

LONDON BOROUGH OF TOWER HAMLETS

MINUTES 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	– (Corporate Director Adults Health and Wellbeing)
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	– (Chief Executive)
Chris Weavers	– (Political Adviser to the Majority Group)
Sara Williams	– (Assistant Chief Executive)
Lara Ceroni	– (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)

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

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

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.

ORDER OF BUSINESS

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

Resolved

That the Order of Business be varied as follows:

- **Agenda item 5** – Annual Audit and Inspection Letter; followed by
- **Agenda item 4** – Depurations and Petitions; then
- **Agenda item 6.2 (i)** – Overview and Scrutiny comments on Ocean New Deal for Communities; then
- **Agenda item 9.1** – Ocean New Deal for Communities; and finally return to the printed order of business from Agenda item 6.1 onwards.

Please note that for ease of reference the deliberations of the Cabinet, and subsequent decisions taken, are set out in these minutes in the order detailed in the agenda.

4. DEPUTATIONS & PETITIONS

The Chair informed members that the Assistant Chief Executive had received one valid request, from Ocean Estate Tenants & Leaseholders Association, for a deputation to address them in respect of Agenda Item 9.1 “Ocean New Deal for Communities”.

Ms Daley and Mr Khan addressed the Cabinet on behalf of the Association. They raised a series of issues regarding the proposals in the officers’ report and in particular considered that there had been inadequate consultation with tenants and leaseholders and that further consultation should be undertaken before a decision was made. Mr Khan expressed disappointment that the new proposals made no reference to the Shahjalal Centre and considered that as a key community facility the Centre should be fully involved.

The deputation answered a number of questions from Members of the Cabinet, following which the Chair **Moved** and it was: -

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).
- 5. AUDIT COMMISSION ANNUAL AUDIT AND INSPECTION LETTER 2005/2006 - PRESENTATION BY DISTRICT AUDITOR**

At the invitation of the Chair, Mr Kash Pandya (District Auditor) addressed the meeting. He highlighted the key messages contained in the Annual Audit and Inspection Letter for 2005/06, and responded to questions from Members.

The Chair thanked Mr Pandya for his presentation and for the support provided by the District Audit service throughout the year. The Chair then **Moved** and it was: -

Resolved

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

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 Chair informed members of the Cabinet that Councillor Uz-Zaman, the Chair of the Overview and Scrutiny Committee had **Tabled** the comments of that Committee held on 3rd April 2007, a copy of which would be interleaved with the minutes.

Councillor Uz-Zaman addressed Members and presented the key points raised by the Overview and Scrutiny Committee to the meeting. Points of clarification were also sought and given.

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

Resolved

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"

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

It was **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.

7. A BETTER PLACE FOR LIVING SAFELY

7.1 Local Implementation Plan 2005-2011 Progress Report (CAB 161/067)

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

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.

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)

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

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.

9. A BETTER PLACE FOR CREATING AND SHARING PROSPERITY

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

AMENDED AT MAY 2007 CABINET SEE MAY MINUTES.

Ms Peters, Corporate Director, Development and Renewal, at the request of the Chair introduced the report and addressed 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)).

The current report set out proposals for a revised financial model to deliver a regeneration scheme for the Ocean Estate that would meet the Government's requirements for access to NDC grant resources and draw in maximum regeneration funding, following the 'no' vote to stock transfer. Ms Peters stressed that once the outline model was agreed, extensive consultation would take place as it was transformed into a detailed scheme. Further consultation would be undertaken once that scheme reached the Planning stage. Ms Peters also confirmed that the process for appointing the Ocean Regeneration Trust Board would be in accordance with best practice and Charity Commission requirements; and that a key aim of the Trust would be long term sustainability of the regeneration proposals.

Ms Peters answered a number of questions from members of the Cabinet regarding the proposals. A discussion then took place on the matters set out in the report and raised by the deputation and the Overview and Scrutiny Committee.

A number of members queried the position regarding the Shahjalal Centre and expressed the wish that the Centre should be fully involved in the regeneration proposals. Ms Peters confirmed that there was no intention to exclude the Shahjalal Centre and that the officers were very keen to work alongside the Centre in developing the scheme. However in relation to the new financial model it was not possible for the Council to include the Centre in the proposed Trust as the land was not owned by the authority. Other premises such as the LIFRA Hall were now included as they were Council owned sites. If the Shahjalal Centre itself wished to include its site in the Trust proposals it would be necessary for the Corporate Director to be notified of this in writing.

Councillor Abbas stressed the need for community facilities and related provision to be safeguarded and provided with adequate revenue funding; and for maximum use to be made of any facilities provided for the benefit of the wider community.

Councillor Bawden summed up the main points of the discussion and responded as lead Member for Housing and Development. He considered that there was general agreement on a number of aspects and on the overriding need to achieve the regeneration of the Ocean Estate including an enhanced standard of housing and community facilities; and to access the maximum funding for this purpose. He endorsed the comments of the Corporate Director in relation to proposed consultation on the detail of the scheme.

The Chair pointed out that the report (at paragraphs 5.7 and 5.8) recognised the need for ongoing consultation with key stakeholders across the estate; and that a strategy for consultation with stakeholders would be devised to include a range of consultation opportunities.

The Chair referred to the points raised respectively by the deputation and the Overview and Scrutiny Committee and asked that officers take these points into account when developing proposals for the next phase of consultation.

The Chair then moved an amendment to the recommendations as follows:

To add an additional recommendation at 2.2.3.1 'To agree that the re-provision of services and facilities will be the subject of consultation with existing service providers and will include consideration of possible re-provision of services and facilities on the site of Haileybury/Dame Colet, as part of any redevelopment scheme'.

