

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.40 P.M. ON WEDNESDAY, 7 MAY 2008

**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 Sirajul Islam (Vice-Chair)	(Deputy Leader of the Council)
Councillor Ohid Ahmed	(Lead Member, Regeneration, Localisation and Community Partnerships)
Councillor Abdul Asad	(Lead Member, Employment and Skills)
Councillor Shafiqul Haque	(Lead Member, Development)
Councillor Clair Hawkins	(Lead Member, Children's Services)
Councillor Shiria Khatun	(Lead Member, Culture)
Councillor Joshua Peck	(Lead Member, Resources and Performance)
Councillor Abdal Ullah	(Lead Member, Cleaner, Safer, Greener)
Councillor Motin Uz-Zaman	(Lead Member, Health and Wellbeing)

Other Councillors Present:

Councillor M. Shahid Ali	
Councillor Stephanie Eaton	(Leader Liberal Democrat Group and Scrutiny Lead Member: Health)
Councillor Marc Francis	(Chair of Overview and Scrutiny Committee)
Councillor Peter Golds	(Leader Conservative Group)
Councillor Waiseul Islam	
Councillor Oliur Rahman	(Leader of the Respect Unity Coalition Group)
Councillor David Snowdon	

Officers Present:

Isobel Cattermole	– (Service Head, Resources, Childrens' Services)
Margaret Cooper	– (Head of Transportation and Highways, Communities, Localities and Culture)
Paul Evans	– (Interim Corporate Director Development & Renewal)
Alan Finch	– (Service Head Corporate Finance, Resources)
Isabella Freeman	– (Assistant Chief Executive [Legal Services] and

	Monitoring Officer)
John Goldup	– (Corporate Director, Adults Health and Wellbeing)
Stephen Halsey	– (Corporate Director, Communities, Localities & Culture)
Stephen Hartley	– Cabinet Executive Assistant, Democratic Services, Chief Executive's)
Fiona Heyland	– (Waste Services Group Manager, Environment and Culture)
Chris Holme	– (Service Head, Resources, Development and Renewal)
Michael Keating	– (Acting Assistant Chief Executive)
Shanara Matin	– (Scrutiny Policy Officer)
Maureen McEleney	– (Director of Housing Management)
Chris Naylor	– (Corporate Director, Resources)
Jackie Odunoye	– (Interim Service Head, Housing Strategy and Development, Development and Renewal)
Jen Pepper	– (Affordable Housing Programme Manager)
Colin Perrins	– (Head, Trading Standards and Environmental Health Commercial, Environment and Culture)
Emma Peters	– (Former Corporate Director, Development and Renewal)
Martin Smith	– (Chief Executive)
Owen Whalley	– (Service Head, Major Project Development, Development and Renewal)
John Williams	– (Service Head, Democratic Services)
Simmi Yesmin	– (Senior Committee Officer)

The following is a record of those decisions taken by the Cabinet at their meeting held on Wednesday 7th May 2008

Most decisions may be 'called in', by the Assistant Chief Executive, for scrutiny by the Overview and Scrutiny Committee to be held on Tuesday 10th June 2008 on receipt of a written request.

The **deadline** for the receipt of any such written request is **5.00pm on Friday 16th May 2008**. 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 Monday 19th May 2008.

Any decision ‘called in’ for scrutiny but supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 10th June 2008, can be implemented the following day, Wednesday 11th June 2008.

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 11th June 2008.

COUNCILLOR D. JONES (CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Mr Kevan Collins, Corporate Director Children’s Services for whom Isobel Cattermole, Service Head Resources deputised.

2. DECLARATIONS OF INTEREST

Councillor J. Peck declared a personal and prejudicial interest in Agenda item 6.2(i) Any Unrestricted Decisions “Called in” by the Overview & Scrutiny Committee –“Disposal of Land 10 Backchurch Lane E1”. The declaration of interest was made on the basis that the report contained recommendations relating to the site in which Gateway Housing Association, had an interest and Councillor Peck was a representative of the Authority on the governing body of Gateway Housing Association.

