant decline in the value of private sector homes and the amount of subsidy available from that element of the project for the public sector element had greatly reduced. The project now had a revised baseline capacity of 1600 homes.
- Significant progress had recently been made, with the Certificate of Immunity against Listing granted by the Secretary of State and the acquisition of the land interests of the private developer Ballymore, by the Housing and Communities Agency for approximately £10million. Ninety per cent of the site freehold required for the project was now in public ownership. The Authority was continuing to work closely with the HCA to ensure that the remaining investment promised was secured. However it was important that the investment agreement was signed in the near future to ensure that the project was underwritten, even if there was a further decline in the property market and the private sector subsidy available reduced still further.
- A series of milestones required achievement in the next twelve months to maintain the project’s momentum:
  - The Procurement Strategy and procurement of a development partner for Phases 1A and 1B
  - Business Plan modelling
  - Scheme design
  - Housing Needs Survey
  - Resident engagement on relocation options
  - Finalisation of the Community Charter
  - Signage on site describing the project and timelines
- The project was expected to reach completion in 2018 and the timescales for the remaining phases of the development were as follows:
  - Phase 1A and 1B      Start late 2010 and completion mid 2014
  - Phase 2 and School    Start late 2012 and completion early 2016
  - Phase 3                Start early 2013 and completion mid 2016

- Phase 4 Start early 2013 and completion early 2018
- It was important for the Cabinet to be aware that the report identified that £13million of additional capital resources were required from the Council over a three year period to fund the leaseholders/freeholders buybacks programme; purchase of the Woolmore St Health Centre land interest; and Tenants' Home Loss and disturbance payments which would facilitate commencement of the decant and main buyback programme in Autumn 2010. Cabinet were being asked to approve this in the report, however should the property market improve the full amount would not be needed.
- It was also important to note that in return the project would deliver almost 600 affordable homes, approximately 35 percent of the total, and 176 or approximately 45 per cent of these social for rent units would provide family size accommodation of 3 bedrooms or more.
- In order to progress the project further, the HCA and the Council needed to formally agree roles and responsibilities in order to maximise available resources to the two organisations and ensure there would be no duplication of effort. The Cabinet were recommended to authorise the Corporate Director Development and Renewal after consultation with others including the Lead Member to agree the detailed terms of the collaboration agreement and procurement strategy with the HCA.
- A number of key land issues still required resolution to achieve timely vacant possession of the entire site, one of which was the relocation of the mosque from the south east to the north east of the site. Mr Dalvi thanked Councillor Ohid Ahmed, Lead Member Resources and Performance and former Lead Member Regeneration, Localisation and Community Partnerships, for the efforts he was making to achieve this with representatives of the mosque.
- Outlined the remaining recommendations proposed for Cabinet agreement.
- Summarised that the project was progressing well but that Officers were anxious to move forward expeditiously in order to ensure HCA funding was locked in.

Mr Worby, Service Head Housing Regeneration, addressed the matters raised by the Overview and Scrutiny Committee, held on 30<sup>th</sup> June 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; and also the matters raised by the deputation in relation to the report earlier in the proceedings.

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

- Clarification/ assurance was sought and given as to whether existing LBTH tenants effected by the project, for example those in Robin Hood Gardens:
  - Would as originally indicated be able to remain with the Council and their secure tenancy be guaranteed.

- Whether if they chose to move to accommodation provided by a Registered Social Landlord the RSL would guarantee them a secure tenancy or instead give them an assured tenancy.
- Commented that the poor condition of the current accommodation in Robin Hood Gardens was acknowledged, the significant improvement that the BRRP proposals would bring in this regard was widely recognised, and the Council under this administration therefore wanted this project to be undertaken. The Council was making a capital commitment of £13 million to the BRRP, a large investment amounting to all its available capital over the next two years, which underlined its commitment to the project.
- Clarification/ assurance was sought and given, with reference to the four stage phasing of the BRRP over a nine year period resulting in an extensive building site, as to what steps were to be taken in housing management terms to ensure the quality of life of the residents.
- Clarification/ assurance was sought and given, with reference to the difficulties that residents of existing smaller schemes with decant status were experiencing in identifying suitable alternative accommodation, as to what steps would be taken to ensure that it was not overly difficult for households to move.
- Clarification/ assurance was sought and given, with reference to the relocation of Local Labour in Construction (LLiC) as part of the BRRP proposals, as to whether this would be used as opportunity to both acknowledge the importance of the service but also to review it and ensure that its business model was placed on a sounder footing to move forward.
- Speaking with the consent of the Cabinet, a Minority Group Member informed the Cabinet that having undertaken his own survey of local residents the great majority favoured regeneration, and two thirds favoured demolition of buildings as necessary, but this appeared to be on the premise that they would retain their secure tenancies and also the generous footprint of housing space. It was of concern therefore that the number of new homes to be delivered from the scheme had almost halved, from that originally anticipated, and only approximately 180 units of affordable family housing would be generated. Clarification/ assurance was therefore sought and given as to whether in the context of the current economic downturn and recent Government announcements on housing policy/ associated funding whether this option, chosen by the Cabinet a year previously, remained that which would optimise the generation of affordable housing and achieve best value from available funding.
- Commented that an investment of £13 million, representing all the Council's available capital, was a commitment in a world which the Council did not control which demonstrated that when it came to human beings and the quality of people's lives this Labour Administration did not play politics. Having done a personal survey it was apparent that local residents, as with the deputation earlier in the proceedings were 2 to 1 in favour of the Blackwall Reach Regeneration proposals. The proposals were to be commended as without them the local residents would live in poor housing conditions for years to come.

- Mr Dalvi, Corporate Director Development and Renewal, and his Officer Team were thanked for their hard work and commitment in progressing the BRRP proposals
- It was noted that residents effected by the BRRP would receive an update regarding the project from Officers of the Authority.

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

- Commended Councillor Francis, Lead Member for Housing and Development, and Councillor Ohid Ahmed, Lead Member Resources and Performance and former Lead Member Regeneration, Localisation and Community Partnerships, for their passionate commitment to housing and regeneration in the Borough.
- Formally extended his thanks to Mr Dalvi, Corporate Director Development and Renewal together with his Officer team for their contribution in progressing the project and bringing these proposals forward.
- Regeneration in the area was long overdue and the quality of peoples lives were at stake, attested to by so many local residents present in support of the proposals. It was important to realise that there were families of 12 or 14 people living in two bedroom homes with the consequent detrimental impact on their health and education. This was an issue that required examination from an equalities perspective.
- This Administration would not play politics with peoples lives irrespective of how they might vote, instead it was doing its best to improve the quality of their lives. The investment of £13 million demonstrated the Administration's support for human beings and the local community. He commended the proposals to the Cabinet.