This amendment was agreed.

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 re-provision of services and facilities will be the subject of consultation with existing service providers and will include consideration of possible re-provision 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.

10. A BETTER PLACE FOR LEARNING, ACHIEVEMENT AND LEISURE

10.1 Review of the Scholars Travel Policy (CAB 164/067)

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

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).

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

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

Resolved

1. That the disposal be agreed of part of the public open space at Poplar Recreation Ground, as shown at Appendix A to the report, 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 the 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.

11. A BETTER PLACE FOR EXCELLENT PUBLIC SERVICES

ORDER OF BUSINESS

In view of the fact that capital funding for items 11.1 and 11.2 was dependent in part on capital receipts the Chair **Moved** and it was: -

Resolved

That the Order of Business be varied as follows:

- **Agenda items 11.1** "Information and Communications Technology Strategy 2006-2011 Capital Work Programme 2007/8" and **11.2** "Environment & Cultural Services Directorate Capital Programme 2007/08" to be taken **after Agenda item 11.5** "Disposal of former Bishop Challoner School Site - Christian Street and Adjoining Playing Fields".

Please note that for ease of reference the deliberations of the Cabinet, and subsequent decisions taken, are set out in these minutes in the order detailed in the agenda.

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.

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

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.

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

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

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.

11.3 The Gender Equality Duty (CAB 168/067)

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

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.

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

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

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.

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

The Chair informed Members of the Cabinet that an addendum report on this matter, including the proposed Planning Statement for the site, had been **Tabled** and a copy would be interleaved with the minutes. A further report, and the comments of the Overview and Scrutiny Committee on the agenda item, were included in the Exempt/Confidential section of the agenda at items 20.1 and 15.1 respectively. After an initial discussion in open session it would therefore be necessary to exclude the public and press during consideration of the restricted items. However the Chair intended that the Cabinet would then come back into open session before making their decision on the matter.

Ms Cosgrave, Corporate Director Environment & Culture, at the request of the Chair introduced the report and addendum report. The papers gave details of the previous marketing of the site and the current position. The Cabinet was asked to decide on their preferred option in relation to the disposal of the site. The draft planning statement sought to ensure that there was no net loss in publicly accessible open space; that active recreational use would be included in the redevelopment; along with the re-provision of at least the existing level of community floor space on the site.

Following the exclusion of public and press (Minute 14 refers) and consideration of the restricted items, the Cabinet then came back into open session for further discussion and decision.

Officers **Tabled** amended recommendations as follows:

1. To allow Bellway Homes a period of exclusivity of 6 weeks from the date of this 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. If officers consider any revised Heads of Terms proposed by Bellway Homes are appropriate in planning terms and meet the requirements of best consideration then the Corporate Director Environment & Culture shall bring those Heads of Terms back to Cabinet for approval;
3. 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. 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.

Members of the Cabinet discussed the options presented in the report and the amended recommendations. Members felt that whichever option was pursued, it was essential to obtain the best independent valuation to ensure that the Council was receiving best consideration for the site on the basis of the agreed planning statement.

A number of Members referred to consultation that had previously taken place including via a Member/Officer working group. In this regard however the Chair stressed that further consultation would in any case be undertaken on the detailed proposals for the site once these were available.

The Chair **moved further amendments** to the tabled recommendations to add further paragraphs as follows:

5. That the Cabinet reaffirms its commitment to fully reproviding 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 reprovided;
6. That any Heads of Terms negotiated should provide for the transfer of appropriate open space back to the Council once it has been reprovided; and

7. That officers readvertise the proposed disposal of open space land in order to ensure wide public awareness.

Following discussion these amendments were **agreed**.

Following further discussion the Chair **moved** and it was: -

Resolved

1. To note 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".
2. 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;
3. 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;
4. 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;
5. 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;
6. 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;
7. 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
8. That officers readvertise the proposed disposal of open space land in order to ensure wide public awareness.

12. UNRESTRICTED REPORTS FOR INFORMATION

Nil items

13. EXCLUSION OF THE PRESS AND PUBLIC

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

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.

The Chair informed members of the Cabinet that the questions and comments of the Overview and Scrutiny Committee on 3rd April 2007 regarding Agenda item 20.1 "Disposal of former Bishop Challoner School Site – Christian Street and Adjoining Playing Fields" had been **Tabled** and a copy would be interleaved with the minutes.

Councillor Eaton, Scrutiny Lead Member for Learning, Achievement and Leisure presented to the Cabinet the key points raised by the Committee. Points of clarification were also sought and given.

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

Resolved

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"

That the questions and comments of the Overview and Scrutiny Committee as tabled be noted, and that the Cabinet take these into account in their consideration of Agenda item 20.1 "Disposal of former Bishop Challoner School Site – Christian Street and Adjoining Playing Fields".

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)

Ms Cosgrave, Corporate Director Environment & Culture, at the request of the Chair introduced the report and addressed the points raised by the Overview and Scrutiny Committee (3rd April 2007) on this matter (tabled at Agenda item 15.1).

With the agreement of the Cabinet, Councillor Shahed Ali addressed the meeting.

Members of the Cabinet discussed the options presented and the matters raised by Councillors and the Overview and Scrutiny Committee.

The Cabinet then moved back into open session for further discussion and decision on this matter (see Agenda item 11.5).

21. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil items

The meeting ended at 7.40 p.m.

Chair, Councillor Denise Jones
Cabinet