

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.30 P.M. ON WEDNESDAY, 2 JULY 2008

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

Members Present:

Councillor Lutfur Rahman (Chair)	(Leader of the Council)
Councillor Ohid Ahmed	(Lead Member, Regeneration, Localisation and Community Partnerships)
Councillor Rofique U Ahmed	(Lead Member, Culture and Leisure)
Councillor Anwara Ali	(Lead Member, Health & Wellbeing)
Councillor Alibor Choudhury	(Lead Member, Employment and Skills)
Councillor Marc Francis	(Lead Member, Housing and Development)
Councillor Clair Hawkins	(Lead Member, Children's Services)
Councillor Sirajul Islam (Vice-Chair)	(Deputy Leader of the Council)
Councillor Joshua Peck	(Lead Member, Resources and Performance)
Councillor Abdal Ullah	(Lead Member, Cleaner, Safer, Greener)

Other Councillors Present:

Councillor Abdul Asad	(Chair, Overview and Scrutiny Committee)
Councillor Stephanie Eaton	(Leader Liberal Democrat Group and Scrutiny Lead Member: A Healthy Community)
Councillor Fazlul Haque	
Councillor Ahmed Hussain	

Others Present:

Officers Present:

Ashraf Ali	– (Scrutiny Policy Officer, Equalities and Scrutiny, Chief Executive's)
Mohammed Choudhury	– (Executive Support Officer, Democratic Services, Chief Executive's)
Kevan Collins	– (Corporate Director, Children's Services)
Luke Cully	– (Finance Manager, Communities, Localities & Culture)

Barbara Disney	– (Service Manager Commissioning, Adults Health & Wellbeing)
Alan Finch	– (Service Head Corporate Finance, Resources)
Tony Finnegan	– (Communications Officer)
Julian Francis	– (Political Adviser to the Conservative Group, Democratic Services, Chief Executive's)
Stephen Halsey	– (Corporate Director, Communities, Localities & Culture)
Chris Holme	– (Service Head Resources, Development & Renewal)
Afazul Hoque	– (Acting Scrutiny Policy Manager, Scrutiny and Equalities, Chief Executive's)
Michael Keating	– (Acting Assistant Chief Executive, Chief Executive's)
Paul Leeson	– (Finance Manager, Development & Renewal)
Maureen McEleney	– (Director of Housing Management)
Chris Naylor	– (Corporate Director, Resources)
Charles Skinner	– (Service Head Communications, Chief Executive's)
Martin Smith	– (Chief Executive)
Andreas Sussilch	– (Interim Political Adviser to the Labour Group, Democratic Services, Chief Executive's)
Helen Taylor	– (Service Head, Commissioning & Strategy, Adults Health & Wellbeing)
David Tolley	– (Environmental Health Commercial Service Manager, Communities Localities and Culture)
Owen Whalley	– (Service Head, Major Project Development, Development & Renewal)
Graham White	– (Interim Legal Team Manager, Legal Services, Chief Executive's)
David Williams	– (Development Manager, Development & Renewal)
Angus Taylor	– (Executive Team Leader, Democratic Services)

The following is a record of those decisions taken by the Cabinet at their meeting held on 2nd July 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 29th July 2008 on receipt of a written request.

The **deadline** for the receipt of any such written request is **5.00pm on Friday 11th July 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 14 the July 2008.

Any decision ‘called in’ for scrutiny but supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 29th July 2008, can be implemented the following day, Wednesday 30th July 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 30th July 2008.

COUNCILLOR L. RAHMAN (CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of

Ms I. Freeman, Assistant Chief Executive (Legal Services), for whom Mr G. White, Interim Legal Team Manager, Chief Executive’s, was deputising.

Mr J. Goldup, Corporate Director Adults Health and Wellbeing, for whom Ms H. Taylor, Service Head Commissioning and Strategy, Adults Health and Wellbeing, was deputising.

Mr P. Evans, Interim Corporate Director Development and Renewal, for whom Mr O. Whalley, Service Head Major Project Development, Development and Renewal, was deputising.

