

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.00 P.M. ON WEDNESDAY, 4 APRIL 2007

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

Members Present:

Councillor Denise Jones (Chair)	(Leader of the Council)
Councillor Helal Abbas	(Lead Member, Children's Services)
Councillor Ohid Ahmed	(Lead Member, Regeneration, Localisation and Community Partnerships)
Councillor Anwara Ali	(Lead Member, Equalities, Employment and Skills)
Councillor Rupert Bawden	(Lead Member, Housing and Development)
Councillor Sirajul Islam (Vice-Chair)	(Deputy Leader of the Council)
Councillor Joshua Peck	(Lead Member, Resources and Performance)
Councillor Lutfur Rahman	(Lead Member, Culture)
Councillor Abdal Ullah	(Lead Member, Cleaner, Safer, Greener)

Other Councillors Present:

Councillor Timothy O'Flaherty	
Councillor Rofique U Ahmed	
Councillor Shahed Ali	
Councillor Alibor Choudhury	
Councillor Stephanie Eaton	(Scrutiny Lead Member, Learning, Achievement and Leisure)
Councillor Marc Francis	
Councillor Peter Golds	
Councillor Clair Hawkins	(Scrutiny Lead Member, Living Safely)
Councillor Ahmed Hussain	
Councillor Azizur Rahman Khan	
Councillor Oliur Rahman	
Councillor Motin Uz-Zaman	(Chair, Overview and Scrutiny Committee)

Others Present:

Officers Present:

Kevan Collins	– (Corporate Director, Children's Services)
Alex Cosgrave	– (Corporate Director, Environment & Culture)
Julian Francis	– (Political Adviser to the Conservative Group)
Isabella Freeman	– (Assistant Chief Executive [Legal Services])
John Goldup	– (Director of Adult Services)
Maureen McEleney	– (Director of Housing Management)
Julie Parker	– (Interim Director of Resources)
Chris Payne	– (Acting Head of Communications)
Emma Peters	– (Corporate Director, Development & Renewal)
Martin Smith	– (Acting Chief Executive)
Chris Weavers	– (Political Adviser to the Majority Group)
Sara Williams	– (Assistant Chief Executive)
Lara Cerroni	– (Communications Officer)
Margaret Cooper	– (Head of Transportation and Highways)
Luke Cully	– (Finance Manager, Environment & Culture)
Alan Finch	– (Service Head, Corporate Finance)
Chris Holme	– (Service Head, Resources, Development & Renewal)
Jim Roberts	– (Service Head, ICT)
John Williams	– (Service Head, Democratic Services)

The following is a record of those decisions taken by the Cabinet at their meeting held on 4th April 2007.

Please note that the order of business was varied by resolution of the Cabinet, however for ease of reference the decisions taken are set out below in the order detailed in the agenda.

Most decisions **may be 'called in'**, by the Assistant Chief Executive, for scrutiny by the Overview and Scrutiny Committee to be held on Tuesday 1st May 2007, on receipt of a written request.

The **deadline** for the receipt of any such written request is **5.00pm on Tuesday 17th April 2007**. Such requests should be made to John Williams, Service Head Democratic Services -Tel 020 7364 4204.

The request to "call in" a decision must comply with the requirements set out in the Council's Constitution (Part 4 – Rules of Procedure, Section 4.5 – Overview and Scrutiny Procedure Rules, Rules 16.2 and 16.3). This sets out the time-scale for "call in", those persons who may "call in" and those details the request must contain.

The Council's Constitution (Part 4 – Rules of Procedure, Section 4.5 – Overview and Scrutiny Procedure Rules, Rule 16.4 **sets out those decisions**

that may not be “called in” for further consideration by the Overview and Scrutiny Committee.

Report authors will be advised by Democratic Services if any decision in respect of an item they have placed on the agenda has been “called in”.

Any decision not “called in” for scrutiny can be implemented on Wednesday 18th April 2007.

Any decision ‘called in’ for scrutiny but supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 1st May 2007, can be implemented the following day, Wednesday 2nd May 2007.