And it was:-

**Resolved:**

1. That the project milestones set out in section 4.4 of the report (CAB 007/090), progress against which was dependent on the remaining resolutions below, be noted;
2. That £13m capital resources be provided over a three year period to fund the leaseholders/freeholders buybacks programme; purchase of the Woolmore St Health Centre land interest; and Tenants' Home Loss and disturbance payments to facilitate the Blackwall Reach project on the basis of commencing decanting and the main buyback programme in Autumn 2010;
3. That a revised baseline capacity of 1,600 homes of which a minimum of 35% of the accommodation by habitable room numbers will be affordable, with 45% of the social rented units to be provided as accommodation that is three bedroomed or greater be agreed; and it also be agreed that officers work with the HCA (Housing and Communities Agency) to establish the additional level of housing which can be accommodated on the site in a sustainable fashion, subject to detailed design assessment and also review the business plan to re-

assess planning obligations that can be generated from the revised housing totals;

4. That the Corporate Director Development and Renewal, Assistant Chief Executive (Legal Services) and Corporate Director of Resources after consultation with the Chief Executive and Lead Member Housing and Development be authorised to agree the detailed terms of the Collaboration Agreement with the HCA and the Procurement Strategy including Phase 1A and 1B and approach to future phases;
5. That the progress made on community consultation with residents living on the Blackwall Reach site be noted, and the Corporate Director Development and Renewal, after consultation with the Lead Member Housing and Development, be authorised to finalise the community charter and utilise this document to support the procurement process;
6. That it be noted that the Corporate Director Children's Services will need to review education and S106 (planning obligation) supported provision originally anticipated in the Development Framework in view of the proposed lower density scheme and that should the Council wish to pursue the development of a three form entry school additional capital resources will need to be identified;
7. That, subject to the decision set out in Resolution 2. above, the approach to facilitate vacant possession of all land interests set out in Section 11 of the report (CAB 007/090) be approved;
8. That right to buy leaseholders/freeholders interests will continue to be acquired, to meet contractual commitments that have been made by the Council. The estimated additional cost (net of the £1.5m income from the sale of the St Matthias Site) is £570,000 which will require provision in the Capital Programme and a Revised Capital Estimate;
9. That an additional £1.3m will need to be provided to meet 'hardship' cases which are to be limited to five in number, with criteria and process to be agreed by the Corporate Director of Development and Renewal after consultation with the Assistant Chief Executive (Legal Services);
10. That decant status for tenants and further proactive buy back of RTB (Right to Buy) properties will continue to be suspended until Autumn 2010; and
11. That the Corporate Director of Development and Renewal, after consultation with the Assistant Chief Executive (Legal Services) and Lead Member Housing and Development be authorised to negotiate and agree the public sector Collaboration Agreement with the HCA (Homes and Communities Agency).

## **6.2 Ocean Estate Regeneration (CAB 008/090)**

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 6.2 “Ocean Estate Regeneration” (CAB 008/090). The declaration of interest was made on the basis that:

- The report contained recommendations relating to the regeneration of the Ocean Estate area and Councillor Ahmed was also a member of the governing body of the Ocean Regeneration Trust.
- The report contained recommendations relating to the regeneration of the Ocean Estate area including Mile End and Globe Town Ward and Councillor Ahmed was one of the Ward Councillors for Mile End and Globe Town Ward.

**Councillor Oliur Rahman** declared a personal interest in Agenda item 6.2 “Ocean Estate Regeneration” (CAB 008/090). The declaration of interest was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate area including St Dunstan’s and Stepney Green Ward and Councillor Rahman was one of the Ward Councillors for St Dunstan’s and Stepney Green Ward.

**Councillor Abdal Ullah** declared a personal interest in Agenda item 6.2 “Ocean Estate Regeneration” (CAB 008/090). The declaration of interest was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate area including St Dunstan’s and Stepney Green Ward and Councillor Ullah was one of the Ward Councillors for St Dunstan’s and Stepney Green Ward.

Mr Dalvi, Corporate Director Development and Renewal, at the request of the Chair, in introducing the report, summarised the salient points contained therein, as follows:

- Outlining that when this matter had last been considered by Cabinet it had decided to increase the level of affordable housing on the Ocean Estate and the report set out the work undertaken to achieve that. The revised masterplan for the regeneration of the Ocean Estate now proposed affordable housing comprising 52 per cent of the new build element.
- Advising that with the recent crash in the property market, there had been a significant decline in the value of private sector homes and consequently the amount of subsidy available from that element of the scheme for the public or affordable housing element had greatly reduced. This had necessitated an approach to the Homes and Communities Agency (HCA), for financial support for the project. Detailed discussions were taking place with the HCA in respect of approximately £44 million of additional earmarked HCA funding. Timing was crucial as it was vital to secure these resources whilst they were available. It was important to note that if successful approximately £100 million would have been secured from Government for the scheme.
- Highlighting the approach to procurement set out in Section 5 of the report. Following discussions with the Housing and Communities Agency the Competitive Dialogue (CD) process had resumed in May 2009 with a single bidder the East Thames Consortium comprising; the

East Thames Housing Group, First Base, Bellway Homes with Wates as sub-contractor. As part of the second stage of the CD process East Thames Consortium had begun the refinement of the scheme design in conjunction with the Council. This involved commissioning a range of survey and design activities with which the Consortia would be more closely involved, and effectively bringing forward a significant element of expenditure as costs were now being incurred.

- Highlighting the proposal for a Refurbishment Pilot set out in Section 7 of the report. Informing Cabinet that Officers, aware of the impatience for physical progress on the regeneration project, proposed that the Council worked up proposals and entered into a contract with a contractor to deliver an element of the works to act as a pilot/showcase for the scheme as a whole; thereby bringing early regeneration benefits to residents of the Ocean Estate.
- Informing Cabinet that Officers would be working hard to achieve vacant possession, including evicting squatters, which was needed so the scheme could progress. The demolition of the first building would take place in the next 3 to 4 weeks and this would be discussed with Ms Daly the Chair of the local Tenants and Residents Association and other stakeholders shortly.
- Advising and assuring the Cabinet that it was now proposed, that given the establishment of Tower Hamlets Homes (THH) (also known as the ALMO), subsequent improvements in service delivery, together with a shift in focus of the Ocean Regeneration Trust to community regeneration activities: that a separate housing Management and Maintenance Contractor was not pursued but instead management of the estate was placed with THH.
- Outlining the next steps to March 2010
  - Vacant possession and demolition of at least three blocks on Urban Block E
  - Refurbishment Pilot commissioned and on site.
  - Working hard to achieve outline planning with the application submitted in January 2010.
- Outlining the key milestones for achievement in the next twelve months to maintain the scheme's momentum:
  - Best and Final Offer submitted October 2009
  - Appointment of Preferred Developer December 2009
  - Outline Planning Application Submitted January 2010
  - Outline Planning Approval July 2010
- Outlining the decisions being sought from Cabinet and summarising that considerable work had gone into the scheme, the expectations of residents were huge and the inter-linkages and inter-dependencies upon which delivery would depend were complex. Mr Dalvi consequently advised that Cabinet agreement of an additional delegation of authority would be appropriate as follows:
  - That the Corporate Director Development and Renewal after consultation with the Assistant Chief Executive (Legal Services) and Lead Member Housing and Development be authorised to take the decisions/action necessary to ensure that project milestones set out in paragraph 3.5 of the report were achieved.

