

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.35 P.M. ON WEDNESDAY, 3 AUGUST 2011

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

Members Present:

Mayor Lutfur Rahman (Mayor)	(Mayor)
Councillor Ohid Ahmed (Deputy Mayor)	(Deputy Mayor)
Councillor Rofique U Ahmed	(Cabinet Member for Regeneration)
Councillor Shahed Ali	(Cabinet Member for Environment)
Councillor Abdul Asad	(Cabinet Member for Health and Wellbeing)
Councillor Alibor Choudhury	(Cabinet Member for Resources)
Councillor Shafiqul Haque	(Cabinet Member for Jobs and Skills)
Councillor Rabina Khan	(Cabinet Member for Housing)
Councillor Rania Khan	(Cabinet Member for Culture)
Councillor Oliur Rahman	(Cabinet Member for Children's Services)

Other Councillors Present:

Councillor Kabir Ahmed	(Executive Advisor to the Mayor and Cabinet)
Councillor Khaless Uddin Ahmed	
Councillor Stephanie Eaton	
Councillor David Edgar	
Councillor Judith Gardiner	
Councillor Carlo Gibbs	
Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Ann Jackson	(Chair, Overview & Scrutiny Committee)
Councillor Denise Jones	
Councillor Md. Maium Miah	(Advisor to the Mayor and Cabinet on Third Sector and Community Engagement)
Councillor Joshua Peck	(Leader of the Labour Group)
Councillor Rachael Saunders	

Others Present:

Officers Present:

- Sarah Barr – (Senior Strategy Policy and Performance Officer, Strategy Policy and Performance, Chief Executive's)
- Robin Beattie – (Service Head, Strategy & Resources & Olympic Impact, Communities Localities & Culture)
- Anne-Marie Berni – (Team Leader Development Implementation Team, Planning & Building Control, Development & Renewal)
- Isobel Cattermole – (Acting Corporate Director, Children, Schools & Families)
- Ahzaz Chowdhury – (Political Advisor to Conservative Group, Chief Executive's)
- Deborah Cohen – (Service Head, Commissioning and Strategy, Adults Health and Wellbeing)
- Kevan Collins – (Chief Executive)
- Richard Finch – (Team Leader, Strategic Transport Development, Development & Renewal)
- Isabella Freeman – (Assistant Chief Executive - Legal Services, Chief Executive's)
- Peter Hayday – (Interim Service Head, Financial Services, Risk and Accountability)
- Chris Holme – (Service Head Resources, Development & Renewal)
- Mark Hutton – (Team Leader, Development Design & Conservation, Development & Renewal)
- Joynul Khan – (Intern, Democratic Services, Chief Executive's)
- Ellie Kuper-Thomas – (Interim Policy Adviser to the Mayor, Chief Executive's)
- Axel Landin – (Intern, Democratic Services, Chief Executive's)
- Shazid Miah – (Acting Community Liaison Officer to the Mayor, Chief Executive's)
- Stephen Murray – (Head of Arts, Communities Localities & Culture)
- Chris Naylor – (Corporate Director Resources)
- Jackie Odunoye – (Service Head Strategy, Innovation and Sustainability, Development & Renewal)
- Toks Osibogun – (Head of Valuation & Estates, Asset Management, Development & Renewal)
- Colin Perrins – (Head, Trading Standards and Environmental Health Commercial)
- Takki Sulaiman – (Service Head Communications, Chief Executive's)
- Helen Taylor – (Acting Corporate Director Adults Health & Wellbeing)
- Owen Whalley – (Service Head Planning and Building Control, Development & Renewal)
- David Williams – (Deputy Service Head, Planning and Building Control, Development & Renewal)
- Angus Taylor – (Interim Committee Services Manager (Operational), Democratic Services, Chief

Executive's)

MR L. RAHMAN (MAYOR) IN THE CHAIR

ADJOURNMENT

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

Decision

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

The meeting adjourned at 5.40pm

The meeting reconvened at 5.41pm

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Mr Aman Dalvi, Corporate Director Development and Renewal for whom Ms Jackie Odunoye, Service Head Strategy Regeneration and Sustainability, Development and Renewal, was deputising.
- Mr Halsey, Corporate Director Communities Localities and Culture, for whom Mr Beattie, Service Head Strategy and Resources and Olympic Impact, Communities Localities and Culture, was deputising.