Councillor S. Khatun declared a personal interest in Agenda item 7.2 “Local Implementation Plan 2005-2011 Progress Report”. The declaration of interest was made on the basis that the report made reference to Transport for London and Councillor Khatun was a member of the governing body of Transport for London (TfL) and an adviser to the Mayor of London in her capacity as a TfL Board member.

Councillor S. Khatun declared a personal interest in Agenda item 8.1 “Disposal of Coventry Cross Estate to Poplar HARCA”. The declaration of interest was made on the basis that Councillor Khatun’s spouse was currently employed by Poplar HARCA on a temporary basis.

Councillor M. Uz Zaman declared a personal and prejudicial interest in Agenda item 8.1 “Disposal of Coventry Cross Estate to Poplar HARCA”. The declaration of interest was made on the basis that the report contained recommendations relating to Poplar HARCA and Councillor Uz Zaman was a representative of the Authority on the governing body of Poplar HARCA.

Councillor D. Jones declared a personal interest in Agenda item 9.1 "Conservation Area Selection Criteria, Areas which Match those Criteria and Public Consultation". The declaration of interest was made on the basis that the report contained recommendations relating to the Wilton Music Hall.

Councillor A. Asad declared a personal interest in Agenda item 9.2 "Whitechapel Centre". The declaration of interest was made on the basis that he had been lobbied by local residents.

Noted:

Action by:

ACTING ASSISTANT CHIEF EXECUTIVE (M. KEATING)

Senior Committee Officer, Democratic Services (S. Yesmin)

3. UNRESTRICTED MINUTES

Resolved

That the unrestricted minutes of the ordinary meeting of the Cabinet held on 2nd April 2008 be approved and signed by the Chair, as a correct record of the proceedings.

Action by:

ACTING ASSISTANT CHIEF EXECUTIVE (M. KEATING)

Senior Committee Officer, Democratic Services (S. Yesmin)

4. DEPUTATIONS & PETITIONS

Nil Items.

5. AUDIT COMMISSION ANNUAL AUDIT AND INSPECTION LETTER 2006/2007 - PRESENTATION BY DISTRICT AUDITOR

Resolved

That the Annual Audit and Inspection Letter 2006/07, be noted and that all Members are to receive copies of the letter.

Action by:

CORPORATE DIRECTOR, RESOURCES (C. NAYLOR)

6. OVERVIEW & SCRUTINY COMMITTEE

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

Sheet of questions and comments arising from the Overview and Scrutiny Committee held on 6th May 2008 **Tabled** by the Chair of the Overview and Scrutiny 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.

Action by:

ACTING ASSISTANT CHIEF EXECUTIVE (M. KEATING)

Senior Committee Officer (S. Yesmin)

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

6.2(i) Cabinet Decision "Called in" Disposal of Land 10 Backchurch Lane E1 (CAB 168/078)

Reference from the Overview and Scrutiny Committee, held on 6th May 2008, **Tabled** by the Chair of the Overview and Scrutiny Committee.

Response of Corporate Director Development and Renewal to the reference from Overview and Scrutiny Committee, held on 6th May 2008, **Tabled**.

Councillor J. Peck having declared a prejudicial interest in Agenda item 6.2(i) "Disposal of Land 10 Backchurch Lane E1". withdrew from the proceedings.

Resolved

1. That the advice/comments of the Overview and Scrutiny Committee, as detailed in the Tabled Reference be noted; and
2. That the provisional decision of the Cabinet, made on 2nd April 2008, in relation to Disposal of Land 10 Backchurch Lane E1 (CAB 156/078) be reaffirmed subject to the following amendments; (full decision listed below)

Resolved

1. That the Corporate Director Development and Renewal explore, with Registered Social Landlords and Community Development Trusts currently operating in the Borough, their acquisition of the site 10 Backchurch Lane E1, on long leasehold terms, from the Authority;

2. That in working up development proposals, for the site at 10 Backchurch Lane E1, Registered Social Landlords and Community Development Trust:
 - (a) Endeavour to engage, at an early stage, with the current lessees of the above site in relation to the incorporation of workspace within the development scheme;
 - (b) Seek to incorporate environmental improvements within the development scheme.
3. That the Corporate Director Development and Renewal be instructed to report progress, in respect of Resolutions 1 and 2 above, to the Cabinet within three months.