Mr Worby, Service Head Housing Regeneration, addressed the matters raised by the Overview and Scrutiny Committee, held on 30<sup>th</sup> June 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; and also the matters raised by the deputation in relation to the report earlier in the proceedings.

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

- Consideration that there was a great need to regenerate the Ocean Estate for the benefit of the residents that lived there, and this had been keenly felt by them. They wanted their homes brought up to the Decent Homes Standard, and some were very far from that. To see so much progress on this set out in the report was therefore welcome. It was also right for the scheme to be driven forward with delegations of authority to the Corporate Director made to ensure the necessary progress was achieved. However significant powers were being delegated and it was appropriate that Cabinet receive regular progress reports on these delegations. Accordingly Councillor Peck, Deputy Leader of the Council, proposed an additional recommendation to that set out in the report, for the consideration of members of the Cabinet as follows:
  - That there be regular progress reports to Cabinet in respect of the delegations of authority proposed in the report and that suggested by the Corporate Director.

The chair also requested that the Lead Member Housing and Development be involved throughout the process.

- Commented that people on the Ocean Estate had suffered poor housing conditions for twenty years. Some buildings needed demolition but some could be refurbished, and the prospect that some refurbishment would be undertaken early with the Refurbishment Pilot was welcome. The provision of new kitchens and bathrooms would make the lives of some in dire need more bearable for example the elderly receiving new washing facilities.
- Regeneration was long overdue. This was a good scheme with positive outcomes for the families that lived here, whose health and education had been detrimentally effected by poor housing conditions, with accommodation of a proper standard provided.
- Concern was expressed that the resources proposed for investment in the Ocean Regeneration Scheme did not reflect the level of the original allocation of New Deal for Communities funding. It was noted that a final report on the Ocean New Deal for Communities Sceme, to be submitted for Cabinet consideration in the Autumn, would give a detailed breakdown of expenditure approximating to £150 million.
- An Appeal for illegal occupiers/ squatters to cease this activity in order to enable demolition of some buildings, necessary for the scheme to progress and for residents of the Ocean Estate to move on to a better quality of life. Consideration that steps must be taken by the Council and other public agencies to ensure the Estate was free from

unauthorised occupation and that these people did not just vacate one block to move to another.

- Commented that all residents had been consulted on the regeneration proposals, their views had been taken into account, and all were fully aware of what was planned. This demonstrated that the Council, under this Labour Administration, treated them and the regeneration of the area seriously, and it would not let them down where regeneration was needed.
- Ms Daly, Chair of the local TRA was thanked for her tireless work for the people of the Ocean Estate and in particular the work she had undertaken to secure the engagement of the local community with the regeneration process.
- Ward Councillors such as Mr Choudhury were also thanked for their hard work in securing the support of local residents for the regeneration proposals.
- Mr Dalvi, Corporate Director Development and Renewal, and his Officer Team were thanked for their continued hard work in expediting the regeneration scheme, it had not been expected that the first benefits of this would materialise so soon.

The Chair in **Moving** the recommendations set out in the report (taking account of the advice of the Corporate Director Development and Renewal and the amendment proposed by Councillor Peck):

- Formally extended his thanks to Ms Brenda Daly, Chair of the TRA, Ward Councillors Alibor Choudhury, Oliur Rahman and Abdal Ullah and Councillor Ohid Ahmed, Lead Member Resources and Performance and former Lead Member Regeneration, Localisation and Community Partnerships for their huge contribution to the scheme, and in particular for coming together to achieve one vision: that of improving the quality of life of the residents of the Ocean Estate.
- Formally extended his thanks to Ms Odunoye, Service Head Strategy Regeneration and Sustainability, for her contribution to the development of the proposals over the years, and also to Mr Dalvi, Corporate Director Development and Renewal, and Mr Worby Service Head Housing Regeneration for their more recent contribution to the development and progression of the scheme.
- Commented that regeneration on the Ocean Estate had been long overdue, in fact since the Labour Government came to power and this had been promised. Although small scale re-development and regeneration had taken place housing regeneration on a significant scale had not yet been completed, but this Labour Administration was committed to ensuring it took place. The Council was investing approximately £15million of its resources in the Ocean Estate regeneration scheme and this underlined its commitment to local residents.

And it was:-

**Resolved:**

1. That the expenditure of up to £1.6 million from the Capital Estimate, by the Corporate Director Development and Renewal, to engage technical advisers to progress the scheme to outline design, including the cost of appropriate technical surveys necessary for the scheme, be authorised;
2. That the Corporate Director of Development and Renewal be authorised to engage a new technical advisory team to support the procurement process in finance and other areas to be paid from the Capital Estimate;
3. That the tender for Housing Management and Repairs (LOT 2), set out in Section 11 of the report (CAB 008/090), be formally withdrawn and cancelled and that management of the estate shall remain with Tower Hamlets Homes;
4. That the demolition and site clearance of Urban Blocks E and F; 85 Harford St (partial demolition); Essian St; and the Lifra site be approved and the Corporate Director of Development and Renewal after consultation with the Assistant Chief Executive (Legal) be authorised to complete contracts to effect such work;
5. That the increase in affordable housing provision in the proposed scheme, from that reported to Cabinet on 4 April 2007, be noted; and the proposed proportions of affordable and market housing in addition to the proposed size of the housing units, as set out in Annex A of the report, (CAB 008/090), be approved;
6. That the Corporate Director of Development and Renewal after consultation with the Assistant Chief Executive (Legal Services) be authorised to enter into the pilot contract to internally improve up to 200 homes on the Ocean Estate in the sum of up to £3.45m to be funded from within the overall Capital estimate and ensure value for money is secured;
7. That the proposals relating to relocating some of the retailers/traders on Ben Jonson Rd (located at the base of Marmora House) and the summary of the Retail Strategy, attached as Annex C to the report (CAB 008/090), be noted;
8. That the Corporate Director Development and Renewal be authorised to negotiate a long lease of part of the Harford St facility for community purposes and to approve the capital expenditure from the Capital Estimate for 'fit out' of the Harford St Facility, in order to relocate the Limehouse Project from the LIFRA Site and create office space for the Ocean Regeneration Trust;
9. That the developing role of Ocean Regeneration Trust (ORT), as set out in Annex B to the report (CAB 008/090), be noted and endorsed; and the establishment of the ORT on a permanent basis be approved;

10. That the Corporate Director Development and Renewal after consultation with the Assistant Chief Executive (Legal Services) and Lead Member Housing and Development be authorised to take the decisions/action necessary to ensure that project milestones, as set out in paragraph 3.5 of the report (CAB 008/090), are achieved; and
11. That there be regular progress reports to Cabinet in respect of the delegations of authority set out in the resolutions above.