Noted.

2. DECLARATIONS OF INTEREST

No declarations of interest were made pertaining to the unrestricted business to be considered in Section One of the proceedings.

Noted.

3. UNRESTRICTED MINUTES

The **Mayor agreed** the following:

Decision

That the unrestricted minutes of the ordinary meeting of the Cabinet held on 6th July 2011 be approved and signed by the Mayor, as a correct record of the proceedings.

4. PETITIONS

The clerk advised that the Assistant Chief Executive (Legal Services) had received no requests for petitions in respect of the business contained in the agenda.

5. OVERVIEW & SCRUTINY COMMITTEE

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

The Chair informed members of the Cabinet that Councillor Jackson, 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 2nd August 2011, in respect of the unrestricted business contained in the agenda for consideration, a copy of which would be interleaved with the minutes.

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

- Reporting prioritisation of options for the OSC work programme during the coming Council year and anticipated agreement of this by the OSC in September 2011.
- Advising of key elements of OSC consideration of the report "Budget 2012/13 – 2014/15 – Resource Allocation and Budget Review" to inform Cabinet consideration of the same report.
- Informing the Mayor/ Cabinet that she had nothing to add to the questions/ comments raised by the OSC, as set out in the tabled paper.

The **Mayor** thanked Councillor Jackson for presenting the contribution of the Overview and Scrutiny Committee; and then **agreed** the following:

Decision

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 (Legal Services) to "call in" for further consideration, by the Overview and Scrutiny Committee, any provisional decisions taken by the Mayor/ Cabinet, at its meeting held on 6th July 2011.

6. A GREAT PLACE TO LIVE

6.1 Bromley-by-Bow Masterplan Supplementary Planning Document (SPD) (CAB 017/112)

Councillor Rabina Khan, Cabinet Member for Housing, at the request of the Mayor, in introducing the report, summarised the key points contained therein.

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

Decision

1. That Option 3, finalisation of the Bromley-by-Bow Masterplan SPD, contained within section four of the report (CAB 017/112), be approved;
2. That the draft Bromley-by-Bow Masterplan SPD, attached at Appendix C to the report (CAB 017/112), be approved for a six week period of statutory public consultation, with a view to Cabinet subsequently approving the final Bromley-by-Bow Masterplan as an SPD, following the public consultation; and
3. That the Corporate Director Development and Renewal, after consultation with the Cabinet Member for Housing, be authorised to make any appropriate and necessary minor amendments to the draft Bromley-by-Bow Masterplan SPD, prior to statutory consultation anticipated in September 2011.

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.6 of the report (CAB 017/112)

Alternative Options Considered

These are detailed in paragraphs 4.1 to 4.9 of the report (CAB 017/112)

6.2 Limehouse Cut Conservation Area (CAB 018/112)

Councillor Rabina Khan, Cabinet Member for Housing, at the request of the Mayor, in introducing the report, summarised the key points contained therein.

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

Decision

1. That the decision of the Judicial Review in the High Court, which whilst quashing the original designation accepted that designation of the area as a Conservation Area might be appropriate, be noted;
2. That the responses to the public consultation considering the proposed designation and the supporting Limehouse Cut Conservation Area Character Appraisal and Management Guidelines, be noted;
3. That the Designation Statement attached at Appendix C to the report (CAB 018/112), which sets out the special character of the area, be agreed;
4. That the designation of the Limehouse Cut Conservation Area, with boundaries as indicated in the map attached at Appendix A to the report, (CAB 018/112), including the transfer of land to include Violet Road Bridge and a section of canal and landscaping to the front of Caspian Wharf from the Langdon Park Conservation Area to the new Limehouse Cut Conservation Area, be agreed. That it also be noted that this land already has conservation area status, thus the status of this land remains unchanged, and the alterations are a prudent rationalisation of boundaries because the canal and this small area of land are more logically located within the Limehouse Cut Conservation Area;
5. That the amended boundaries to the Langdon Park Conservation Area, to reflect the rationalisation in decision 4 above, be agreed. Also noting that the revised boundaries of the Langdon Park Conservation Area are shown in Appendix B to the report (CAB 018/112);
6. That the addition of the following buildings, identified during the public consultation, to the List of Locally Listed Buildings within the Limehouse Cut Conservation Area, be agreed: - Dowgate Wharf (22-23) Gillender Street, 24 Gillender Street, Towpath House on Dod Street; Printers Gate on Dod Street; The Sail Loft on Dod Street; and The Spice Store on Dod Street; and
7. That the attached draft Conservation Area Character Appraisal and Management Plan, attached at Appendix D to the report (CAB 018/112), which supports the proposed designation, setting out the character of the Limehouse Cut, identifying those buildings which are to be Locally Listed and putting forward proposals for the preservation and enhancement of the Conservation Area; be adopted.

