

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.35 P.M. ON WEDNESDAY, 4 APRIL 2012

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

Members Present:

Mayor Lutfur Rahman (Mayor)	(Mayor)
Councillor Rofique U Ahmed	(Cabinet Member for Regeneration)
Councillor Abdul Asad	(Cabinet Member for Health and Wellbeing)
Councillor Alibor Choudhury	(Cabinet Member for Resources)
Councillor Rania Khan	(Cabinet Member for Culture)
Councillor Oliur Rahman	(Cabinet Member for Children's Services)

Other Councillors Present:

Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Ann Jackson	(Chair, Overview & Scrutiny Committee)
Councillor Denise Jones	

Others Present:

Officers Present:

Stephen Adams	– (Finance and Resources Manager, Communities Localities & Culture)
Ross Archer	– (Political Adviser to the Conservative Group)
Sarah Barr	– (Senior Strategy Policy and Performance Officer, One Tower Hamlets, Chief Executive's)
Robin Beattie	– (Service Head, Strategy & Resources & Olympic Impact, Communities Localities & Culture)
Kate Bingham	– (Acting Service Head Resources, Children Schools & Families)
Anne Canning	– (Service Head Learning & Achievement, Children Schools & Families)
Isobel Cattermole	– (Acting Corporate Director, Children, Schools & Families)
Deborah Cohen	– (Service Head, Commissioning and Strategy, Adults Health and Wellbeing)
Margaret Cooper	– (Section Head Transport & Highways, Public Realm, Communities Localities & Culture)
Aman Dalvi	– (Interim Chief Executive)

Mary Durkin	– (Service Head, Youth and Community Learning, Children Schools & Families)
Isabella Freeman	– (Assistant Chief Executive - Legal Services, Chief Executive's)
Chris Holme	– (Service Head Resources, Development & Renewal)
Afazul Hoque	– (Senior Strategy Policy & Performance Officer, One Tower Hamlets, Chief Executive's)
Numan Hussain	– (Political Advisor to the Mayor, Executive Mayor's Office, Chief Executive's))
Michael Keating	– (Service Head, One Tower Hamlets, Chief Executive's)
Ellie Kuper-Thomas	– (Strategy, Policy and Performance Officer - Executive Mayor's Office, One Tower Hamlets, Chief Executive's)
Chris Naylor	– (Corporate Director Resources)
Murziline Parchment	– (Head of Executive Mayor's Office, Democratic Services, Chief Executive's)
Claire Symonds	– (Service Head, Customer Access and ICT, Communities Localities Culture)
Angus Taylor	– (Interim Committee Services Manager (Operational), Democratic Services, Chief Executive's)

MR L. RAHMAN (MAYOR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Ohid Ahmed, Deputy Mayor.
- Councillor Shahed Ali, Cabinet Member for Environment.
- Councillor Shafiqul Haque, Cabinet Member for Jobs and Skills.
- Councillor Rabina Khan, Cabinet Member for Housing.
- Mr Stephen Cody, Interim Corporate Director Adult Health and Wellbeing, for whom Ms Deborah Cohen, Service Head Commissioning and Strategy - Adult Health and Wellbeing, was deputising.
- Mr Stephen Halsey, Corporate Director Communities, Localities and Culture, for whom Mr Robin Beattie, Service Head Strategy and Resources - Communities, Localities and Culture, was deputising.
- Ms Jackie Odunoye, Acting Corporate Director Development and Renewal, for whom Mr Chris Holme, Service Head Resources - Development and Renewal, was deputising.

Noted.

2. DECLARATIONS OF INTEREST

Councillor A. Asad declared a prejudicial interest in Agenda item 5.2 (i) "Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee – Youth Service Delivery" (CAB 112/112). The declaration of interest was made on the basis that the report contained recommendations relating to Youth Service provision in the Borough and Councillor Asad was employed by a youth service provider for the Borough.

Noted.

3. UNRESTRICTED MINUTES

The unrestricted minutes of the ordinary meeting of the Cabinet held on 14th March 2012 had been circulated for information (Agenda – 4th April 2012).

4. PETITIONS

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

5. OVERVIEW & SCRUTINY COMMITTEE

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

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

- Orally reporting the comments/ advice of the OSC arising from discussion of the policy framework report before the Mayor/ Cabinet for consideration "Community Safety Plan 2012-13" (agenda item 8.1):
 - Welcoming the priority given to violence against women and girls within the Plan.
 - Expressing the aspiration that the OSC discussion regarding communication with residents about what was happening in their local area/ street would be assimilated within the Plan.