Noted

2. DECLARATIONS OF INTEREST

Councillor O. Ahmed declared a personal interest in Agenda item 8.1 “London Thames Gateway Development Corporation, Draft Bromley-by-Bow Land Use Design Brief”. The declaration of interest was made on the basis that the report contained recommendations relating to the London Thames Gateway Development Corporation and Councillor Ahmed was a representative of the Authority on the governing body of the London Thames Gateway Development Corporation.

Councillor A. Ali gave notification to the clerk prior to the Cabinet meeting that she had a personal interest in Agenda items 6.1 "Food Law Enforcement Service Plan 2008/2009" and 7.1 "Recommissioning LinkAge Plus" on the basis that the report made reference to the Tower Hamlets Primary Care Trust. and Councillor Ali was an employee of the Tower Hamlets Primary Care Trust (partner in general practitioner's practice in Spitalfields).

Noted

Action by:

ACTING ASSISTANT CHIEF EXECUTIVE (M. KEATING)

Executive Team Leader, Democratic Services (A. Taylor)

3. UNRESTRICTED MINUTES

Resolved

That subject to the amendments set out below the unrestricted minutes of the ordinary meeting of the Cabinet held on 11th June 2008 be approved and signed by the Chair, as a correct record of the proceedings:-

Page 1 - Other Councillors Present: amendment of designated titles to reflect appointment of Scrutiny Lead Members in the Municipal Year 2008/9.

Page 5 - Agenda item 4 "Declarations of Interest" paragraph 2: deletion of "Councillor Francis was a representative of the Authority on the governing body of Old Ford Housing Association" and insertion of "Councillor Francis was an independent member of the governing body of Old Ford Housing Association".

Page 7 - Agenda item 7.1 "Chairs advice of Key Issues or Questions in relation to Unrestricted Business to be considered" penultimate paragraph: deletion of "Councillor Francis" and insertion of "Councillor Asad".

Page 9 - Agenda item 9.1 "Housing Investment Programme 2008/09 to 2012/13" final bullet: correction of typographical error: Malmesbury Estate to Malmesbury Estate.

Page 14 - Agenda item 11.2 "Children's and Young People's Plan (CYPP) Review and 2007 Update" paragraph 4: deletion of "Primary Strategy for Change" and insertion of "Children's and Young People's Plan".

Action by:

ACTING ASSISTANT CHIEF EXECUTIVE (M. KEATING)

Executive Team Leader, Democratic Services (A. Taylor)

4. DEPUTATIONS & PETITIONS

Nil items.

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 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 1st July 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)

Executive Team Leader, Democratic Services (A. Taylor)

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

Nil items.

6. A BETTER PLACE FOR LIVING SAFELY

6.1 Food Law Enforcement Service Plan 2008/2009 (CAB 012/089)

Resolved:

That the Tower Hamlets Food Law Enforcement Plan 2008/2009, attached at Appendix 1 to the report (CAB 012/09), be approved.

Action by:

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

Head of Trading Standards & Environmental Health (Commercial), Communities, Localities & Culture (C. Perrins)

Environmental Health, Commercial Service Manager, Communities, Localities & Culture, (D. Tolley)

7. A BETTER PLACE FOR LIVING WELL

7.1 Recommissioning LinkAge Plus (CAB 013/089)

Resolved:

1. That a limited tender process be conducted for the coordination of the LinkAge Plus organisation;
2. That the Corporate Director Adults Health and Wellbeing be authorised to agree the contract with the successful organisation; and
3. That authorisation be given pursuant to Procurement Procedures paragraph 2.1.1 (b) for an exception to the general provisions of paragraphs 2.5.1 (requirement for 6 tenders) and 2.5.2 (requirement for public notice) of the Procedures in respect of the procurement process for this contract.

Action by:

CORPORATE DIRECTOR, ADULTS HEALTH AND WELLBEING (J. GOLDUP)

Service Head Commissioning and Strategy, Adults Health and Wellbeing (H. Taylor)

Service Manager Commissioning, Adults Health and Wellbeing (B. Disney)

8. A BETTER PLACE FOR CREATING AND SHARING PROSPERITY**8.1 London Thames Gateway Development Corporation, Draft Bromley-by-Bow Land Use Design Brief (CAB 014/089)****Resolved:**

1. That the Draft Bromley-by-Bow Land Use and Design Brief, attached at Appendix 2 to the report (CAB 014/089) be approved for a 12 week period of statutory consultation to be carried out jointly between the Council and London Thames Gateway Development Corporation prior to its approval by the Authority as 'Interim Planning Guidance'; and
2. That the Corporate Director Development and Renewal be authorised, after consultation with the Lead Member Housing and Development, to make any appropriate and necessary minor amendments to the Bromley-by-Bow Land Use and Design Brief prior to statutory consultation from August 2008.