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.3 of the report (CAB 018/112)

Alternative Options Considered

These are detailed in paragraphs 4.1 to 4.2 of the report (CAB 018/112)

6.3 Introduction of a Permit Transfer Scheme (CAB 019/112)

Councillor Rabina Khan, Cabinet Member for Housing, at the request of the Mayor, in introducing the report, summarised the key points contained therein. Councillor Khan emphasised in particular the ecological aspirations of the Mayor/ Administration, and consequent support for the positive step of car free status for many new homes in the borough; but also emphasised the imperative to balance these aspirations with accommodating the needs of large families living in overcrowded accommodation, who required the use of a car, and could not accept offers of larger social rented housing with car free status.

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

Decision

That the forthcoming introduction of the proposed targeted Permit Transfer Scheme (PTS), by the Mayor of Tower Hamlets Council, using the scheme criteria outlined in Section 5.4 of the report (CAB 019/112) to help reduce levels of overcrowding in the social rented housing stock in the borough, be noted. That it also be noted that the PTS will be a change in the operation of the Council's existing on-street Residents' Parking Permit Scheme.

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.5 of the report (CAB 019/112)

Alternative Options Considered

Not detailed.

6.4 St George's Pools Refurbishment (CAB 020/112)

Councillor Rania Khan, Cabinet Member for Culture, at the request of the Mayor, in introducing the report, summarised the key points contained therein.

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

Decision

1. That a partnership project with Greenwich Leisure Limited (GLL) to invest in the fabric of the St Georges Pools to secure a minimum of five years life be supported;

2. That it be noted that every effort is being made to programme the work to maintain pool access during the proposed works and keep periods of closure to an absolute minimum to reduce the impact on users;
3. That it be noted that a communications programme for users (including schools) and the local community will be prepared in partnership with GLL;
4. That it be noted that these works will be funded via partnership arrangements with the leisure management contractor (GLL); and
5. That it be noted that the Corporate Director Communities Localities and Culture will undertake further work to determine the best long-term option for co-locating wet and dry leisure facilities on the existing site in line with the recommendations of the Leisure Facilities Strategy.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 020/112)

Alternative Options Considered

These are detailed in paragraphs 4.1 to 4.3 of the report (CAB 020/112)

6.5 The Baishakhi Mela in Banglatown, Brick Lane: transfer to community management (CAB 021/112)

Councillor Rania Khan, Cabinet Member for Culture, at the request of the Mayor, in introducing the report, summarised the key points contained therein. Councillor Khan emphasised in particular that community management of the Baishakhi Mela would enable officer resources to be devoted to other priorities such as the Olympics, Royal Diamond Jubilee and the City Bid, which would increase the number of community events for resident enjoyment.

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

- That the two independent panels referred to in the report at paragraphs 2.1, 2.2 and 6.2 of the report should both involve proportional cross party representation of Members.
- That the management licence [for the Baishakhi Mela] should be set at three years subject to renewal dependent on an external audit of the organisation and a full report for Cabinet consideration.

The **Mayor considered and rejected** the option proposing the additional recommendations and **agreed** the recommendations as set out in the report.

Decision

1. That it be agreed that the Baishakhi Mela in Banglatown, Brick Lane be returned to community management for 2012 and that the right to manage the Mela be granted for a period of nine years, subject to reviews at year one, three, and six by an independent panel;
2. That the approach to select a successor organisation as set out in the report (CAB 021/112), including the proposal to delegate the recommendation of the successor organisation to an independent panel which will be supported by staff, be agreed;
3. That the outline specification, as set out in paragraph 6.3 of the report (CAB 021/112), be agreed;
4. That the level of financial and other support for the successor organisation as set out in paragraph 6.4 of the report (CAB 021/112), be agreed; and
5. That the timetable for granting the right to manage the Mela, as set out in paragraph 6.6 of the report (CAB 021/112), be agreed.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 021/112)

Alternative Options Considered

These are detailed in paragraphs 4.1 to 4.2 of the report (CAB 021/112)

7. A PROSPEROUS COMMUNITY

7.1 Establishment of sixth form consortium to meet increasing demand in sixth form places from 2012 (CAB 022/112)

Councillor Oliur Rahman, Cabinet Member for Children's Services, at the request of the Mayor, in introducing the report, summarised the key points contained therein.