Any decision ‘called in’ for scrutiny but not supported by Overview and Scrutiny Committee will be referred back to the Cabinet for further consideration on Wednesday 2nd May 2007.

COUNCILLOR D. JONES IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Abdul Asad, Lead Member, Health & Wellbeing.

2. DECLARATIONS OF INTEREST

Councillor S. Islam declared a personal interest in Agenda item 11.2 “Environment & Cultural Services Directorate Capital Programme 2007/2008”. The declaration of interest was made on the basis that Councillor Islam was a Governor of John Scurr School.

Councillor D. Jones declared a personal interest in Agenda item 7.1 “Local Implementation Plan 2005-2011 Progress Report” and Agenda item 11.2 “Environment & Cultural Services Directorate Capital Programme 2007/2008”. These declarations of interest were made on the basis that Councillor Jones was a Governor of Mulberry School.

Councillor D. Jones declared a personal interest in Agenda item 8.1 “Delivering Choosing Health – Obesity in Young People: Response to Recommendations of Scrutiny Working Group”. The declaration of interest was made on the basis that Councillor Jones was a non-executive member of the Tower Hamlets Primary Care Trust.

Councillor J. Peck declared a personal interest in Agenda item 9.1 “Ocean New Deal for Communities”. The declaration of interest was made on the basis that Councillor Peck was a representative of the Authority on the governing body of the Bethnal Green and Victoria Park Housing Association.

3. UNRESTRICTED MINUTES**Resolved**

That the unrestricted minutes of the ordinary meeting of the Cabinet held on 7th March 2007 be approved and signed by the Chair, as a correct record of the proceedings.

Action by:**ASSISTANT CHIEF EXECUTIVE (S. WILLIAMS)**

Senior Committee Officer (A. Taylor)

4. DEPUTATIONS & PETITIONS**Resolved**

1. That the deputation by Ms Daley and Mr Khan on behalf of the Ocean Estate Tenants & Leaseholders Association, in respect of Agenda Item 9.1 "Ocean New Deal for Communities" (CAB 163/067) be formally received and noted;
2. That the points raised in the deputation and statement tabled on behalf of Ocean Estate Tenants & Leaseholders Association be given consideration during Cabinet deliberation of the item of business to which the statement related; and
3. That any outstanding issues raised by the deputations be referred to the Director Housing Management for attention and response in writing within 28 days, in accordance with the Authority's Constitution (Part 4, Rules of Procedure, Section 4.1 Council Procedure Rules, Rule 20.7).

Action by:**CORPORATE DIRECTOR OF DEVELOPMENT AND RENEWAL (E. PETERS)****5. AUDIT COMMISSION ANNUAL AUDIT AND INSPECTION LETTER 2005/2006 - PRESENTATION BY DISTRICT AUDITOR****Resolved**

That the Audit Commission Annual Audit and Inspection Letter 2005/06, and the presentation by the District Auditor, be noted.

Action by:**INTERIM DIRECTOR OF RESOURCES (J. PARKER)
ASSISTANT CHIEF EXECUTIVE (S. WILLIAMS)****6. OVERVIEW & SCRUTINY COMMITTEE**

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

Nil items

6.2 Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee**6.2(i) Ocean New Deal for Communities**

The Chair clarified that this item had not in fact been "called in" but was referred by the Cabinet on 7 March 2007 to the Overview and Scrutiny Committee for consideration and advice.

The comments of the Overview and Scrutiny Committee held on 3rd April 2007 were tabled (orange paper) and Councillor M. Uz-Zaman, Chair of the Overview and Scrutiny Committee, presented the key points to the meeting.

Resolved

1. That the comments of the Overview and Scrutiny Committee as tabled be noted and that the Cabinet take these comments into account in their consideration of Agenda item 9.1 "Ocean New Deal for Communities"

Action by:

CORPORATE DIRECTOR OF DEVELOPMENT AND RENEWAL (E. PETERS)

6.2 (ii)-(iv) Other items "Called in"

Noted that three decisions of the Cabinet on 7th March, as listed in the agenda, had been "Called in" for consideration by the Scrutiny and Overview Committee.