### **6.3 Draft - Ocean New Deal for Communities Delivery Plan for 2009/10 (CAB 009/090)**

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 6.3 “Draft - Ocean New Deal for Communities Delivery Plan for 2009/10” (CAB 009/090). The declaration of interest was made on the basis that:

- The report contained recommendations relating to the regeneration of the Ocean Estate area and Councillor Ahmed was also a member of the governing body of the Ocean Regeneration Trust.
- The report contained recommendations relating to the regeneration of the Ocean Estate area including Mile End and Globe Town Ward and Councillor Ahmed was one of the Ward Councillors for Mile End and Globe Town Ward.

**Councillor Oliur Rahman** declared a personal interest in Agenda item 6.3 “Draft - Ocean New Deal for Communities Delivery Plan for 2009/10” (CAB 009/090). The declaration of interest was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate area including St Dunstan’s and Stepney Green Ward and Councillor Rahman was one of the Ward Councillors for St Dunstan’s and Stepney Green Ward.

**Councillor Abdal Ullah** declared a personal interest in Agenda item 6.3 “Draft - Ocean New Deal for Communities Delivery Plan for 2009/10” (CAB 009/090). The declaration of interest was made on the basis that the report contained recommendations relating to the regeneration of the Ocean Estate area including St Dunstan’s and Stepney Green Ward and Councillor Ullah was one of the Ward Councillors for St Dunstan’s and Stepney Green Ward.

Ms Odunoye, Service Head Strategy Regeneration and Sustainability, at the request of the Chair, in introducing the report:

- Summarised the salient points contained therein, commenting as follows:
  - The Council was the accountable body for the New Deals for Communities (NDC) Programme and 2009/10 was the final year of operation for the NDC programme. Cabinet were recommended to approve the final year delivery plan appended to the report. The final report on the NDC programme, detailing its successes and failures, would be submitted for Cabinet consideration in the Autumn.

- The focus for the Ocean NDC programme in its final year was to facilitate the comprehensive housing regeneration of the estate and finalise a number of key projects details of which were set out in Section 5 of the report. A further core objective was development of the Ocean Regeneration Trust.
- The expenditure on these projects was approximately £11.6 million and that for programme management approximately a further £285, 000. This left approximately £400,000 unallocated at the start of the final year to be used for commissioning and community chest projects, which would be allocated in line with the existing priorities set for the NDC programme.
- With the NDC programme in its final year and Government funding due to end in March 2010, the development of a succession strategy to best maintain the benefits and achievements of the NDC programme in the longer term was required. It was intended to base this around seven principal criteria which the Department for Communities and Local Government had indicated it would use to assess any succession strategy. Cabinet were asked to note progress with the development of the succession strategy details of which were set out in Section 6 of the report.
- The role of the Ocean Regeneration Trust (ORT) had changed since it was first established and it was now an important successor vehicle to continue delivery of the remaining NDC Programme and manage the transformational regeneration processes. A shadow board had for the most part been recruited. Cabinet were asked to note the role of the ORT details of which were set out in paragraph 4.4 of the report.
- The Ocean NDC programme would not have been possible without the commitment and support of Community members such as Ms Brenda Daly and Mr Derek x of the TRA, Councillor Ohid Ahmed, Lead Member Resources and Performance and former Lead Member Regeneration, Localisation and Community Partnerships and of course the NDC staff who now comprised a very small team that was winding up the NDC programme.
- Addressed the matters raised by the Overview and Scrutiny Committee, held on 30<sup>th</sup> June 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:

During the discussion detailed below Councillor Rahman, Leader of the Council and Chair of the Cabinet, vacated the Chair and withdrew from the proceedings. Councillor Peck, Deputy Leader of the Council and Vice-Chair of the Cabinet, took the Chair, being 7.05pm. Councillor Rahman returned to the proceedings at 7.08pm and resumed the Chair.

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

- Commented that it was sad to see the tenth and final year of the Ocean NDC Programme which had brought many good projects and generated many positive outcomes for local residents.
- Clarification/ assurance was sought and given, in the context of drastic funding reductions for ESoL (English a Second Language) in recent years, the probable retention of the college as a community asset and a recognition that significant Working Neighbourhood Funding had already been committed to continue service provision in this area, whether there was scope within the final year NDC funding to strengthen provision of basic English language classes.
- Clarification/ assurance was sought and given, with reference to the closure of the NDC offices, as to the scale and location of NDC Programme staffing.
- Clarification/ assurance was sought and given, in the context of consideration that the Ocean New Deals for Communities Programme had been one of the Council's most successful regeneration programmes, as to what planning was in place to ensure that the good initiatives continued to benefit the community.
- Ms Odunoye, Service Head Strategy Regeneration and Sustainability, was thanked for her contribution in overseeing the NDC Programme.

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

**Resolved:**

1. That the 2009/10 draft New Deal for Communities (NDC) Delivery Plan, as set out in Appendix 1 to the report (CAB 009/090), be approved;
2. That the Corporate Director of Development and Renewal, after consultation with the Lead Member Regeneration and Community Partnerships, be authorised to finalise the plan, making any appropriate and necessary minor amendments prior to submission to Government Office for London;
3. That it be noted that any significant changes to the draft 2009/10 NDC Delivery Plan, which represent key decisions for the Authority, will be submitted to the Cabinet for consideration;
4. That the progress with developing a succession strategy for the NDC, be noted; and
5. That the role of the Ocean Regeneration Trust be noted

#### **6.4 Local Homes Initiative (CAB 010/090)**

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 6.4 "Local Homes Initiative" (CAB 010/090). The declaration of interest was made on the basis that the report contained recommendations relating to Bancroft Road Garage site 1 and 2 which were located in Mile End and Globe

Town Ward and Councillor Ahmed was one of the Ward Councillors for Mile End and Globe Town Ward.

**Councillor S. Islam** declared a personal interest in Agenda item 6.4 “Local Homes Initiative” (CAB 010/090). The declaration of interest was made on the basis that the report contained recommendations relating to Tower Hamlets Community Housing, and Councillor Islam was a representative of the Authority on the governing body of Tower Hamlets Community Housing.

