

## LONDON BOROUGH OF TOWER HAMLETS

## MINUTES OF THE CABINET

HELD AT 5.40 P.M. ON WEDNESDAY, 5 SEPTEMBER 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 Shahed Ali	(Cabinet Member for Environment)
Councillor Abdul Asad	(Cabinet Member for Health and Wellbeing)
Councillor Alibor Choudhury	(Cabinet Member for Resources)
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 Ann Jackson	(Chair, Overview & Scrutiny Committee)

**Officers Present:**

Kevin Kewin	– (Service Manager, Strategy & Performance, Chief Executive's)
Chris Holme	– (Service Head Resources and Economic Development, Development & Renewal)
Alison Thomas	– (Acting Joint Service Head, Strategy Innovation and Sustainability, Development & Renewal)
Paul Leeson	– (Finance Manager, Development & Renewal)
Ann Sutcliffe	– (Service Head Building Strategic Property and Capital Delivery, Development & Renewal)
Deborah Cohen	– (Service Head, Commissioning and Strategy, Adults Health and Wellbeing)
Katherine Ball	– (Senior Accountant, Development & Renewal)
Sarah Barr	– (Senior Strategy Policy and Performance Officer, One Tower Hamlets, Chief Executive's)
Ellie Kuper-Thomas	– (Strategy, Policy and Performance Officer - Executive Mayor's Office, One Tower Hamlets, Chief Executive's)
Martin Ling	– (Housing Policy Officer)
Susan Mulligan	– (Communications Advisor)
Shamima Khatun	– (Graduate Management Trainee)

—

## 1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Ohid Ahmed (Deputy Mayor)
- Councillor Shafiqul Haque (Cabinet Member for Jobs and Skills)
- Stephen Halsey (Corporate Director Communities, Localities and Culture) for whom Andy Bamber (Service Head Community Service) was deputising.
- Robin Beattie (Service Head Strategy and Resources)

**Noted.**

## 2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

None were declared.

## 3. UNRESTRICTED MINUTES

The unrestricted minutes of the ordinary meeting of the Cabinet held on 25 July 2012 were **Tabled** for information.

## 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 Ann Jackson, Chair of the Overview and Scrutiny Committee (OSC), addressed the Mayor and members of the Cabinet. She reported that OSC had received a number of reports and in particular highlighted that:

- Members welcomed the new look Enforcement report and were keen to further examine the context to the activity and how success was measured.
- More information had been requested relating to reports on noise abatement and electoral fraud.
- OSC had highlighted the importance of increasing the gender balance amongst managers and were keen to view data on the Work Programme performance once available.
- A report had been received updating Members on the Supporting New Communities Scrutiny Review which amongst other things had

highlighted good work done by Tower Hamlets Homes in understanding why there were rent arrears problems in the Somali Community and how they tackled this issue.

The **Mayor** thanked Councillor Jackson for her presentation and in particular highlighted his own determination to see an increase in female and BME staff and managers.

## **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 in Cabinet, at the Cabinet meeting held on 25 July 2012.

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

### **6.1 Tenancy Strategy (CAB 023/123)**

During the introduction, officers reported a number of minor drafting errors in the report. Namely that the existing paragraphs 15.1, 16.1 and 18.1 should be replaced with the following:

- 15.1 There are no specific Sustainable Action for a Greener Environment Implications.
- 16.1 There are no Risk Management implications in the consultation over the draft Tenancy Strategy.
- 18.1 There are no efficiency implications in the consultation over the Draft Tenancy Strategy.

Cabinet Members encouraged residents to submit comments during the consultation period and also noted the concurrent consultation with the Mayor of London.

The **Mayor** noted the questions raised by the Overview and Scrutiny Committee, the need for clear processes around ten year tenancies and that an Equalities Impact Assessment had been produced.

### **Decisions**

1. To agree the draft tenancy strategy attached at Appendix B for consultation.
2. To agree the consultation process set out at 7.0 in the report which includes details of the statutory consultation required.