Councillor S Eaton, Scrutiny Lead Member for Learning, Achievement and Leisure, reported that the Overview and Scrutiny Committee on 3rd April had decided not to refer any of these decisions back to the Cabinet for further consideration.

Noted**7. A BETTER PLACE FOR LIVING SAFELY****7.1 Local Implementation Plan 2005-2011 Progress Report (CAB 161/067)****Resolved**

1. That progress in securing funding for delivery of the third year of the LIP programme be noted as set out in section 4 of the report;

2. That the criteria for development of the LIP bid for 2008/9 be noted; and
3. That the schemes listed in Table 2 (Section 6.1) of the report be approved for inclusion in the LIP bid for funding from Transport for London in 2008/9, to be submitted by June 15th 2007.

Action by:

CORPORATE DIRECTOR ENVIRONMENT & CULTURE (A. COSGRAVE)

Head of Transportation & Highways (M. Cooper)

8. A BETTER PLACE FOR LIVING WELL

8.1 Delivering Choosing Health - Obesity in Young People: Response to Recommendations of Scrutiny Working Group (CAB 162/067)

Resolved

1. That the Action Plan in response to the recommendations from the Scrutiny Working Group on Choosing Health be approved as attached at Appendix 1 to the report.
2. That the report of the Health Scrutiny Panel Working Group on Choosing Health attached at Appendix 2 be noted.
3. That the Health Scrutiny Panel be requested to provide an update on progress in implementing the Action Plan in Summer 2007.

Action by:

ASSISTANT CHIEF EXECUTIVE (S. WILLIAMS)

Scrutiny Policy Manager (A. Steward)

9. A BETTER PLACE FOR CREATING AND SHARING PROSPERITY

9.1 Ocean New Deal for Communities (CAB 163/067)

The points raised by the deputation from the Ocean Estate Tenants & Leaseholders Association (Agenda item 4); and the response of the Overview and Scrutiny Committee (3rd April 2007) to the Cabinet's request for consideration and advice on this matter (tabled at Agenda item 6.2(i) were noted. Officers were further asked to take these points into account when developing proposals for the next phase of consultation.

The Chair moved an amendment to the recommendations as follows:

To add an additional recommendation at 2.2.3.1 'To agree that the reprovion of services and facilities will be the subject of consultation with existing service

providers and will include consideration of possible reprovision of services and facilities on the site of Haileybury/Dame Colet, as part of any redevelopment scheme'.

This amendment was agreed and is included at resolution 9 below.

The Cabinet further agreed that in accordance with Section 17 of the Overview and Scrutiny Procedure Rules, the decisions on this matter are urgent and may therefore not be subject to call-in.

Resolved

The Rapid Review Context (Section 4)

1. That the outcome of the Communities and Local Government rapid review and its implications for the Ocean New Deal for Communities programme be noted.
2. That the indicative funding gap with regard to delivery of the regeneration of the Ocean Estate, as identified in paragraphs 4.3 and 5.4 of the report, be noted
3. To note that New Deal for Communities (NDC) grant cannot be utilised to fund a decent homes package (paragraph 4.8).
4. To note that the NDC funding allocated for housing regeneration (£17.4million and for community facilities (£1.8million) is predicated on an alternative regeneration package being identified that will ensure transformational change on the estate.
5. To note that the NDC funding allocated for housing regeneration and community facilities is further dependent on the Council's housing capital programme allocation (£14.25million) remaining ring-fenced for the Ocean Estate.

The Revised Approach to Housing Regeneration (Section 5)

6. That the Regeneration Partnership Approach, as set out in paragraphs 5.4 to 5.10 of the report, provides the optimum approach to delivering transformational change, in that it enables retained stock to remain within the Council's control, and tenancies of retained stock to remain secure Council tenancies, while attracting partnership investment funding for both refurbishment and new build of mixed tenure homes on the estate.
7. To note that the Regeneration Approach is dependent upon a number of "feeder" sites, listed in paragraph 5.15, being placed, when vacated, into a special purpose vehicle on a long leasehold basis, for nil consideration.