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

Decision

1. That the contents of the report (CAB 022/112), including the published statutory proposals for St Paul's Way Trust School, Bow School, Langdon Park School and Stepney Green Maths, Computing and Science College at Appendix A, be noted;

2. That the statutory requirements for the school organisation decision-making process and the considerations to be taken into account in making any decision, as set out at paragraphs 6.1 – 6.4 of the report (CAB 022/112), be noted; and
3. That the proposals, attached as Appendix A to the report (CAB 022/112), for the addition of sixth form places at St Paul's Way Trust School from September 2012, Langdon Park School and Stepney Green Maths, Computing and Science College from September 2013 and Bow School from September 2014, be approved.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 022/112)

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 022/112)

7.2 Update on Building Schools for the Future Programme including authorisation to issue LGCA Certificates, in connection with the Deed of Variation, to the PFI contract (CAB 031/112).

Special Circumstances and Reasons for Urgency

The Mayor 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 **Mayor** subsequently **agreed** the special circumstances and reasons for urgency, as set out on the front page of the report, and also set out below:

“The Authority intends to enter into the Deed of Variation to allow the LEP to refurbish and build new facilities for four schools that are part of the existing PFI contract. Through their due diligence, Lenders have made clear that they require the Authority to provide them with fresh LGCA certificates to authenticate the contracts. The issuance of such certificates requires Cabinet approval.

The Authority intends to sign the Deed of Variation in the first week of August in order to maintain the programme for the delivery of the BSF schools. If Cabinet does not approve the assurance of LGCA certificates, then Lenders will refuse to consent to the variation.”

Ms Cattermole, Acting Corporate Director Children, Schools and Families, at the request of the Mayor, in introducing the report, summarised the key points contained therein.

Ms Freeman, Assistant Chief Executive (Legal Services), advised that cross references, to paragraphs in the body of the report, contained in

recommendations 2.1 and 2.3 were currently incorrect, and should the recommendations be agreed the decision would need to reflect their correction.

The **Mayor**, taking account of the advice of the Assistant Chief Executive (Legal Services), **agreed** the following:

Decision

1. That the contents of the report (CAB 031/112), to reaffirm the decisions duly authorised at the January Cabinet (the latter set out at paragraph 6.1), be noted;
2. That the issuance of LGCA certificates to authenticate the Deed of Variation to the PFI contract and the Funders Direct Agreement in the forms provided at Appendix 1 and Appendix 2 to the report (CAB 031/112) be authorised and the Monitoring Officer be authorised to make any final amends to these certificates; and
3. That subject to exceptions set out in the report (CAB 031/112), the Section 151 Officer (Corporate Director of Resources) be indemnified against any claims made whatsoever against him (including costs incurred by and awarded against him) and will not itself make claims against him for any loss or damage occasioned by act, error or omission committed by such officer in the course of any work undertaken preceding as well as for the purpose of the act of certification (whether or not necessarily undertaken in order to certify the contract) and generally in connection with the signing of such certificates or documents as are referred to in decision 2. above. The indemnity will not extend to loss or damage directly or indirectly caused by or arising from the following, fraud, dishonesty or a criminal offence committed by the indemnified person.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 031/112)

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 031/112)

8. A SAFE AND COHESIVE COMMUNITY

8.1 Sex Establishments - Adoption of Legislation - Approval of Consultation Process (CAB 023/112)

Councillor Ohid Ahmed, Deputy Mayor, at the request of the Mayor, in introducing the report, summarised the key points contained therein.

Councillor Ahmed emphasised the high level of community concern that sex establishments such as lap dancing and strip clubs caused within the community and the Mayor/ Administration shared this concern considering these businesses to be a blight on the community.

An option was proposed for the consideration of the Mayor that, since some existing sex establishments in the borough marketed services of a similar nature to those provided in the sex establishments which were mobile (for example stretched limousine tour to central London with champagne and performer), if it were legally possible this aspect of the services provided by sex establishments should be included within the draft policy to be an activity that would not be permitted within the borough and should be included in the consultation.