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

Decision

That the comments of the Overview and Scrutiny Committee in relation to Agenda Item 8.1 "Community Safety Plan 2012-13" be noted, and that these

be given consideration during the Cabinet deliberation of the item of business to which the comments related.

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

Councillor A. Asad declared a prejudicial interest in Agenda item 5.2 (i) "Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee – Youth Service Delivery" (CAB 112/112). The declaration of interest was made on the basis that the report contained recommendations relating to Youth Service provision in the Borough and Councillor Asad was employed by a youth service provider for the Borough.

Councillor A. Asad having declared a prejudicial interest in Agenda item 5.2 (i) withdrew from the proceedings at the commencement of consideration of this item of business, being 5.50pm.

5.2(i) Cabinet Decision "called-in": Youth Service Delivery (CAB 112/112)

The Mayor informed members of the Cabinet that:

- Councillor Jackson, Chair of the Overview and Scrutiny Committee (OSC), had **Tabled** a reference (CAB 112/112) setting out the deliberations of the OSC, held on 3rd April 2012, in respect of the decision of the Executive Mayor in Cabinet, on 14th March 2012, made in relation to the report "Youth Service Delivery" (CAB 080/112), a copy of which would be interleaved with the minutes.
- A detailed response to the matters raised by the OSC set out in the tabled reference regarding this agenda item, had been **Tabled** by the Acting Corporate Director Children Schools and Families, a copy of which would be interleaved with the minutes.

Councillor Jackson, Chair of the OSC, addressed the Mayor and Cabinet members in relation to the tabled reference of the OSC (CAB 112/112), and recommendations made by OSC in referring this matter back to the Cabinet for further consideration, as set out in paragraph 9.1 of the reference. Councillor Jackson, also indicated that she would progress the request of the OSC that this matter was given further consideration at the next meeting of the full Council.

Ms Cattermole, Acting Corporate Director Children Schools and Families, at the request of the Mayor, advised in relation to the matters raised by the OSC in the tabled reference that she had nothing to add to her detailed response set out in the tabled paper.

Councillor Oliur Rahman, Cabinet Member for Children's Services, at the request of the Mayor, responded to matters raised by the OSC; as set out in the tabled reference presented by the Chair of the OSC, as follows:

- Expressing concern regarding the manner in which the OSC had undertaken scrutiny of the provisional decision of the Mayor in Cabinet

regarding Youth Service Delivery, to which Councillor Jackson subsequently responded, including:

- Scaremongering by members of the OSC who he considered had misled the public regarding the impact on service delivery of the proposals.
- Commenting that:
 - The proposals would have no effect on service delivery: there were no planned cuts in services, no proposed closures of youth clubs and no planned changes of venue for service provision. Young people would see no difference in the services they received.
 - However, it was clear that savings could be made in management costs and management flexibility enhanced within a centralised service. The focus for the Youth Service must be services for young people, not the preservation of jobs at the Council or contractor organisations. As Cabinet Member for this area, he had explained the rationale for the proposals to service providers and service users and they had all agreed there was a need for change and the proposals were reasonable.
 - It was acknowledged that the local authority was not able to provide youth services alone, and he was clear that partnerships would be central to the delivery of this work; including third sector and community organisations which currently provided services in most wards.

Councillor Rania Khan, Cabinet Member for Culture, at the request of the Mayor, commented that there would be change and innovation, but that no youth clubs would close under the proposals; indeed there would be capacity building for young people in a leadership role so that they could take increased ownership of youth service provision.

The Mayor:

- Thanked Councillor Jackson for presenting the contribution of the OSC, emphasising that he was grateful for the scrutiny role undertaken by the OSC.
- Commented as follows:
 - He understood there was a political dimension to positions being adopted for and against the proposals, and it was truthful to acknowledge this. The democratic process had allowed for both cases to be discussed.
 - He considered that what really mattered were the young people of Tower Hamlets who represented future of the Borough, and that youth services were provided that benefited them. It was his intention as Mayor that young people in Tower Hamlets received the best youth services and best education possible.
 - When he had become Leader of the Council in 2008, he had been the first to make clear that more investment in youth service provision was needed, and £1 million of additional resources had been provided per annum since then. The Youth Service now received £10 million per annum, more than double that of other local authorities in London. The Executive and

Cabinet Member for Children's Services would continue to strive to provide the best youth services and this was demonstrated by continued investment despite the backdrop of the Authority being required to identify £100 million of cuts in its Budget over 3 years. Not a penny had been taken away from the Youth Service.