Ms Odunoye, Service Head Strategy Regeneration and Sustainability, at the request of the Chair, in introducing the report summarised the salient points contained therein, commenting as follows:

- Cabinet had approved the Local Homes Initiative Pilot Project in December 2008. This report provided an update on the arrangement between Tower Hamlets Community Housing (THCH) and the Council to deliver affordable homes on small Council owned sites in the Borough.
- The first element of the proposals contained in the report related to eight such sites:
  - These would yield thirty five affordable family sized homes for social rent.
  - The homes would attract Homes and Communities Agency (HCA) grant of £5 million to assist with their provision.
  - THCH was a partner member of the Council’s Common Housing Register so allocations to the new homes would all be to local families.
  - External valuers had advised that the market value for the eight sites was approximately £2.7 million, but it was proposed that the Authority forgo the capital receipt, selling the sites at a nominal value, in return for 100 per cent nomination rights.
  - Should the Authority take the capital receipt that together with the HCA grant would not cover the development costs of the sites. The HCA grant and the land value combined to give a subsidy in the region of £49,000 per habitable room, which was in the higher range of local authority averages but was considered justified by the low density family sized social rented housing in the West of the Borough.
- The second element of the proposals contained in the report recommended the sale of land at Uamvar Street (David House site) to Poplar HARCA at less than market value.
  - The Council had been working hard with Poplar HARCA for some time in developing a strategy for regeneration of the surrounding area, and in particular in relation to progressing the transfer of Coventry Cross to them. Poplar HARCA had agreed to invest additional resources in Coventry Cross to meet a funding gap (caused by higher than anticipated costs for estate regeneration and refurbishment to bring housing up to the Decent Homes Standard) to enable the transfer to proceed. The transfer of the David House site at less than market value would

- provide a balancing element to the Poplar HARCA business plan.
- An internal valuation indicated the site to have an open market valuation of £1.1 million but it was proposed to sell this to Poplar HARCA at less than market value but not less than £525,000, with the Corporate Director authorised to finalise the price.
  - In return the scheme Poplar HARCA intended to develop on the site would yield 100 per cent affordable family housing for rent. Fifteen of the twenty six units would be three bedroom and the remainder two bedroom.
  - It was proposed that the sale would be conditional on Poplar HARCA obtaining planning consent.
  - Poplar HARCA had applied for HCA grant funding to assist with development costs, but this was not yet in place, and so it was also proposed that the sale was conditional upon their securing sufficient grant support for the scheme.
- The third element of the proposals was a further discounting of the Uamvar site by £162,000, the value of a small site at Burdett Road (Lovatt Arms) which was part of the Poplar HARCA development. This was an opportunity to tidy up disposal of this site to them.

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

- Detailed deliberation of the proposal to further discount the sale to Poplar HARCA of the site at Uamvar Street by £162,000 in order to balance a receipt required for a small piece of land at Burdett Road. Members of the Cabinet remained convinced, despite detailed Officer explanations, that such a sum should be added to the value of this sale, not discounted from it, as the site in question had been sold to Poplar HARCA by the Council, not vice versa. Mr Dalvi, Corporate Director Development and Renewal summarised by suggesting that Cabinet make their agreement of the recommendation contained in paragraph 2.6 of the report conditional upon him obtaining the agreement of the Leader of the Council, Deputy Leader of the Council and Lead Member Housing and Development to a final discount.
- Clarification/ assurance was sought and given, with reference to the proposed disposal of a site in front of Colverson Hous, in the vicinity of Sidney Street Library [identified on the map attached at Appendix 3(h) to the report] for development, as to whether this was the car park for the residents of Colverson House and whether the residents had been consulted regarding the loss of their car park.
- It was subsequently noted that car parking was a contentious issue for local residents and even good intentioned consultation might result in upset. Lack of proper consultation in relation to a car free development in Jubilee Street which had left large families living there without adequate car parking and angry as a result, was also noted.
- The Chair commented that the area was densely populated and very built up, and this car park was the only such provision for the residents of Colverson House and was even used to access a polling station. If it were redeveloped without replacement that would cause a significant problem for the local community. Accordingly the Chair proposed the

following amendment to the recommendations contained in the report for the consideration of members of the Cabinet:

- That recommendations 2.1 and 2.2 be agreed subject to the caveat that the Corporate Director Development and Renewal be instructed to ensure that any loss of car park amenity in front of Colverson House, as a result of the proposals in the report be mitigated with alternative provision; and that consultation be undertaken with the tenants/ leaseholders of Colverson House in respect of this.”
- Clarification/ assurance was sought, with reference to the proposed disposal of the site at Brady Street [identified on the map attached at Appendix 3(g) to the report] as to whether this was the car park adjacent to the Jewish Cemetery at Eastern Road. Ms Odunoye, Service Head Strategy Regeneration and Sustainability undertook to look into this and respond to the Member the next day.
- Clarification/ assurance was sought and given, as to whether, should THCH not secure planning consent in respect of any of the eight sites proposed for sale to it at nominal value, the land would return to the Council.
- Clarification/ assurance was sought and given, as to the future of the 100 per cent affordable housing which Poplar HARCA proposed for development on the David House site, should it not secure either planning consent or sufficient HCA grant funding.
- Clarification/ assurance was sought and given, as to the future of the housing on the Coventry Cross Estate should HCA grant funding not be received by Poplar HARCA in the near future.
- Clarification/ assurance was sought and given, in the context of interest from Third Sector organisations and the Sydney South TRA in Sydney Street Library for example for provision of IT employment training, as to whether consultation with stakeholders had been undertaken in relation to the proposed disposal.
- Clarification/ assurance was sought and given, in the context of a recent Government announcement that local authorities were to be empowered to build social housing once again, as to why the land proposed for disposal in the report could not be kept on the Council's balance sheet and the Council provide the housing.

The Chair in **Moving** the recommendations set out in the report (taking account of the advice of the Corporate Director Development and Renewal and the amendment he had already proposed):

- Summarised that the proposals were innovative and would generate positive outcomes for a local community badly in need of affordable housing.
- Formally thanked Councillor Francis, Lead Member for Housing and Development, and Mr Dalvi, Corporate Director Development and Renewal together with his Officer team for their contribution to the development of these specific proposals and progression of the Local Homes Initiative in general.
- Commented that the Council under this Labour Administration would take full advantage of any announcements by the Labour Government

regarding the empowerment of local authorities to build affordable housing.

And it was:-

**Resolved:**

1. That, subject to the caveat set out at (i) below, the eight sites listed at (a) to (h) below and identified on the Ordinance Survey maps attached at Appendices 3 (a) to 3 (h) to the report (CAB 010/090), owned by the Authority (and held under provisions of Part II of the Housing Act 1985) be declared surplus to the Authority's requirements:
  - (i) That the Corporate Director Development and Renewal be instructed to ensure that any loss of car park amenity in front of Colverson House, as a result of the proposals in the report (CAB 010/090), be mitigated with alternative provision; and that consultation be undertaken with the tenants/ leaseholders of Colverson House in respect of this.
    - (a) Bancroft Road Garage Site 1, E1
    - (b) Boyton Close Sites, E1
    - (c) Head Street North, E1
    - (d) Head Street South, E1
    - (e) Bancroft Road Garage Site 2, E1
    - (f) Walter Street, E2
    - (g) Brady Street, E1
    - (h) Sidney Street Library, E1
2. That, subject to Resolution 1 above, the disposal of the Authority's interest in the eight sites referred to therein, to Tower Hamlets Community Housing at a sum of £1 for each site on the conditions set out in paragraphs 4.2 to 4.5 of the report (CAB 010/090), for the purposes of providing schemes (referred to in Appendix 1 and 2 of the report) containing 100% affordable housing be approved; noting that the Authority would forego a Capital Receipt of £2,705,000 in exchange for obtaining 100% nominations to 35 family sized social rented homes, be authorised;
3. That the vacant land between Uamvar Street E3 and the Limehouse Cut Canal, identified on the map attached at Appendix 4 to the report (CAB 010/090), owned by the Authority (and held under provisions of Part II of the Housing Act 1985), be declared surplus to the Authority's requirements;
4. That the disposal of the Authority's interest in the land at Uamvar Street, referred to in Resolution 3. above, to Poplar HARCA at less than market value on the conditions at paragraphs 7.2 and 7.3 of the report (CAB 010/090), for the purposes of providing a scheme containing 100% affordable rented housing, be authorised;