The **Mayor** agreed the proposed amendment to the options being considered, and considered it would be appropriate to adjust the decision accordingly; and consequently **agreed** the following:

Decision

- 1) That it be resolved that Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009 is to apply to the London Borough of Tower Hamlets area; and that Schedule 3 shall come into force in the London Borough of Tower Hamlets area;
- 2) That it be agreed that the date that Schedule 3 shall come into force shall be the same day as the policy for Sex Establishments comes into force; and
- 3) That, subject to (a) below, the draft policy for Sex Establishments [attached at Appendix 1 to the report (CAB 023/112)], be approved for consultation: -
 - (a) Inclusion within the draft policy of mobile services of a similar nature to those provided in the sex establishments and marketed by such establishments from within the borough.

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.2 of the report (CAB 023/112)

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 023/112)

9. A HEALTHY AND SUPPORTIVE COMMUNITY

9.1 Commissioning Strategy for Accommodation of Working Age Adults with a Mental Health Problem (CAB 024/112)

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

Ms Taylor, Acting Corporate Director Adults Health and Wellbeing addressed the matters raised by the Overview and Scrutiny Committee, held on 2nd August 2011, in relation to the report; as set out in the tabled sheet of questions and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings:

The **Mayor agreed** the following:

Decision

1. That the Strategy for developing and improving accommodation with support for people of working age with a mental health problem, as set out in the report (CAB 024/112), be agreed; and
2. That it be agreed that detailed engagement and consultation with service users affected should now proceed.

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.2 of the report (CAB 024/112)

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 024/112)

9.2 Development of Tower Hamlets Statutory Health and Wellbeing Board (CAB 025/112)

Ms Taylor, Acting Corporate Director Adults Health and Wellbeing at the request of the Mayor, in introducing the report, summarised the key points contained therein.

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

Decision

1. That it be agreed that the Mayor [of Tower Hamlets] chairs the Tower Hamlets Health and Wellbeing Board;
2. That the proposed membership of the Tower Hamlets Health and Wellbeing Board, as set out at paragraph 6.8 of the report (CAB 025/112) be agreed;

3. That it be agreed that the first meeting of the THHWB should be in September 2011 and quarterly thereafter;
4. That it be agreed that the work of the Healthy Communities Community Plan Delivery Group (CPDG) should be fulfilled through the THHWB and its associated Groups, therefore disbanding the CPDG; and
5. That it be agreed that the proposal that the Chair of the Health Scrutiny Panel attends the THHWB to report on Health Scrutiny activities and to comment on agenda items of THHWB, be approved;

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.2 of the report (CAB 025/112)

Alternative Options Considered

These are detailed in paragraphs 4.1 to 4.2 of the report (CAB 025/112)

10. ONE TOWER HAMLETS

10.1 Contracts Forward Plan (CAB 026/112)

Councillor Alibor Choudhury, Cabinet Member for Resources, at the request of the Mayor, in introducing the report:

- Summarised the key points contained therein.
- Commented that recommendation 2.1 contained in the report requested that the Mayor/ Cabinet specifically identify contracts where it was felt appropriate that a further report required consideration prior to contract award by Chief Officers under delegated authority.
- Proposed accordingly that the Mayor agree recommendation 2.1 set out in the report subject to the following amendment:

“Submission of a comprehensive report (including an options appraisal) relating to contracting strategy/ contract award in respect of the following contracts:

- *D&R Contract:* “Corporate Contract for Provision of Technical Advisers for Construction (including architects, quantity surveyors, engineers, clerks of works, health & safety advisers)”
- *AHWB Contract:* “Learning disability day options (multiple contracts)”.

listed in Appendix 1 to the report, for the consideration of the Mayor/ Cabinet Member for Resources/ appropriate Cabinet Member with portfolio for the service area, and also their subsequent consultation and agreement to the proposed contract award.”