- He considered there to be vested interests operating to protect their position in relation to provision of youth services; and this was why issues had arisen in relation to the proposals, when no cut in funding was being proposed and there would be no impact on service delivery received.
- As Mayor his intention was that there should be continued innovation in the delivery of youth services. He wanted more resources invested in front line youth service provision, particularly in activities, and less in management and staffing. He believed this was possible through in-house delivery. The intended outcome was more and better youth services.
- Summarised that he had noted the comments of the OSC and also taken account of the position of the Poplar HARCA in defending jobs, which he respected; but having reconsidered the previous decision he considered that it was the right decision and rejected the proposals in the reference from the OSC.
- Also commented that it was his intention that partnership working should continue, as this had both served the Community well to date and would be central to the future delivery of youth services. He was confident that those organisations already involved would continue to work in the best interests of the young people of the Borough. Accordingly the Mayor considered the additional recommendation, set out at Decision 3 below appropriate.
- Accordingly the **Mayor agreed** the following:

Decision

1. That the comments/ advice/ recommendations of the Overview and Scrutiny Committee, as detailed in the Tabled Reference (CAB 112/112) be noted;
2. That the provisional decision of the Mayor/Cabinet, made on 14th March 2012, in relation to Youth Service Delivery (CAB 080/112), be reaffirmed; and
3. That the Acting Corporate Director Children Schools and Families be requested to work with existing youth service providers with a view to continued and enhanced partnership working.

Councillor A. Asad re-entered the proceedings following the conclusion of the Cabinet deliberations in respect of this item, being 6.05pm.

6. A GREAT PLACE TO LIVE

6.1 Permit Schemes for Road Works (CAB 098/112)

Mr Beattie, Service Head Strategy and Resources and Olympic Impact, at the request of the Mayor, in introducing the report, summarised the key points contained therein.

The **Mayor agreed** the recommended decisions as set out in the report.

Decision

1. That the application to the Secretary of State to become a permit authority as part of final group of boroughs applying to join the Common Permit Scheme for London (LoPS), be approved; and
2. That the permitting scheme be implemented, subject to approval from the Secretary of State.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 098/112).

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 098/112).

7. A PROSPEROUS COMMUNITY

7.1 Determination of School Admission Arrangements for 2012/13 (CAB 099/112)

Councillor Oliur Rahman, Cabinet Member for Children's Services, at the request of the Chair, in introducing the report, summarised the key points contained therein emphasising that the main focus of the paper is to improve access to community primary schools by introducing a fairer (equal chance) admission system.

The **Mayor agreed** the recommended decisions as set out in the report.

Decision

1. That the final recommendations for the design catchment areas for admission to community primary schools, as set out in Appendices A (i) and A (ii) and paragraphs 6.1 - 6.8 of the report (CAB 099/112), be agreed;

2. That the admission criteria and arrangements for Tower Hamlets community primary schools, including the new 'tie break' criterion, as set out in Appendix B and paragraphs 6.1 – 6.13 of the report (CAB 099/112), be agreed;
3. That the scheme for co-ordinating Reception and Year 7 Admissions from 2013/14 onwards, as set out at Appendix C of the report (CAB 099/112), be agreed;
4. That the scheme for co-ordinating 'In-Year' Admissions from 2013/14 onwards, as set out at Appendix D to the report (CAB 099/112), be agreed; and
5. That the planned admission number for each Tower Hamlets School in 2013/14, as set out at Appendix E to the report (CAB 099/112), be agreed.

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.2 of the report (CAB 099/112).

Alternative Options Considered

These are detailed in paragraphs 4.1 to 4.2 of the report (CAB 099/112).

7.2 2012/13 Children, Schools and Families Capital Programme (CAB 100/112)

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.

The **Mayor agreed** the recommended decisions as set out in the report.