## **7. A PROSPEROUS COMMUNITY**

### **7.1 Planning to Meet the Growth Requirement for School Places (CAB 024/123)**

Note – Agenda Items 7.1 (Planning to Meet the Growth Requirement for School places) and 7.2 (Children, Schools and Families Capital Programme) were considered together and the combined minute is set out here:

Councillor Oliur Rahman, Cabinet Member for Children’s Services, introduced the report. He updated Members on the efforts being made to identify potential school sites to meet rising demand. He stated that residents’ concerns were being listened to about potential school sites.

Following questions from the Overview and Scrutiny Committee, Officers agreed to provide absolute figures for the number of children who did not get their first choice primary or secondary school places.

The Mayor noted the significant planning the Council had been undertaking to deal with the increase in the need for school places. He also remarked on the need for the Development Committees to help in ensuring the provision of Section 106 contributions from new commercial developments.

#### **Decisions**

1. To note the contents of the report at Appendix A, Planning for School Places 2012 – 2022 and confirm the priority for school places to be provided to contribute towards sustainable local communities;
2. To note the long term strategic planning proposals for providing additional school sites;
3. To agree the proposed change of use of the Professional Development Centre (PDC), English Street for primary school use;
4. To note the proposed relocation of the existing services located at the PDC to the Bethnal Green Centre, 229 Bethnal Green Road;
5. To agree that the existing site of Bow School should be retained for school use and the proposed change to primary school use, subject to a further detailed report.

### **7.2 Children, Schools and Families Capital Programme (CAB 025/123) (To Follow)**

Note – Agenda Items 7.1 (Planning to Meet the Growth Requirement for School places) and 7.2 (Children, Schools and Families Capital Programme) were considered together and the combined minute is set out under Item 7.1.

### **Decisions**

6. To note the proposed schemes to provide additional places at Bonner Primary School by adapting the buildings currently used as the Professional Development Centre in English Street, E3, to adopt the capital estimate of £5.0m and approve entering into a phased contract with the LEP for the construction works.
7. To note the associated relocation costs required to implement the expansion of Bonner School and adopt a capital estimate of £2.3m for the works to Bethnal Green Centre and associated relocation costs;
8. To note the proposed scheme to expand Woolmore Primary School and to adopt a preliminary capital estimate of £10m;
9. To agree the proposed use of unapplied Children's Services grants held within the Early Intervention Reserve to support capital schemes match funded by schools and adopt a capital estimate of £1.1m to fund the projects.
10. To agree the proposed additional funding for completion of works at Bowden House School and adopt a capital estimate of £330,000 for the works.

### **7.3 Mainstream Grants - Update and Extension of Current Programme (CAB 026/123)**

#### **Decisions**

1. To note the current position with regard to applications for the 2012-2015 Mainstream Grants as outlined in paragraphs 6.1 to 6.3.
2. To agree a 3-month extension of currently funded projects through to 31 December as set out in paragraph 6.4
3. To agree to send a letter to all currently funded organisations advising them that the Council is reviewing funding and that their funding is not secure after 31 December 2012 but they will be advised if they have been successful following the October Cabinet meeting. Where an organisation has not made any application for future funding they will be advised that this will cease on 31 December 2012.

### **8. A SAFE AND COHESIVE COMMUNITY**

Nil items.

## 9. A HEALTHY AND SUPPORTIVE COMMUNITY

### 9.1 Adult Health and Wellbeing Commissioning Plan 2012-15 (CAB 027/123)

Note – Agenda Items 9.1 (Adult Health and Wellbeing Commissioning Plan 2012-15) and 9.2 (Market Position Statement) were considered together and the combined minute is presented here:

Responding to questions, officers reported that:

- An exercise by the Local Government Ombudsman had generated a number of complaints but that the increase was in line with the rest of England.
- In general, Block Contracts were only a small percentage of spend and the approach was to further reduce their use to allow for increased patient choice. At the same time however, vulnerable residents would need support to ensure their choices were in their own best interest.
- It was hoped the Plan would increase local employment opportunities and would require contractors to pay the London living wage.
- Officers would prepare a briefing on additional issues raised by Members at the meeting around work to identify and tackle particular mental health issues suffered by cultural groups such as young Bangladeshis or the Somali Community.
- A campaign was to be run seeking feedback on domiciliary care.