Action by:

**INTERIM CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL
(P. EVANS)**

Service Head, Asset Strategy, Corporate Delivery and Property Services,
Development and Renewal (C. Bradley)

Councillor J. Peck returned to the proceedings following the conclusion of the Cabinet deliberations in respect of this item.

7. A BETTER PLACE FOR LIVING SAFELY

7.1 Procurement of Integrated Recycling Services Contract (CAB 159/078)

Resolved:

1. That the Corporate Director of Communities, Localities and Culture, after consultation with the Lead Member Cleaner, Safer, Greener, be authorised to award Lots 1, 3 and 4 of the Integrated Recycling Services Contract for the 2 year period 1st August 2008 to 31st July 2010 to Veolia Environmental Services, with the option to extend the same by up to 2 years subject to satisfactory performance reviews; and
2. That the Corporate Director of Communities, Localities and Culture, after consultation with the Lead Member Cleaner, Safer, Greener, be authorised to award Lot 2 of the Integrated Recycling Services Contract for the 2 year period 1st August 2008 to 31st July 2010 to Viridor Waste Management, with the option to extend the same by up to 2 years subject to satisfactory performance reviews.

Action by:

**CORPORATE DIRECTOR COMMUNITIES, LOCALITIES AND CULTURE
(S. HALSEY)**

Interim Service Head, Public Realm, Communities, Localities & Culture

(H. Bonfield)
Head of Waste Management, Communities, Localities and Culture
(F. Heyland)

7.2 Local Implementation Plan 2005-2011 Progress Report (CAB 160/078)

Resolved:

1. That the progress in securing funding for delivery of the fourth year of the Local Implementation Plan programme, as set out in Section 4 of the report (CAB/160/078), be noted;
2. That the schemes listed in Table 2 within paragraph 7.1 of the report (CAB 160/078) be approved for inclusion in the LIP bid for funding from Transport for London in 2009/10, to be submitted by June 13th 2008;
3. That the schemes to be submitted as bids to the Olympic Park Transport and Environmental Management Strategy, set out within paragraph 6.3 of the report (CAB 160/078) for funding between 2008 and 2014 to ameliorate the traffic impact of Olympics construction, Games and legacy transformation stages, be approved; and
4. That the anticipated timetable for review of the Mayor of London's Transport Strategy along with the requirement to produce a second Local Implementation Plan (for Transport) in the near future, be noted.

Action by:

CORPORATE DIRECTOR COMMUNITIES, LOCALITIES AND CULTURE (S HALSEY)

Interim Service Head, Public Realm, Communities, Localities & Culture
(H. Bonfield)

Head of Transportation and Highways, Traffic & Transportation (M Cooper)

7.3 Mail Forwarding Businesses Registration (CAB 161/078)

Resolved:

1. That it be endorsed and that Council be recommended to agree that the Mail Forwarding Registration functions under section 75 of the London Local Authorities Act 2007 come into force in the London Borough of Tower Hamlets on the appointed day of 25th August 2008;
2. That subject to the setting of the appointed day, referred to in resolution 1 above:
 - (i) That the Corporate Director Communities, Localities and Culture be authorised to undertake the functions set out in Section 75 of

the London Local Authorities Act 2007, relating to mail forwarding registration, on behalf of the Authority; and

- (ii) That the Corporate Director Communities, Localities and Culture be authorised to set the fee for mail forwarding registration at £92 with the fee for new applications to rise annually in line with the Retail Price Index.