Decision

1. That the contents of the report (CAB 100/112) and specifically the predicted out-turn for the 2011/12 CSF Programme (as detailed in Appendix A) and proposed allocation of the funding available in 2012/13 (as detailed in Appendix B), be noted;
2. That the adoption of capital estimates for 2012/13 capital condition and improvement programme schemes, as shown in Appendix C to the report (CAB 100/112), be approved; and expenditure authorised, as set out in paragraph 6.11;
3. That the completion of the Primary Capital Programme (PCP) schemes, as shown in Appendix D to the report (CAB 100/112), be noted; and the increase in the overall capital estimate of £190,000 to

- be funded from school contributions, as set out in paragraph 6.13, be approved;
4. That the existing approved Primary School Expansion Programme, as detailed in Appendix E and paragraph 6.15 of the report (CAB 100/112), be noted;
 5. That the revised capital estimate of £6.84m for the works at Marners Primary School to be funded from the uncommitted funds within the CSF capital programme, as set out in paragraph 6.17 of the report (CAB 100/112), be approved;
 6. That the revised capital estimates of £4.68m for the works at Arnhem Wharf Primary School to be funded from the uncommitted funds within the CSF capital programme, as set out in paragraph 6.17 of the report (CAB 100/112), be approved;
 7. That the revised capital estimate of £3.58m for the works at Wellington Primary School, to be funded from uncommitted funds within the CSF capital programme and £140,000 from the school, as set out in paragraph 6.18 of the report (CAB 100/112), be approved;
 8. That the adoption of a capital estimate of £450,000 for the costs of providing additional short term accommodation if required for additional pupils until major works have been carried out to provide permanent additional school places be approved and expenditure authorised, as set out in paragraph 6.20 of the report (CAB 100/112);
 9. That the adoption of a capital estimate of £750,000 to cover the costs of developing proposals to be considered for inclusion in the capital programme be approved; and expenditure authorised, as set out in paragraph 6.21 of the report (CAB 100/112);
 10. That the inclusion of 3 Tower Hamlets schools in the Olympic Retrofit Programme funded by the Olympic Delivery Authority (ODA), as set out in paragraph 6.23 of the report (CAB 100/112), be noted;
 11. That the provision of a BMX track in Mile End Park to be funded by a maximum grant of £19,200, with the balance from the uncommitted balance in the Youth Services Accommodation Strategy, be approved; and a capital estimate of £32,000 be adopted, as set out in paragraph 6.26 of the report (CAB 100/112); and
 12. That, in respect of all proposed tenders referred in the report (CAB 100/112), in the event of the lowest tender for any scheme exceeding the approved budget, the Corporate Director Children Schools and Families be authorised to prepare and carry out a Bill of Reductions where relevant to ensure expenditure is contained within the agreed costs.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 100/112).

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 100/112).

7.3 Proposed Lease for the Use of Land in Patriot Square by St John's Church of England School and Proposed Transfer of interest in land in Poplar High Street used by the Holy Family RC School (CAB 101/112)

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.

The **Mayor agreed** the recommended decisions as set out in the report.

Decision

1. That the background to the proposed disposal of land be noted;
2. That the grant of a 125 year lease to the Trustee of St John's Church of England School of the parcel of land in Patriot Square, as shown in Appendix A to the report (CAB 101/112), at a peppercorn rent, be approved;
3. That the transfer of the Council's interest in the land to the Trustee of the Holy Family School of the parcel of land in Poplar High Street, as shown in Appendix B to the report (CAB 101/112), at a peppercorn rent be approved; and
4. That the Corporate Director for Development and Renewal after consultation with the Assistant Chief Executive (Legal Services) be authorised to finalise and agree any necessary terms to ensure the Council is able to successfully complete the proposed disposals.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 101/112).

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 101/112).

8. A SAFE AND COHESIVE COMMUNITY

8.1 Community Safety Plan 2012-13 (CAB 102/112)

Mr Beattie, Service Head Strategy and Resources and Olympic Impact, at the request of the Mayor, in introducing the report, summarised the key points contained therein.

The **Mayor agreed:**

- Amendments to the recommended decisions set out in paragraph 2.1 of the report to read as below in Decision 1 and 2.
- An amendment to the recommended decision set out in paragraph 2.2 of the report to read as below in Decision 3.

Decision

1. That the Community Safety Plan 2012-2013, attached at Appendix A to the report (CAB 102/112), and the priorities set out within it, be noted and endorsed;
2. That the Development and Consultation Plan for the Community Safety Plan 2013 onwards, attached at Appendix 1 to the Community Safety Plan 2012-2013, be noted and endorsed; and
3. That full Council be recommended to adopt the Community Safety Plan 2012-2013, as contained in Appendix A to the report (CAB 102/112).