Ms Taylor, Acting Corporate Director Adults Health and Wellbeing addressed the matters raised by the Overview and Scrutiny Committee, held on 2nd August 2011, in relation to the report; as set out in the tabled sheet of questions and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings:

The **Mayor** concurred with the rationale prompting the proposed amendment to the options being considered, and considered it would be appropriate to adjust the decision accordingly; and consequently **agreed** the following:

Decision

1. That the contract summary at Appendix 1 to the report (CAB 026/112) be noted;
2. That, subject to (a) below, the relevant Corporate Director who holds the budget for the service area be authorised to award the contracts listed in Appendix 1 to the report (CAB 026/112):
 - (a) Submission of a comprehensive report (including an options appraisal) relating to contracting strategy/ contract award in respect of the contracts:
 - *D&R Contract*: “Corporate Contract for Provision of Technical Advisers for Construction (including architects, quantity surveyors, engineers, clerks of works, health & safety advisers)”
 - *AHWB Contract*: “Learning disability day options (multiple contracts)”.listed in Appendix 1 to the report, for the consideration of the Mayor/ Cabinet Member for Resources/ appropriate Cabinet Member with portfolio for the service area, and also their subsequent consultation and agreement to the proposed contract award; and
3. That, subject to Decision 2 above, the relevant Corporate Director who holds the budget for the service area be authorised, after consultation with the Assistant Chief Executive (Legal Services), to arrange for the execution of all necessary contract documents.

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.2 of the report (CAB 026/112)

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 026/112)

10.2 Budget 2012/13 - 2014/15 - Resource Allocation and Budget Review (CAB 027/112)

The Chair informed members of the Cabinet that Councillor Alibor Choudhury, Cabinet Member for Resources, had **Tabled a Motion** in relation to the recommendations set out in the report, a copy of which would be interleaved with the minutes.

Councillor Alibor Choudhury, Cabinet Member for Resources, at the request of the Mayor, in introducing the report and proposing the tabled motion for agreement by the Mayor/ Cabinet: -:

- Summarised the key points contained therein.
- Commented that:
 - In 2010/ 11 the Mayor/ Administration had faced the tough challenge of cutting the Authority's Budget for 2011/12 by £55 million, but had been able to achieve the agreement of a progressive Budget which had protected youth services, ideas stores, THEO's and social housing initiatives. He was confident a similar outcome would be achieved in 2011 and called on political opposition colleagues to work with the Mayor/ Administration to this end.
 - The Mayor/ Administration were currently engaged with Officers in a robust resource allocation process, underpinned by an integrated strategic and resource planning framework, to ensure that all elements of the Council's activities were scrutinised to ensure value for money. The focus of this would remain the protection of vulnerable elements of the community and the support they needed (as well as the quality of environment/ place they lived in) and consequently efficiency savings rather than reductions in frontline services or staff redundancies. The Mayor/ Administration were also building on themes developed in 2010/11 to optimise delivery maximum savings including: sweating the Council's assets, reduction of management layers, squeezing value from the Council's contractors; but also a strategic partnership to deliver both desired outcomes and required savings.
 - The Mayor/ Administration were committed to ensuring that the Authority's Budget setting process was transparent and would engage in a comprehensive dialogue with the all elements of the community in relation to this process and any difficult decisions that were part of it.

The **Mayor** commented, in **agreeing the motion as tabled**, that it was important to remember that he and the Authority were faced with such a difficult Budget position because of ideologically driven cuts to funding, the effect of which was magnified by front-loading, both at the hand of a Conservative led Coalition Government; and the consequences were severe for the vulnerable members of the community.

Decision

1. That the outcome of the review of the budget forecast for 2011/12 and officers advice on the risks of additional costs falling in 2011/12-

2014/15, and also the Medium Term Financial forecast for 2012/13-2014/15, as detailed in Appendix A to the report (CAB 027/112), be noted;

2. That the position in relation to funding for the capital programme, set out in the report (CAB 027/112), be noted, and it be agreed that non-ring fenced capital resources from Government should be treated in the same was as locally generated funding for capital planning purposes;
3. That the position in relation to the Housing Revenue Account set out in the report (CAB 027/112), be noted;
4. That the Chief Executive be instructed to require the Corporate Management Team to prepare service and financial planning submissions in accordance with the key principles of the Mayor;
5. That the approach to be taken to equality analysis of budget decisions in the 2012/13 cycle set out in the report (CAB 027/112) be noted, and it be agreed that all submissions are to be supported by an appropriate Equalities Impact Assessment in line with this approach;
6. That it be agreed that the Mayor and appropriate Cabinet members meet with officers over the next two months to review the budgets that form the basis of the projections in the report (CAB 027/112);
7. That the Chief Executive be instructed, after consultation with the Corporate Director Resources, to initiate and subsequently progress a budget consultation process with the public and the Authority's key stakeholders; and
8. That the timetable for the Budget Process, outlined at Section 12 of the report (CAB 027/112), be approved.