8. That the feeder sites/buildings listed in paragraph 5.15 be declared surplus to requirements, upon satisfactory relocation of existing service providers where appropriate.
9. To agree that the reprovision of services and facilities will be the subject of consultation with existing service providers and will include consideration of possible reprovision of services and facilities on the site of Haileybury/Dame Colet, as part of any redevelopment scheme'
10. That the Corporate Director of Development and Renewal can transfer the feeder sites, as listed in paragraph 5.15, when vacated, to a special purpose vehicle on a long leasehold basis, at nil consideration.
11. To note that the Regeneration Partnership Approach is further dependent on Urban Block E (Option 1) comprising the blocks listed in paragraph 5.9.1, or Urban Block E and Urban Block F (Option 2) comprising the blocks listed in paragraphs 5.9.1 and 5.10.1, also being placed, when vacant, into the special purpose vehicle on a long leasehold basis, for nil consideration.
12. That the Corporate Director of Development and Renewal can transfer Urban Block E, or Urban Block E and Urban Block F, when vacant, to the special purpose vehicle on a long leasehold basis, for nil consideration.
13. To note that Option 2, as set out in paragraph 5.10 is likely to provide the most comprehensive regeneration for the estate, but that both options 1 and 2 be worked up further.
14. That the Corporate Director of Development and Renewal, after consultation with the Assistant Chief Executive (Legal Services) and Director of Resources, be authorised to determine the form of procurement for an investment partner, as set out in paragraph 5.6, in accordance with European Union procurement rules and financial regulations.

The Vacation of Council Blocks

15. To note that the blocks grouped in Urban Block E, and listed in paragraph 5.9.1 already have decant status.
16. That decant status be granted, with effect from September 2007, for the blocks grouped in Urban Block F and listed in paragraph 5.10.1.
17. That the Corporate Director of Development and Renewal be authorised to negotiate voluntary buyback of leaseholder interests in Urban Block F, as set out in paragraph 5.17.
18. That a Compulsory Purchase Order (CPO) be made as set out in paragraph 5.18 of the report, in respect of all interests in the properties listed in paragraph 5.18.3 (Urban Block E), and to include in the CPO

any further properties bought under right to buy, prior to the expected date of taking possession under the CPO; and that the Corporate Director of Development and Renewal be authorised, after consultation with the Assistant Chief Executive (Legal Services) and Director of Resources, to make the CPO and carry out all necessary steps to acquire the properties.

Capital Estimates

19. That a capital estimate be adopted to the value of £33.45million, comprising £19.2million NDC grant and £14.25 from the Housing capital programme, for the capital costs arising from the development and delivery of a housing regeneration programme for the Ocean Estate, and associated decants.
20. That the use of retained development and legal consultants be approved as set out in paragraphs 5.6.4 and 5.6.5 of the report to further develop the scheme to enable delivery within NDC grant timescales.

Community Facilities (Section 6)

21. To note that as part of the regeneration programme, new and improved community facilities will be provided on the estate.
22. To note that three of the feeder sites set out in paragraph 5.15 (LIFRA Community Hall, Haileybury Centre and 79 Ben Jonson Road) are currently occupied by organisations providing vital community services, and that continuity of provision of accommodation will be protected and built into the timetable for the regeneration programme.

Delivery Plan 2007/08 (Section 7)

23. That the draft outline Delivery Plan for 2007/8 be agreed for submission to the Government Office for London, and authority be delegated to the Corporate Director, Development and Renewal to effect minor amendments to the text.
24. That interim funding be agreed for the first quarter 2007/8 for a number of projects originally scheduled for continuation (paragraph 7.7).
25. To note that the detailed Delivery Plan will be submitted for Members' consideration in June 2007.

Delivery Arrangements (Section 8)

26. That the revised delivery arrangements for the Ocean NDC programme be agreed in principle as set out in section 8 of the report, and the Cabinet note that the final arrangements will be set out in the report accompanying the detailed delivery plan in June 2007.