5. That the Corporate Director of Development and Renewal be authorised to negotiate the final details of the receipt for the land; noting that the current indicative scheme produces a minimum value of £525,000 but this may increase subject to negotiation;
6. That, subject to (a) below, it be agreed that the final receipt for the land at Uamvar Street be further discounted by £162,000, in order to balance a receipt required for a strip of land at Burdett Road / Lovatt Arms sold to Poplar HARCA for £162,000, as detailed at paragraph 7.7 of the report (CAB 010/090):
  - (a) The Corporate Director Development and Renewal obtain the agreement of the Leader of the Council, Deputy Leader of the Council and Lead Member Housing and Development.
7. That the process for the continuation of the Local Homes Initiative for the delivery of larger family affordable housing, set out in Section 8 of the report, (CAB 010/090), be approved.

## **7. A PROSPEROUS COMMUNITY**

### **7.1 Future Jobs Fund - To Follow (CAB 011/090)**

The Clerk informed members of the Cabinet that the report had been withdrawn by the Corporate Director Development and Renewal, to allow further development of the proposals, before submission for consideration at a future meeting of the Cabinet.

### **7.2 Outcome of the Tendering Process for the Youth Service in LAP's 1, 2 and 3 (CAB 012/090)**

**Councillor A. Asad** declared a prejudicial interest in Agenda item 7.2 "Outcome of the Tendering Process for the Youth Service in LAP's 1, 2 and 3" (CAB 012/090). The declaration of interest was made on the basis that the report contained recommendations relating to the award of contract for Youth Service provision in LAP 3 to Bishop Challoner School and Councillor Asad currently received remuneration from Bishop Challoner School in relation to its Youth Service provision.

**Councillor Lutfur Rahman** declared a personal interest in Agenda item 7.2 "Outcome of the Tendering Process for the Youth Service in LAP's 1, 2 and 3" (CAB 012/090). The declaration of interest was made on the basis that the report contained recommendations relating to LAP 2 which included Spitalfields and Banglatown Ward and Councillor Rahman was a member of of the LAP 2 Steering Group and one of the Ward Councillors for Spitalfields and Banglatown Ward.

**Councillor A. Asad** having declared a prejudicial interest in Agenda item 7.2 withdrew from the proceedings at the commencement of consideration of this item of business, being 7.25pm.

Ms Cattermole, Service Head Resources Children's Services, at the request of the Chair, in introducing the report:

- Summarised the salient points contained therein, commenting as follows:
  - Cabinet was recommended to award contracts for the delivery of Youth Services in Local Area Partnership (LAP) 1,2 and 3.
  - The Youth Service in Tower Hamlets had been delivered under contract since 2002. In 2006 during a retendering process the contract specifications were carefully scrutinised and new targets set. The contracts were let in 2007, but in relation to contracts for LAP's 1,2 and 3 provision had not met the service requirements and the service was brought back "in house" and currently remained so. A retender process had been delayed by the Joint Area Review (JAR) of Children's Services but the JAR assessment of the Youth Service had been extremely positive.
  - The current contract was for three years (plus two), congruent with those in the other LAPs. The service specification had been enhanced to reflect the £1 million uplift in Youth Service funding agreed by Cabinet in 2008. There had been a rigorous tendering process which complied with the Authority's procurement procedures and financial regulations including a project board with partner and stakeholder representatives and procurement expertise. Consultation events were well attended and guidance on tendering was issued to organisations less familiar with the process.
  - Nine organisations completed the pre qualification questionnaire and following evaluation eight were invited to tender. Tenders were scrutinised against the contract specification and those recommended for award of contract were those believed to represent best value. All the proposed service providers were also locally based organisations.
    - Bishop Challoner School recommended for LAP 3. It was performing well in LAP 4 and its plans for service development were congruent with Children and Young Peoples Plan initiatives: engagement of young people, community cohesion and reduction of poverty.
    - A consortium of Swanlea School, Oaklands School, BLYDA, Elite, City Gateway and St Hilda's were recommended for LAP 1 and 2. The provider was new but the tender built on the strengths of the LAPs and addressed gaps in provision in the area and consortium members were very experienced in delivering youth work, and are very familiar with the area.
  - Since re tendering and the uplift in funding there had been good progress in the Youth Service. All contractors had met their targets and half had met their stretch targets. Youth Service

uptake was now 40 per cent of the teenage population in contrast with 30 per cent nationally.

- Addressed the matters raised by the Overview and Scrutiny Committee, held on 30<sup>th</sup> June 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, during which the proposals were broadly welcomed, and which focused on the following points:-

- The Youth Service was a valued service and although there had been criticism of the provision in the past it had been resilient, and currently a great improvement in delivery within the Community had been observed.
- The opening up of youth service provision to new providers was both welcome and reassuring, particularly when it demonstrated good partnership working.
- Commented that Bishop Challoner School had excellent links to other organisations and worked closely with them to deliver youth provision elsewhere, as referenced in paragraph 4.14 of the report. It was noted for its teaching standards across London and would link the youth provision to the extended schools offer.
- Welcomed the prospect of local organisations delivering youth provision in these LAPs given they were familiar with the local community and its needs.
- Consideration that wherever possible Third Sector organisations, recognised as being very good locally, should be given the opportunity to deliver youth service provision. In this context the engagement of schools to deliver youth services was not ideal. The Lead Member Resources and Performance had approached the Osmani Trust to ascertain the reasons why it had not submitted a tender, but acknowledged that the responsibilities involved were considerable. that the Osmani Trust considered these too great at the current time and had chosen to focus its efforts on development of the Osmani Centre.
- The contrasting view was offered that the partnership of the Third Sector and schools was cutting edge and to be welcomed, as it tied in the resources and facilities of schools into the local partnership and the broader agenda on youth provision.
- Clarification was sought and given as to whether a clause would be included in the contractual agreements for LAP's 1,2 and 3 providing for the youth services to be taken back "in house" if provision did not meet service requirements.
- Councillor Rahman, Leader of the Council, was thanked for launching provision at Redcoat School on Stepney Way.
- Noted that the arrangement for Stepney Football Club to use play facilities at the Haileybury Centre was temporary and consequently clarification was sought and given that arrangements would be made for a continuation and improvement of the current provision.

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

- Formally extended his thanks to Mr Collins, Corporate Director Children's Services together with his Officer team for their contribution in bringing these proposals forward.
- Commented that the Corporate Director Children's Services was fully aware of the Administration's aspiration that opportunities for Third Sector provision of youth services be expanded where possible.
- Expressed confidence that those organisations recommended for award of contract in LAP's 1, 2 and 3 were familiar with their own patch and each would ensure the engagement of young people.