Reasons for Decisions

Not detailed.

Alternative Options Considered

Not detailed.

10.3 Provision of Temporary Staff (CAB 028/112)

Mr Naylor, Corporate Director Resources, at the request of the Mayor, in introducing the report, summarised the key points contained therein.

An option was proposed that, as the process for bringing the provision of the managed service provider function in-house would be both complex and lengthy, the Mayor/ Cabinet should consider the positives/ negatives of an

alternative option of re-commissioning [contract for supply of a vendor neutral managed service provider function for the provision of temporary staff] as previously, but with the addition of an incentive arrangement for companies tendering for the contract which rewards the recruitment of local residents.

The **Mayor**, considered that it would be appropriate for the feasibility study [on the cost/ benefits of bringing the provision of the managed service provider function in-house] to include an examination of the benefits for the local community of the alternative option that had been proposed; and considered it would be appropriate to adjust the decision accordingly; and consequently **agreed** the following:

Decision

1. That it be agreed that the Corporate Director of Development and Renewal investigates the feasibility of setting up a local needs-based talent pool as part of the work on the Enterprise Strategy, and report back to Cabinet in due course;
2. That it be agreed that the award of a contract for a Managed Service Provider from September 2011 should proceed as planned and previously agreed by Cabinet; but for a limited period ideally of 12 months, but not more than 18 months; to allow for a full review and, subject to decision 3 below, a corresponding implementation plan for bringing the service in-house to be undertaken; and
3. That a further report be brought to Cabinet, subsequent to the feasibility study on the practicalities, costs, benefits and timescales of bringing the service in-house, or the positives/ negatives of re-commissioning as previously but with the addition of an incentive arrangement for companies tendering for the contract which rewards the recruitment of local residents.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 028/112)

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 028/112)

10.4 Disposals Report Update (CAB 029/112)

Mr Osibogun, Head of Valuation and Estates, Development and Renewal, at the request of the Mayor, in introducing the report, summarised the key points contained therein.

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

Decision

1. That the current position on Phase I disposals be noted; and
2. That 31 Turner Street and the Sutton Street depot be declared surplus to [the Authority's] requirements, and their sale be authorised.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 029/112)

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 029/112)

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

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

12. UNRESTRICTED REPORTS FOR INFORMATION

12.1 Exercise of Corporate Directors' Discretions (CAB 030/112)

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

Decision

That the exercise of Corporate Directors' discretions, as set out in Appendix 1 to the report (CAB 030/112), be noted.

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.2 of the report (CAB 030/112)

Alternative Options Considered

These are detailed in paragraphs 4.1 to 4.2 of the report (CAB 030/112)

13. EXCLUSION OF THE PRESS AND PUBLIC

The **Mayor agreed** the following:

Decision

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 14. “Exempt/ Confidential Minutes” (of the meeting of the Cabinet held on 6th July 2011) contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs of the Council and two anonymised bidders.
- (b) As although there is a public interest favouring public access to local authority meetings, in this case the Cabinet concluded that given the information contained in:
- Agenda item 14. “Exempt/ Confidential Minutes” (of the meeting of the Cabinet held 6th July 2011) relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs of the Council and two anonymised bidders.

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

SUMMARY OF EXEMPT PROCEEDINGS

14. EXEMPT / CONFIDENTIAL MINUTES

Minutes of the meeting of the Cabinet held on 6th July 2011 agreed.

15. OVERVIEW & SCRUTINY COMMITTEE

15.1 Chair's advice of Key Issues or Questions in relation to Exempt / Confidential Business to be considered.

Nil Items.

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

Nil Items.

16. A GREAT PLACE TO LIVE

Nil Items.

17. A PROSPEROUS COMMUNITY

Nil Items.

18. A SAFE AND COHESIVE COMMUNITY

Nil Items.

19. A HEALTHY AND SUPPORTIVE COMMUNITY

Nil Items.

20. ONE TOWER HAMLETS

Nil Items.

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

Nil Items.

22. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil Items.

The meeting ended at 6.40 p.m.

Chair, Mayor Lutfur Rahman
Cabinet