Urgency

27. That in accordance with Section 17 of the Overview and Scrutiny Procedure Rules, the above decisions 1 to 26 are urgent and may therefore not be subject to call-in.

Action by:

CORPORATE DIRECTOR, DEVELOPMENT & RENEWAL (E. PETERS)
Service Head Resources (C. Holme)

10. A BETTER PLACE FOR LEARNING, ACHIEVEMENT AND LEISURE**10.1 Review of the Scholars Travel Policy (CAB 164/067)****Resolved**

That the following amendments be agreed to the scholars travel policy:

- (a) That the Authority will provide a travelpass and Child Oyster Photocard to eligible pupils where it is decided that bus travel would not be appropriate, taking account of the Secretary of State's guidance. Where a travelpass is not awarded to an eligible pupil, the cost of the Child Oyster Photocard will be paid by the Authority to enable the home to school journey to be taken by bus, as required by Transport for London conditions (paragraph 4.2).
- (b) To consider whether a parent's disability prevents him or her from accompanying a child along a walking route for it to be considered safe and if so, whether free travel should be provided for the child (paragraph 4.3).

Action by:

CORPORATE DIRECTOR, CHILDREN'S SERVICES (K. COLLINS)
Head of Pupil & Student Services (H. Franek)

10.2 Shahjalal Mosque and Community Centre Proposal (CAB 165/067)**Resolved**

1. That the disposal be agreed of part of the public open space at Poplar Recreation Ground, as shown at Appendix A, on a long lease to the Shahjalal organisation for the purposes of constructing a Mosque and Community Centre.
2. That the premium payment derived from the land disposal, referred to in 1 above, be applied to the improvement of land to be used for public open space use as detailed on the maps attached at Appendices B and C to this report.

3. That the Director of Environment and Culture be authorised to determine the length of the lease to be granted and the associated payment on the basis that the sale be at the best price reasonably obtainable.

Action by:

CORPORATE DIRECTOR, ENVIRONMENT & CULTURE (A. COSGRAVE)

Head of Parks & Open Spaces (C. Stuart)

11. A BETTER PLACE FOR EXCELLENT PUBLIC SERVICES

11.1 Information and Communications Technology Strategy 2006-2011 Capital Work Programme 2007/8 (CAB 166/067)

Officers were requested to explore with the Council's contractor the possibility of ICT equipment that the Council was disposing of being available for local voluntary sector organisations.

Resolved

1. To note the progress in delivering the 2006/7 ICT Work Programme.
2. That the proposed ICT Capital Programme for 2007-2008 be approved as set out in Appendix 2 of the report.

Action by:

INTERIM DIRECTOR OF RESOURCES (J. PARKER)

Service Head, IT (J. Roberts)

11.2 Environment & Cultural Services Directorate Capital Programme 2007/08 (CAB 167/067)

Resolved

1. That the schemes listed in appendices A & B to the report be included within the Environment & Cultural Services Directorate's 2007/2008 Capital Programme.
2. That, subject to the identification of available funding as set out in paragraph 3.2 of the report, Capital Estimates (sum specified in estimated scheme cost column) for the schemes be adopted as outlined in Appendices A & B to the report
3. That the Council's Capital Works Contract and existing Measured Term Contracts be used for the implementation of Street Environment and Traffic and Transportation Works as appropriate

Action by:

CORPORATE DIRECTOR, ENVIRONMENT & CULTURE (A. COSGRAVE)

Finance Manager, Environment & Culture (L. Cully)

11.3 The Gender Equality Duty (CAB 168/067)**Resolved**

1. That the Council's responsibilities under the Gender Equality Duty be noted; and
2. That the Tower Hamlets Gender Equality Scheme 2007-2010 be approved as attached at Appendix 1 to the report.

Action by:**ASSISTANT CHIEF EXECUTIVE (S. WILLIAMS)**

Project Officer (J. Overington)

11.4 Renewal of Energy Supply Contracts 2007 (CAB 169/067)**Resolved**

1. That the procurement procedure and price tolerances, as set out in section 7 of the report, be approved; and
2. That the Director of Housing Management in consultation with the Director of Resources be authorised to determine the energy supply contract providing best value for the Authority and to agree the Authority's entry into that contract.