The **Mayor** welcomed the report as setting out the aims of the Administration and Council.

#### **Decision**

1. To approve the implementation of the Adults Health and Wellbeing Commissioning Plan 2012-2015

### 9.2 Market Position Statement (CAB 028/123)

Note – Agenda Items 9.1 (Adult Health and Wellbeing Commissioning Plan 2012-15) and 9.2 (Market Position Statement) were considered together and the combined minute is presented under item 9.1.

#### **Decision**

1. To Approve the Market Position Statement document for online publication and promotion.

## 10. ONE TOWER HAMLETS

### **10.1 Update on Council development projects and Proposal to dispose of surplus (CAB 029/123)**

Councillor Alibor Choudhury (Cabinet Member for Resources) introduced the report. He highlighted that disposals would allow new uses for the buildings or sites as well as releasing funds for the Councils' priorities such as Housing. He noted a minor error in the report that the last sentence in paragraph 7.21 should be deleted.

The Mayor welcomed the report and, following concerns raised earlier, noted that options were being sought for the LEB Building and Cheviot House and that retaining ownership was preferred.

#### **Decisions**

1. To formally declare the following properties, discussed in section 6.8 and 7 of the report, surplus to operational requirements and authorise the Corporate Director, Development and Renewal to arrange their marketing and open market disposal using external selling agents.

The properties proposed for disposal include:

- Ground lease investment (Travelodge site) East India Dock
  - Land at 1-3 Tent Street
  - Tredegar Boiler House, 329 Morville Street
  - The Blue Anchor PH
  - The Old Ship PH
  - The Queenshead PH
  - Watts Grove Depot
2. To agree to the source and cost of sale funding of up to 4% of the property's value for each of the sites noted in recommendation (1) above.
  3. To authorise the Corporate Director of Development and Renewal in consultation with the Assistant Chief Executive (Legal Services) to accept the offers which represent best consideration to the Council
  4. To authorise the Assistant Chief Executive (Legal Services) to execute the necessary documents to implement the recommendation in (1) above.
  5. To authorise officers to produce the options appraisal for the following sites, including the procurement options including a Value for Money assessment; the LEB site, Cheviot House, 2 Jubilee Street, 11-31 Toynbee Street and 31 Turner Street, so as to allow the Council to develop the sites directly. Thus retaining the assets rather than being sold in the open market per earlier Cabinet decisions including decisions taken in August 2011 and August 2012.

6. To note the project progress update in relation to properties referred to in recommendation (5) above.
7. To authorise the short term lease of Sutton Street depot and to agree that this site will not be sold in the immediate future.

#### **10.2 Housing Revenue Account - Budget Outlook 2013/14-2015/16; New Right to Buy Agreement governing the use of receipts; Development and Renewal Capital Estimates (HRA and General Fund) - 2012/13 (CAB 030/123)**

The Service Head Resources introduced the report and in particular highlighted why Cabinet were being recommended to sign up to the government scheme to reuse some of the right to buy receipts to help replenish housing stock.

Councillor Rabina Khan, Cabinet Member for Housing, highlighted that Members would monitor housing provision policies including those designed to engage private landlords in the provision of social housing.

Following questions, officers confirmed that they would have to carefully track the impact of the bigger Right to Buy discounts now available to residents but that planning was already underway.