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 102/112).

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 102/112).

9. A HEALTHY AND SUPPORTIVE COMMUNITY

9.1 Domiciliary Care Services (CAB 103/112) - To Follow

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

The **Mayor agreed** the recommended decisions as set out in the report.

Decision

1. That the clarification provided with regards to the future operation of the in-house home care service be noted; and

2. That it be confirmed that the current plans for the future operation of the in-house home care service be maintained.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 103/112).

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 103/112).

10. ONE TOWER HAMLETS

10.1 Communities, Localities & Culture Directorate Capital Programme 2012/13 (CAB 104/112)

Mr Beattie, Service Head Strategy and Resources and Olympic Impact, at the request of the Mayor, in introducing the report, summarised the key points contained therein, emphasising that:

- The proposed Capital Programme addressed the Mayor's priorities for improving the environment by improving the cleanliness and safety of local streets.
- The specific schemes recommended for inclusion in the CLC Capital Programme had been identified following technical assessments, joint discussion and agreement with Transport for London and safety reviews.
- The bulk of the funding was ring fenced to Transport and Highways schemes, with other schemes essential to help the Borough prepare for the service impact of Olympic Games.

The **Mayor agreed** the recommended decisions as set out in the report.

Decision

1. That the new schemes listed in appendix A to the report (CAB 104/112) be included within the Communities Localities and Culture Directorate's 2012/2013 Capital Programme;
2. That the Capital Estimates (sum specified in estimated scheme cost column) for the schemes outlined in Appendix A to the report (CAB 104/112), be adopted; and
3. That where possible the Council's Measured Term Contracts be used for the implementation of the Transport and Highways Works as appropriate.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 104/112).

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 104/112).

10.2 Proposed Amendments to Communities, Localities & Culture Directorate Budgets (CAB 105/112)

Councillor Choudhury, Cabinet Member for Resources, at the request of the Chair, in introducing the report, summarised the key points contained therein emphasising the following:-

- The report was the product of the Mayor's request, made at Budget Council [22nd February 2012] at the conclusion of discussion of the Mayor's Budget proposals, that officers review the concerns raised by the Labour Group/ suggested changes to the Budget proposals with regard to bulk waste collection, pest control, external furniture and signage, parking permits, and report back to Cabinet.
- Bulk Waste Collection
 - The charge per collection, proposed by the Mayor and Cabinet was modest and lower than almost all other local authorities.
 - Households in receipt of Housing Benefit would remain entitled to 2 free collections a year. This would protect those most in need in the Borough whilst ensuring that those with more disposable income helped to pay more directly for the removal and reprocessing of bulky rubbish that was thrown away.
 - There was no evidence that increasing charges for bulk waste collection increased fly tipping. DEFRA research showed that charging had not increased fly tipping.
- Pest Control
 - The position of the Mayor and Cabinet was that there would be no charge for the service to control rats.
 - 2012/13 would be used to analyse the impact of modest increases in charges for other forms of vermin controls on the residents of the Borough.
- External Furniture and Signage
 - This formed part of the ring-fenced Market Trading Account. Any reduction in the modest charges levied would need to be recouped from market traders or made up from charges to other traders or by a reduction in services.
 - Charges had not been increased since 2008 and there appeared no reason to reduce them now, when it would have a knock on effect on other traders.
- Parking Permits
 - The Budget proposal of the Mayor and Cabinet had supported large families who relied on cars for work and for transportation. These were families that were about to feel the effect of welfare benefit changes and which were already struggling with the rising cost of living and reduced income.

- It was known that the Borough's wealthy households with 3 cars living in private housing estates with off-road parking were not affected by the Authority's charges for permits.
- Concluded that for the reasons outlined, whilst the Mayor and Cabinet had reconsidered the Labour Group suggestions they remained committed to their original Budget proposals as providing the best way forward.

The **Mayor agreed** the recommended decisions as set out in the report.

Decision

1. That no change be made to the decision made on 11 January 2012 to introduce a £15 charge per bulk waste collection with two free annual collections for those in receipt of Housing Benefit, as detailed in the Mayor's budget;
2. That no change be made to the pest control charges that were agreed on 11 January 2012 to be imposed from 1 April 2012 and it be agreed that pest control charges should be reviewed as part of the fees and charges proposals for 2013/14;
3. That no change be made to the fees and charges for external furniture and signage for 2012/13; and
4. That no change be made to the decision made on 11 January 2012 to remove the surcharge for second, third and subsequent resident parking permits in 2012/13 as detailed in the Mayor's budget.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 105/112).