Action by:

**CORPORATE DIRECTOR COMMUNITIES, LOCALITIES AND CULTURE
(S. HALSEY)**

Service Head Environmental Control Services, Communities, Localities & Culture (B. Jones)

Head of Trading Standards and Environmental Health (Commercial)

(C. Perrins)

7.4 Five Borough Agreement For The Provision Of Building Control Services To The Olympic Delivery Authority For Olympic Building Regulation Applications (CAB 162/078)

Resolved:

1. That the principles set out in the Inter Authority Agreement for the delivery of building control services to the Olympic Delivery Authority attached at Appendix A to the report (CAB 162/078), be noted;
2. That the Interim Corporate Director of Development and Renewal be authorised to conclude negotiation of the Inter Authority Agreement, following consultation with the Assistant Chief Executive (Legal Services); and
3. That the Assistant Chief Executive (Legal Services) be authorised to sign the Inter Authority Agreement upon completion of the negotiations, referred to in resolution 2 above, to the satisfaction of the Interim Corporate Director of Development and Renewal after consultation with the Lead Member for Development.

Action by:

**INTERIM CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL
(P. EVANS)**

Service Head Major Project Development, Development & Renewal (O. Whalley)

Head of Building Control, Development & Renewal (P. Hamilton)

8. A BETTER PLACE FOR LIVING WELL

8.1 Disposal of Coventry Cross Estate to Poplar HARCA (CAB 163/078)

Councillor M. Uz-Zaman having declared a prejudicial interest in Agenda item 8.1 "Disposal of Coventry Cross Estate to Poplar HARCA", withdrew from the proceedings.

Resolved:

1. That, subject to the appropriate consents to dispose of the Coventry Cross Estate to Poplar HARCA being sought and granted by the First Secretary of State ("the Secretary of State") and the Housing Corporation:
 - (a) The disposal of land on the Coventry Cross Estate within the boundaries identified on the appended plans at nil value be agreed subject to any further negotiation with the Communities and Local Government (CLG) and Poplar HARCA on the terms set out in Sections 4, 5, 6 and 7 of the report (CAB 163/078);
 - (b) That the approach to the preserving of valuable open space, as set out in Section 8 of the report (CAB 163/078), be noted;
 - (c) That the arrangements for retained rights of way as set out in paragraph 9 of the report (CAB 163/078), be noted
2. That it be noted that the resolutions set out above and discussed in the body of the report (CAB 163/078) are yet be fully agreed by Poplar HARCA; and
3. That the Interim Corporate Director of Development & Renewal be authorised after consultation with the Corporate Director of Resources and appropriate Lead Member to negotiate the precise terms and any outstanding issues relating to the disposal of the Coventry Cross Estate to Poplar HARCA as a consequence of resolution 2 above.

Action by:

**INTERIM CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL
(P. EVANS)**

Interim Service Head, Housing Strategy & Development (J. Odunoye)

Councillor M. Uz-Zaman returned to the proceedings following the conclusion of the Cabinet deliberations in respect of this item.

9. A BETTER PLACE FOR CREATING AND SHARING PROSPERITY

9.1 Conservation Area Selection Criteria, Areas which Match those Criteria and Public Consultation (CAB 164/078)

Resolved:

1. That the draft criteria set out in Section 4 of the report (CAB 164/078) for the selection and designation of Conservation Areas, be agreed;
2. That the draft boundaries for the proposed new Conservation Area designations attached at Appendix 1 of the report (CAB 164/078) and draft boundary alterations for existing Conservation Areas attached at Appendix 2, be agreed;
3. That the draft criteria and draft designations, respectively referred to in resolutions 1 and 2 above, be approved for submission to wide public consultation, the results of which will be reported back to Cabinet together with final proposals for new Conservation Areas and alterations to existing Conservation Area boundaries for Cabinet consideration.