Action by:**DIRECTOR OF HOUSING MANAGEMENT (M. McELENEY)**

Energy Manager (L. Muggeridge)/Energy Contracts Manager (S. Pipe)

11.5 Disposal of former Bishop Challoner School Site - Christian Street and Adjoining Playing Fields (CAB 170/067)

Noted the comments of the Overview and Scrutiny Committee (3rd April 2007) as presented to the Cabinet under Agenda item 15.1 "Chair's advice of key issues or questions in relation to exempt/confidential business to be considered".

Addendum report of the Corporate Director Environment & Culture, and planning statement **tabled** (yellow paper).

Revised recommendations tabled and agreed as below.

Resolved

1. To allow Bellway Homes a period of exclusivity of 6 weeks from the date of the report to put forward to officers revised Heads of Terms for the acquisition of the site upon the terms of the planning brief tabled;

2. That if officers consider any revised Heads of Terms proposed by Bellway Homes are appropriate in planning terms and meet the requirements of best consideration, as confirmed by independent valuation, then the Corporate Director Environment & Culture shall bring those Heads of Terms back to Cabinet for approval;
3. That if officers consider that any revised Heads of Terms proposed by Bellway Homes do not meet either the planning brief or demonstrate best consideration then the Corporate Director Environment & Culture is authorised to market the site on the terms of the planning brief tabled and to report back to the Cabinet at the earliest opportunity;
4. That if no revised Heads of Terms are proposed by Bellway Homes then the site shall be marketed by the Corporate Director Environment & Culture on the terms of the planning brief tabled and a report shall be brought back to the Cabinet regarding the outcome of the market tenders for Cabinet approval;
5. That the Cabinet reaffirms its commitment to fully re-providing the community facilities and recreational facilities on the site as set out clearly in the tabled planning statement and that there be consultation with local people and groups on the nature of the community and recreational facilities to be re-provided;
6. That any Heads of Terms negotiated should provide for the transfer of appropriate open space back to the Council once it has been re-provided; and
7. That officers readvertise the proposed disposal of open space land in order to ensure wide public awareness.

Action by:

**CORPORATE DIRECTOR ENVIRONMENT & CULTURE (A. COSGRAVE)
ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES) (I. FREEMAN)**

12. UNRESTRICTED REPORTS FOR INFORMATION

Nil items

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

That in accordance with the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972.

SUMMARY OF EXEMPT PROCEEDINGS

14. EXEMPT / CONFIDENTIAL MINUTES

Nil items

15. OVERVIEW & SCRUTINY COMMITTEE**15.1 Chair's advice of Key Issues or Questions in relation to Exempt / Confidential Business to be considered.**

Sheet of questions and comments arising from the Overview and Scrutiny Committee held on 3rd April 2007 regarding Agenda item 20.1 "Disposal of former Bishop Challoner School Site – Christian Street and Adjoining Playing Fields" **tabled**. Councillor S. Eaton, Scrutiny Lead Member for Learning, Achievement and Leisure presented to the Cabinet the key points raised by the Committee.

Resolved

That the questions and comments of the Overview and Scrutiny Committee be noted, and that these be given consideration during the Cabinet deliberation of the items of business to which the questions and comments related.

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

Nil items

16. A BETTER PLACE FOR LIVING SAFELY

Nil items

17. A BETTER PLACE FOR LIVING WELL

Nil items

18. A BETTER PLACE FOR CREATING AND SHARING PROSPERITY

Nil items

19. A BETTER PLACE FOR LEARNING, ACHIEVEMENT AND LEISURE

Nil items

20. A BETTER PLACE FOR EXCELLENT PUBLIC SERVICES**20.1 Disposal of former Bishop Challoner School Site - Christian Street and Adjoining Playing Fields (CAB 171/067)**

Decision listed at Agenda item 11.5 above.

21. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil items

The meeting ended at 7.40 p.m.

Martin Smith
ACTING CHIEF EXECUTIVE