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 105/112).

10.3 To consider Council Motions - Insulation Initiatives Programme and Register of Private Sector Landlords (CAB 106/112) - To Follow

The Clerk informed the Mayor and members of the Cabinet that the report had been withdrawn by the Acting Corporate Director Development and Renewal.

10.4 Proposal for the Mayor's Fairness Commission (CAB 107/112)

Mr Keating, Service Head One Tower Hamlets, at the request of the Mayor, in introducing the report, summarised the key points contained therein.

The Mayor:

- Commented that:
 - The vision of his Administration for Tower Hamlets was a Tower Hamlets that was fair, cohesive and tolerant, where people were proud to live, work and belong. However Tower Hamlets has historically been a place of both great wealth and great poverty, making it one of the most unequal places in Britain.
 - Given this context, the report before the Cabinet regarding the Tower Hamlets Fairness Commission was very important. The independent Fairness Commission would consider local issues of fairness and equality and how they could be addressed by the Council and its partners and in doing so inform the Administration's response to the government cuts.
- **Agreed** the recommended decisions as set out in the report.

Decision

1. That there shall be a Mayor's Fairness Commission as proposed in the report (CAB 107/112); and
2. That the proposed timetable for the work of the Mayor's Fairness Commission, as set out in section 6 of the report (CAB 107/112), be noted.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 107/112).

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 107/112).

10.5 Future Sourcing Project- Preferred Bidder Recommendation (CAB 110/112)

Councillor Choudhury, Cabinet Member for Resources, at the request of the Chair, in introducing the report, summarised the key points contained therein emphasising the following:-

- Over a year ago the Mayor's Administration had decided to undertake a process to find a strategic partner to help deliver the Council's ICT service, implement a new finance system and support the Council's wider transformation agenda. It had been anticipated that by working differently and with the benefits of working with a world class ICT partner, costs could be reduced and service delivery improved; but also their scale would deliver social objectives for the Borough.
- The outcome of a robust and transparent procurement process had identified a strategic partner that would deliver these objectives, and over the period of the 7 year contract would:

- Modernise the Authority's ICT infrastructure, ensuring that it was more sustainable and better equipped to support the delivery of required services.
- Deliver savings and investment of £29 million.
- Give all staff working in the Authority's ICT department a guaranteed job for the life time of the contract.
- Protect the existing terms and conditions of those staff transferring for the lifetime of the contract.
- Contractually commit to creating 250 new jobs for borough residents, with these jobs targeted at the young and long term unemployed.
- Deliver investment of £3.9 million in the development of a jointly branded National Apprentice Institute based in Tower Hamlets. The institute would guarantee NVQ level 3 training for over 1000 residents and through this route provide 250 apprenticeships that should convert into 250 permanent jobs.
- The Mayor and Cabinet had been seeking a truly progressive partnership to improve services, protect existing staff and deliver a range of benefits for the Community including new jobs.

Mr Naylor, Corporate Director Resources, at the request of the Mayor, outlined the next formal steps in the process referred to by Councillor Chodhury:

- Concluding the contract after finalising the fine print.
- Ensuring the retention of pension terms and conditions by existing staff through the formal granting of admitted body status [Local Government Pension Scheme] to the strategic partner.

The Mayor:

- Thanked Councillor Choudhury, Cabinet Member for Resources, and Mr Naylor, Corporate Director Resources, and his officer team, for their contribution to the development of the proposals.
- Commented as follows:
 - There was an attractive offer of partnership on the table which would result in cost savings and improved ICT service delivery, together with future opportunities for local residents, particularly job and training opportunities for young people. It also represented a good offer for existing Council staff, as their current terms and conditions would be protected for the duration of the 7 year contract.
 - The contract was a large one for the Authority, and Officers must ensure that the terms of the contract were tight to ensure that the strategic partner was held to delivering its promises; or if it did not deliver, that there were sanctions available to penalise it and recoup the money/ opportunities lost. The partner must also be clear that the Authority would act, if necessary to enforce the contract terms. The role of the in-house legal team would be crucial to achieve this.
 - Officers must also ensure that adequate performance monitoring arrangements in relation to the contract were in place. Councillor

Choudhury subsequently assured the Mayor that there was to be a top level Project Board responsible for contract delivery and a number of mechanisms designed to identify performance issues early on.