#### **Decisions**

1. To agree entry by the Council into an agreement with the Secretary of State governing the use of right to buy receipts received from the second quarter of 2012/13 as set out in Appendix 1 and authorise the Corporate Director, Development and Renewal in consultation with the Assistant Chief Executive (Legal Services) to make any necessary amendments to the agreement prior to execution.
2. To consider the HRA financial outlook and medium term projection set out in this report, and note the pressures and risks facing the HRA and the possible need for further savings over the medium-term financial plan period.
3. To agree that with regards to the HRA, the strategic and resource planning process should focus on agreeing savings proposals in order, as far as possible, to mitigate the risks presented by the changes to right to buy and the impact of forthcoming welfare reforms.
4. To agree the adoption of a capital estimate of £500,000 in respect of Private Sector Improvement Grants, including Empty Property Grants, for 2012-13, to be financed from ringfenced resources received from the East London Renewal Partnership (paragraphs 11.1 to 11.7).



5. To agree the adoption of a capital estimate of £3,500,000 to allow the passporting of specific Section 106 resources to Transport for London as a contribution towards the upgrade of Bromley by Bow station (paragraphs 12.7 to 12.10).
6. To agree the adoption of a capital estimate of £3,200,000 to allow passporting of specific Section 106 resources to NHS London as a contribution to support the refurbishment of the Wellington Way Health Centre (paragraphs 12.11 to 12.15).
7. To authorise entry by the Council into a grant agreement with the Greater London Authority in relation to the redevelopment of the St Clement's Hospital site on terms to be agreed by the Corporate Director, Development and Renewal in consultation with the Assistant Chief Executive (Legal Services).
8. To authorise the Assistant Chief Executive (Legal Services) to enter into all necessary documents to implement the decisions above.

### **10.3 Contracts Forward Plan (CAB 031/123)**

During the introduction to the report, officers explained that Contract AHWB 4213 (page 309 of the agenda) should be removed from the list as it was not currently ready.

#### **Decisions**

1. To note the contracts listed in the report.
2. To authorise the relevant Corporate Director who holds the budget for the service area to award the contract or contracts in consultation with the Assistant Chief Executive (Legal Services).
3. To authorise the Assistant Chief Executive (Legal Services) to execute all necessary contract documents in respect of the awards of contracts referred to at recommendation 2 above.

### **10.4 Strategic Performance and Corporate Revenue and Capital Budget Monitoring Q1 2012/13 (Month 3) (CAB 032/123)**

Councillor Alibor Choudhury, Cabinet Member for Resources, introduced the report and highlighted that although it was early in the financial year the Council was in line with budget targets.

Following questions, officers agreed to:

- Provide the Chair of Overview and Scrutiny Committee with details on how actual asset sale values had compared to valuations.

- Report to the Cabinet Member for Health and Wellbeing why the council was contributing to the cost of developing the Mayor of London's Cycle Network within the borough.

### **Decisions**

1. To review and note the Quarter 1 2012/13 performance; and
2. To note the Council's financial position as detailed in sections 3 and 4 and Appendices 1-4 of this report.

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

Nil items.

## **12. UNRESTRICTED REPORTS FOR INFORMATION**

### **12.1 Exercise of Corporate Directors' Discretions (CAB 033/123)**

#### **Decision**

1. To note the exercise of Corporate Directors' discretions as set out in Appendix 1.

## **13. EXCLUSION OF THE PRESS AND PUBLIC**

#### **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 25 July 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 of the Council.
- Agenda item 20.1 "Update on Council development projects and Proposal to dispose of surplus (CAB 0034/123)." contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs of the Council.
- (b) As although there is a public interest favouring public access to local authority meetings, in this case the Cabinet concluded that given the information contained in:
- Agenda item 14. "Exempt/ Confidential Minutes" (of the meeting of the Cabinet held on 25 July 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 of the Council.
  - Agenda item 20.1 "Update on Council development projects and Proposal to dispose of surplus (CAB 0034/123)." 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.

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

#### **14. EXEMPT / CONFIDENTIAL MINUTES**

Minutes (Cabinet 25 July 2012) 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**

**20.1 Update on Council development projects and Proposal to dispose of surplus (CAB 034/123)**

The mayor agreed the special circumstances and reasons for urgency.

Recommendations from the report agreed.

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

Nil items.

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

Nil items.

The meeting ended at 6.46 p.m.

Chair, Mayor Lutfur Rahman  
Cabinet