And it was:-

**Resolved:**

1. That the outcome of the tendering process and associated award of contract for the delivery of the Youth Service in Laps 1 and 2 to a consortium of providers led by Swanlea School be approved; and
2. That the outcome of the tendering process and associated award of contract for the delivery of the Youth Service in Lap 3 to Bishop Challoner School, be approved.

**Councillor A. Asad** re-entered the proceedings following the conclusion of the Cabinet deliberations in respect of this item, being 7.43pm.

**8. A SAFE AND SUPPORTIVE COMMUNITY**

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

**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 Diversity and Equality Action Plan 2009/10 (CAB 013/090)**

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

- The report presented Cabinet with the annual Diversity and Equality Action Plan (DEAP), and sought its approval.
- Tackling inequality was fundamental to all the Council's activities and the DEAP was a strategic document which highlighted inequalities faced by sections of the Community and the resulting challenges

needing to be met. It pulled together an ambitious programme of equalities work across the Council, including strategic activities to

- Deliver in relation to the Council's six Equality Schemes (Race, Disability, Gender, Religion/Belief, Age and Sexual Orientation).
- Work towards meeting the requirements of the Equality Bill, including the production of a Single Equality Duty in April 2010
- Improve the capacity of the organisation to tackle inequality through the Equality Framework for Local Government which linked to the new Corporate Area Assessment framework.
- Highlighting the table at paragraph 3.8 of the report which endeavoured to relate Cabinet priorities across the six equality schemes. The action plan identified how the equalities work of the Council and Partnership would be coordinated and also showed how directorates would tackle the challenges presented.
- Activities to be undertaken to implement the Council's commitment to Community Cohesion were also detailed in the report. Issues relating to diversity, equality and cohesion were complex and space was needed to tease out those presenting a challenge for the Council and its response to these. It was proposed to use the Members' Diversity and Equality Working Group as the forum to explore how these challenges might be addressed in developing the Single Equality Duty for Tower Hamlets. The Overview and Scrutiny Committee had supported this in its discussion the previous evening.

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

- Councillor Islam, Lead Member in the area of diversity and equalities over the past two years, was commended for the Council's progress over this period and recent achievements including level 5 of the Equality Standard.
- The DEAP should be viewed not just from the perspective of the Council being an employer but also from a Community leadership perspective, pulling the Partnership together to deliver services across the Borough. Community leadership was a key role needed in this area because of the level of inequality and prejudice that existed in the Borough, manifested in high levels of hate crime which still existed despite all the good work in place to address it.
- Equalities was at the heart of all Council activities and would soon be a requirement under the Single Equality Duty. This presented complex challenges for Tower Hamlets which would need a genuine and frank dialogue if these were to be met. Given that meeting the requirements of the Duty was not a choice and it was incumbent on all Members to take a lead in the debate and to lead together.
- Welcomed the reduction in the high rate of economic inactivity among women being prioritised within the DEAP. This reflected an aspiration of the Administration, and hope was expressed that an improvement would be seen in 2009. This would not only improve the prosperity of local families but provide a role model for young people.
- The Lead Member Employment and Skills commented that gender and race should not be a barrier to employment at Tower Hamlets and

transparency and fairness in recruitment were a legitimate expectation. He would ensure practice in this area was re-examined, as the Administration wanted to see more women, and in particular BME and Muslim women employed at senior levels within the Council.

- Clarification/ assurance was also sought and given in relation to work being undertaken to refresh the Gender Equality Scheme. Current workforce to reflect the community targets/ performance monitoring and the success of the “Women into Leadership” initiative were noted in this context.
- Clarification was sought and given, with reference to the “no place for hate” campaign to tackle homophobia in schools initiated in 2009, as to how this initiative would be taken forward in the action plan.
- Consideration, with reference to the prioritisation of unemployment levels and worklessness within the Race and Religion/ Belief Equality Schemes, that it would be appropriate to introduce a key performance indicator to measure the performance of the Council and its partners in terms of Workforce to Reflect the Community such as “gaining employment or entry to workforce by ethnicity”.
- Mr Collins, Deputy Chief Executive and Corporate Director Children’s Services, commented that it would prove useful to have a further iteration of the content of the DEAP which aligned ambition with the indicators to measure performance of it. The link between the DEAP and PIs was strong for example the range of indicators on employability and the breakdown of educational achievement by ethnicity.
- Consideration that the DEAP could be strengthened by a new focus on activities undertaken to combat racism and prevent violent extremism. The best way to do this was to engage young people and democratically empower them.
- Commented that the production of the Council’s six equality schemes in 2006 had been a milestone, but these had been extremely broad in focus. This had now been addressed with the introduction of specific targets determined from the bottom up, for example those relating to child obesity. This would have required a great deal of work and was a tremendous achievement.
- Consideration that the DEAP was cutting edge in pulling together activities to implement the Six Equality Schemes and meet the Single Equality Duty and should be used as a tool to publicise the Council’s achievements in this area.
- Commented that the issues dealt with in the DEAP were extremely important in Tower Hamlets. It was vital to clearly condemn all attacks, whether racial, homophobic or islamophobic. Everyone was entitled to live freely and safely in society as human beings.
- Noted the celebration of diversity by the Council symbolised by marking Gay Pride with the flying of the Rainbow Flag at the Town Hall.

The Chair, in **Moving** the recommendations as set out in the report, commented that equalities and community cohesion was at the heart of the activities of the Council and the DEAP encapsulated the Administration’s commitment in this area across all six equality strands: Race, Disability,

Gender, Religion/Belief, Age and Sexual Orientation. The Council and the Borough had a record on equalities and community cohesion to be proud of, but the Community must continue to be active in this area and everyone had a duty to promote this agenda. And it was:-

**Resolved:**

That the Diversity and Equality Action Plan 2009/10, as set out in Appendix 1 to the report (CAB 013/090), be approved.

**11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**

**11.1 Five Borough Olympic Legacy Multi Area Agreement (CAB 015/090)**

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 11.1. "Five Borough Olympic Legacy Multi Area Agreement" (CAB 015/090). The declaration of interest was made on the basis that the report contained recommendations relating to the 2012 Olympic and Paralympic Games and Olympic Park and Councillor Ahmed was a Board Member - Olympic Delivery Authority - Planning Decision Team.

**Councillor Oliur Rahman** declared a personal interest in Agenda item 11.1. "Five Borough Olympic Legacy Multi Area Agreement" (CAB 015/090). The declaration of interest was made on the basis that the report made reference to the Department for Work and Pensions and Councillor Rahman was an employee of Job Centre Plus which was part of the Department for Work and Pensions.