- The Mayor was to be provided with clear advice and the contract document before he was prepared to sign it.

The **Mayor agreed** the recommended decisions as set out in the report.

Decision

1. That the organisation named in the Part 2 (exempt from publication) addendum report to be tabled at Cabinet (4 April 2012) be appointed as the Preferred Bidder (Partner) for the Future Sourcing Contract which will deliver an ICT Service, implement a new Finance and enhanced HR system and provide the appropriate support for a range of back office services;
2. That the benefits for the Authority and Community to be realised through establishing the Partnership, in line with the Mayor's priorities and the Authority's Community Plan, be noted;
3. That it be agreed to novate to the Preferred Bidder wherever possible, and where this is not possible to appoint the Preferred Bidder as Managing Agent for the contracts for all of the Authority's existing IT supply and services contracts with effect from the commencement date of the Future Sourcing Contract;
4. That it be agreed, subject to the Preferred Bidder entering into all necessary documentation, to admit the Preferred Bidder into the Local Government Pension Scheme as an admitted body;
5. That the Corporate Director of Resources be authorised, after consultation with the Mayor and the Assistant Chief Executive (Legal Services), to finalise contract arrangements with the Preferred Bidder in order that a contract may be signed for 1 May 2012; and
6. That the Assistant Chief Executive (Legal Services) be authorised, to execute all necessary documentation to enter into the contractual arrangements with the Preferred Bidder including pension documentation and documentation to novate the IT contracts or appoint the Preferred Bidder as Managing Agent for them.

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.3 of the report (CAB 110/112).

Alternative Options Considered

These are detailed in paragraphs 4.1 to 4.10 of the report (CAB 110/112).

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 Report on the Adult Social Care Local Account April 2010 - October 2011 (CAB 108/112)**

Councillor Asad, Cabinet Member for Health and Wellbeing, informed the Mayor/ Cabinet that the formatting of page 5 of Appendix 1 [Local Account January 2012]. to the report required minor revision.

The **Mayor agreed** the recommended decision as set out in the report.

Decision

That the Local Account 2012 attached at Appendix 1 to the report (CAB 108/112), be noted.

Reasons for Decisions

These are detailed in paragraph 3.1 of the report (CAB 108/112).

Alternative Options Considered

These are detailed in paragraph 4.1 of the report (CAB 108/112).

12.2 Exercise of Corporate Directors' Discretions (CAB 109/112)

The **Mayor agreed** the recommended decision as set out in the report.

Decision

That the exercise of Corporate Directors' discretions, as set out in Appendix 1 to the report (CAB 108/112), be noted.

Reasons for Decisions

These are detailed in paragraphs 3.1 to 3.2 of the report (CAB 109/112).

Alternative Options Considered

These are detailed in paragraphs 4.1 to 4.2 of the report (CAB 109/112).

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 14th March 2012) 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 or business of particular persons namely the bidders and the Council.
 - Agenda item 21.0 “Future Sourcing Preferred Bidder Recommendation - Exempt Confidential Addendum Report to Unrestricted Report” contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating the financial affairs or business of particular persons namely the bidders and the Council.
- (b) As although there is a public interest favouring public access to local authority meetings, in this case the Cabinet concluded that given the information contained in:
- Agenda item 14. “Exempt/ Confidential Minutes” (of the meeting of the Cabinet held on 14th March 2012) 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 or

business of particular persons namely the bidders and the Council.

- Agenda item Agenda item 21.0 “Future Sourcing Preferred Bidder Recommendation - Exempt Confidential Addendum Report to Unrestricted Report” contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating the financial affairs or business of particular persons namely the bidders and the Council.

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

SUMMARY OF EXEMPT PROCEEDINGS

14. EXEMPT / CONFIDENTIAL MINUTES

Minutes circulated for information.

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

21. FUTURE SOURCING PREFERRED BIDDER RECOMMENDATION - EXEMPT CONFIDENTIAL ADDENDUM REPORT TO UNRESTRICTED REPORT (CAB 111/112) - TO FOLLOW

Reasons for urgency agreed.

Recommendations agreed.

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

Nil items.

23. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil items.

The meeting ended at 6.50 p.m.

Chair, Mayor Lutfur Rahman
Cabinet