Action by:**INTERIM CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL
(P. EVANS)**

Service Head Major Project Development, Development & Renewal

(O. Whalley)

Team Leader Development Design and Conservation, Development & Renewal (M. Hutton)

9.2 Whitechapel Centre (CAB 165/078)

The Cabinet agreed the recommendation with amendments as follows (full decisions below);

Cabinet noted that the Community Trust were keen to have at least one councillor on the Management Committee.

Cabinet further considered that the independent representative on the Management Committee should be drawn from the categories listed on paragraph 5.5 of the report including the Business, Voluntary or Community Sectors or Tenants and Residents Associations; and should seek to promote local ward representation. In addition the LAP Director or Chair may represent the Tower Hamlets Partnerships.

Resolved:

1. That the successful outcome of the Authority's £1 million funding application to the Big Lottery's Community Assets Programme in respect of the Whitechapel Centre and the current position with regard to European Regional Development funding (ERDF), as outlined in paragraphs 4.1 to 4.3 of the report (CAB 165/078), be noted;
2. That a capital estimate of £1.44 million be adopted for refurbishment and reconfiguration of the Whitechapel Centre, to enable progression of the scheme, as outlined in Section 4 of the report (CAB 165/078); and

3. That the Corporate Director, Development and Renewal be authorised, after consultation with the Lead Member Resources and Performance, and the three Ward Councillors to agree the independent members of the Whitechapel Centre management committee as set out in paragraphs 5.5 and 5.6 of the report (CAB 165/078).

Action by:

**INTERIM CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL
(P. EVANS)**

Service Head Resources, Development and Renewal (C. Holme)

10. A BETTER PLACE FOR LEARNING, ACHIEVEMENT AND LEISURE

Nil Items.

11. A BETTER PLACE FOR EXCELLENT PUBLIC SERVICES

11.1 Heron Quays West - Proposal to use Compulsory Purchase Powers to Aid Land Assembly and Development (CAB 166/078)

Special circumstances and reasons for urgency tabled.

Resolved:

1. That authorisation be given to the making of a compulsory purchase order under section 226(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 in respect of the area shown edged red on the plan at Appendix A for the purpose of securing the development of land at Heron Quays West identified in the Plan attached at Appendix A1 conditional upon:
 - (a) the prior entering into of a full indemnity agreement with the developer to pay all the Council's costs and liabilities of making the order; and
 - (b) the prior entering into of an agreement for lease in respect of a new training and enterprise;
2. The Interim Corporate Director of Development and Renewal (after consultation with the Lead Member Resources and Performance, the Assistant Chief Executive (Legal Services) and the Corporate Director of Resources) be authorised to finalise, enter into and seal the compulsory purchase order and all documents associated therewith.

Action by:

**INTERIM CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL
(P. EVANS)**

ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES) (I. FREEMAN)

12. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

13. UNRESTRICTED REPORTS FOR INFORMATION

13.1 Exercise of Corporate Director Discretions (CAB 167/078)

Resolved

That the exercise of Corporate Directors' discretions, as set out in Appendix 1 to the report (CAB 167/078), be noted.

Action by:

CORPORATE DIRECTOR RESOURCES (C. NAYLOR)

Capital and Investments Manager Corporate Accounting, Resources
(J. Ricketts)

14. 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.

15. EXEMPT / CONFIDENTIAL MINUTES

Minutes of Cabinet held on 2 April 2008 approved.

16. OVERVIEW & SCRUTINY COMMITTEE

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

Nil items.

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

Nil items.

17. A BETTER PLACE FOR LIVING SAFELY

Nil items.

18. A BETTER PLACE FOR LIVING WELL

Nil items.

19. A BETTER PLACE FOR CREATING AND SHARING PROSPERITY

Nil items.

20. A BETTER PLACE FOR LEARNING, ACHIEVEMENT AND LEISURE

Nil items.

21. A BETTER PLACE FOR EXCELLENT PUBLIC SERVICES

Nil items.

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

Nil items.

23. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil items.

The meeting ended at 7.00 p.m.

**Martin Smith
CHIEF EXECUTIVE**