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:

Mr Smales, Service Head 2012 Olympic and Paralympic Games, at the request of the Chair, in introducing the report summarised the salient points contained therein, commenting as follows:

- A Multi Area Agreement (MAA) was an agreement with Government covering Councils coming together to address common issues on a greater spatial scale in return for Government devolving certain policy freedoms and flexibilities to support better achievement.
- The five Olympic Host Boroughs had come together to maximise the returns and benefits to local people arising from the hosting of the Olympic Games. As collaborative working had evolved the Boroughs had been exploring the potential for an MAA with Government.
- The five Boroughs had been in a dialogue with Government since December 2008 on an MAA with proposals brought forward under

three themes: Worklessness and Skills, Housing and the Public Realm. Each theme had associated propositions or “asks”.

- Through months of discussion a draft agreement generally in accordance with the Council's position (there was a different emphasis in different Boroughs on common areas) had been prepared for submission to Government and this was appended to the report.
- There remained some details to be finalised, such as appropriate wording, but the Government timescale for “sign off” of the MAA was prior to the start of the Parliamentary recess on 21st July. Consequently to establish the authority for the Council to be party to an agreed MAA within this timeline, and to enable the substantive detailed negotiations to be finalised, a delegation of authority to an appropriate Officer to negotiate and agree the final content of the MAA, was needed from the Cabinet today. Given the scope of the agreement this would need to be conditional upon adequate consultation with other Officers and appropriate Lead Members.

A brief discussion followed, during which the Worklessness and Skills and Public Realm aspects of the MAA were supported but clarification/ assurance was sought and given in relation to concerns previously expressed by Lead Members regarding the proposals within the housing element of the MAA had been addressed within the current iteration of the MAA and this would remain the case in any iteration agreed under the delegated authority proposed in the report.

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

**Resolved:**

1. That the Corporate Director, Development and Renewal after consultation with the Chief Executive, the Corporate Director for Communities Localities and Culture, the Corporate Director Resources, the Assistant Chief Executive (Legal) the Lead Member for Employment and Skills, the Lead Member for Housing, the Lead Member for Cleaner, Safer, Greener and the Leader of the Council, be authorised to negotiate and agree with the other London Boroughs of Newham, Hackney, Greenwich and Waltham Forest the detailed content of the proposed 5 Borough Olympic Legacy Multi Area Agreement for submission to Central Government (CLG); and
2. That the Corporate Director Development and Renewal be requested to report back to Cabinet on the final content of the Multi Area Agreement once approved by CLG.

**11.2 Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996 (CAB 016/090)**

**Councillor S. Islam** declared a personal interest in Agenda item 11.2 “Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996” (CAB 016/090).

The declaration of interest was made on the basis that the report contained recommendations relating to Tower Hamlets Community Housing, and Councillor Islam was a representative of the Authority on the governing body of Tower Hamlets Community Housing.

**Councillor J Peck** declared a personal interest in Agenda item 11.2 "Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996" (CAB 016/090). The declaration of interest was made on the basis that the report contained recommendations relating to the Gateway Housing Association and Councillor Peck was a member of the governing body of the Gateway Housing Association.

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:

Ms Odunoye, Service Head Strategy Regeneration and Sustainability, at the request of the Chair, in introducing the report summarised the salient points contained therein, commenting as follows:

- The matters set out in the report were the subject of a Judicial Review action against the Council due to have a further hearing in the High Court on third July.
- The Common Housing Register (CHR) had been in operation since 1999, but the current CHR agreement dated from 2005. The CHR was a register of all prospective tenants for all properties provided by the Council and its Registered Social Landlord (RSL) partners. The Council has agreed with its RSL partners that tenancies should be allocated in accordance with the provisions of the CHR agreement and the Common Lettings Policy.
- A housing allocation decision made by Gateway Housing Association had been the subject of a claim for Judicial Review against the Council. Under the CHR agreement decisions might be taken by partner RSLs in respect of applications for accommodation made to the Council. In such instances the RSL was effectively exercising the Council's functions under Part 6 of the Housing Act 1996. The submission of the Judicial Review was that there had been no formal delegation of authority by the Council to Gateway Housing Association and other RSL's to exercise functions on its behalf under Part 6 of the Housing Act 1996.
- The Council had sought the advice of Counsel and Queen's Counsel and the latter was received on 29 June. In summary the advice was that In order to preserve the integrity of the CHR and decisions made under it, it was necessary for the Council to formally delegate power to the RSL partners to make allocation decisions and to retrospectively authorise the decisions that had been taken in the past. The active

Judicial Review claim in the High Court required that this was urgently undertaken.

- Although case law in relation to retrospective ratification was difficult to reconcile, the legal advice was that the option of ratification was open to the Council in the present circumstances; and the rationale for this was set out in the concurrent report of the Assistant Chief Executive (Legal) set out at paragraph 5.2 of the report.

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

**Resolved:**

1. That all past, present and future exercises of its functions under Part 6 of the Housing Act 1996 (as permitted by Article 2 of the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions) Order 1996) by, or by employees of, the Registered Social Landlord partners from time to time to the Common Housing Register, including but not limited to the following: Gateway Housing Association, Poplar Harca, Spitalfields Housing Association, Tower Hamlets Community Housing, Swan London, East End Homes, Southern Housing Group, Island Homes, Old Ford Housing Association, Providence Row Housing Association, Family Mosaic, Metropolitan Housing Trust, Mitali Housing Association or their successors in title, be ratified and/ or authorised; and
2. That the Corporate Director Development and Renewal be retrospectively authorised to contract out the exercise of the Council's functions referred to in Resolution 1 above.

## 12. UNRESTRICTED REPORTS FOR INFORMATION

### 12.1 Exercise of Corporate Director Discretions (CAB 014/090)

Councillor Peck, Deputy Leader of the Council, commented that whilst he understood the rationale for the exercise of delegated authority to appoint the Primary Care Trust Speech and Language Therapy Service to deliver the Every Child a Talker Programme, he also wished to express concern. He had recently had a constituent who had encountered problems with the service provider, having to wait a long time for an assessment of their child. Swift treatment was required for this condition and had not been received. Clarification/ assurance was subsequently given regarding the rationale for appointment of the provider in these circumstances, contract monitoring arrangements, and the intention to maintain a focus on quality service provision in future.

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

**Resolved:**

That the exercise of Corporate Directors' discretions, as set out in Appendix 1 to the report (CAB 083/089), be noted.

### 13. EXCLUSION OF THE PRESS AND PUBLIC

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

**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 21.1 "Consideration of individual case for severance" contained information pertaining to a commercial transaction between an individual and the Authority.
- (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 the report pertaining to a commercial transaction between an individual and the Authority and the associated recommendations, that the public interest in maintaining the exemption on the information outweighed the public interest in disclosing it. "

### 14. EXEMPT / CONFIDENTIAL MINUTES

Minutes of Cabinet meeting held on 10<sup>th</sup> June 2009 amended.

### 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**

**21.1 Consideration of individual case for severance (CAB 017/090)**

Special circumstances and reasons for urgency agreed.

Recommendations Agreed.

**22. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION**

Nil Items.

The meeting ended at 8.50 p.m.

Chair, Councillor Lutfur Rahman  
Cabinet