Action by

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

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

Development Manager – Development Design and Conservation, Development and Renewal (D. Williams)

Major Projects Development Planner, Development and Renewal (S. Williams)

9. A BETTER PLACE FOR LEARNING, ACHIEVEMENT AND LEISURE

Nil items.

10. A BETTER PLACE FOR EXCELLENT PUBLIC SERVICES

10.1 General Fund Service Outturn and Strategic Plan Performance Information for 2007/2008 - (CAB 015/089)

Resolved:

1. That the outturn position for 2007/2008 and the underspend of £6.2m against approved service budgets be noted;
2. That the technical target adjustment as detailed in Appendix A and explained in Section 6 of the report (CAB 015/089) be agreed;
3. That the Directorates' outturn and explanation for variances as detailed in Appendices B1-7 to the report (CAB 015/089) be noted;
4. That subject to (a) below the requests for carry forwards detailed in paragraph 5.1 of the report (CAB 015/089) be agreed;
 - (a) That the following carry forwards set out in the table contained within paragraph 5.1 of the report not be agreed and that these be the subject of a further report submitted for the consideration of the Cabinet at its next meeting:
 - Childrens Services - Re valuation on school properties resulting in National Non Domestic Rate (NNDR) rebate carried forward £134, 000.
 - Corporate – PC Refresh £224,000
5. That the transfers to earmarked reserves detailed in the Directorate reports and summarised at paragraph 5.2 of the report (CAB 015/089) be agreed;
6. That the efficiency statement for 2007/08 at paragraph 8.1 and Appendix D of the report (CAB 015/089) be noted;
7. That, in respect of the 2008/09 budget, £390,000 be allocated from the contingency established for the purpose of providing an increase in the budget for Child Care Court Costs, as set out in Section 7 of the report (CAB 015/089);
8. That the performance information for the year to 31st March 2008 [as set out in Section 9 of the report (CAB 015/089)] be noted; and

9. That the Revenue Collection data for the year to 31st March 2008 [as set out in Section 10 of the report (CAB 015/089)] be noted.

Action by:

CORPORATE DIRECTOR RESOURCES (C. NAYLOR)

Service Head Corporate Finance, Resources (A. Finch)

Financial Planning & Systems Manager, Resources (M. McGrath)

Performance Manager, Resources (L. Sutton)

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

12. UNRESTRICTED REPORTS FOR INFORMATION

12.1 Housing Revenue Account Provisional Out turn Report 2007/08 (CAB 016/089)

Resolved:

1. That the 2007/8 provisional outturn for the Housing Revenue Account be noted; and
2. That in the context of the identified increase in the level of Housing Revenue Account reserves, by in excess of £4 million, the Interim Corporate Director Development and Renewal after consultation with the Lead Member Housing and Development submit a further report to Cabinet, at the earliest opportunity, bringing forward costed proposals that accord with the priorities of the Cabinet to deliver early improvements in frontline housing services.

Action by:

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

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

Finance Manager, Development & Renewal (P. Leeson)

12.2 Exercise of Corporate Director Discretions (CAB 017/089)

Resolved:

That the exercise of Corporate Directors' discretions, as set out in Appendix 1 to the report (CAB 016/089), be noted.

Action by:

CORPORATE DIRECTOR RESOURCES (C. NAYLOR)

Capital and Investments Manager Corporate Accounting, Resources

(J. Ricketts)

13. EXCLUSION OF THE PRESS AND PUBLIC

The agenda circulated contained no Section Two business (business containing information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972. There was therefore no requirement to exclude the press and public, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, to allow for consideration of such business prior to the conclusion of the meeting.

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.**

Nil Items.

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

Nil Items.

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

Nil Items.

22. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil Items.

The meeting ended at 6.50 p.m.

Martin Smith
CHIEF EXECUTIVE