

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE CABINET**

**HELD AT 5.44 P.M. ON WEDNESDAY, 8 OCTOBER 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 M. Shahid Ali	
Councillor Abdul Asad	(Chair, Overview and Scrutiny Committee)
Councillor Peter Golds	(Leader Conservative Group)
Councillor Shafiqul Haque	
Councillor Denise Jones	

**Others Present:**

**Officers Present:**

Lutfur Ali	– (Assistant Chief Executive)
Andy Bamber	– (Service Head Community Safety, Communities Localities and Culture)
Rachel Bielby	– (Leader's Executive Assistant, Democratic Services, Chief Executive's)
Suki Binjal	– (Interim Head of Legal Services - Community, Chief Executive's)
Beverley Campbell	– (Community Support Officer, Funding and

Isobel Cattermole	Development Team, Development & Renewal)
Lara Cerroni	– (Service Head, Resources, Children's Services)
	– (Communications Officer, Communications, Chief Executive's)
Dave Clark	– (Head of Programmes, Performance and Accountability, Development and Renewal)
Kevan Collins	– (Corporate Director, Children's Services)
Margaret Cooper	– (Head of Transportation and Highways, Communities, Localities and Culture)
Luke Cully	– (Finance Manager, Communities, Localities & Culture)
Mary Durkin	– (Interim Service Head, Youth and Community Learning, Children's Services)
Paul Evans	– (Interim Corporate Director Development & Renewal)
Alan Finch	– (Service Head Corporate Finance, Resources)
Julian Francis	– (Political Adviser to the Conservative Group, Democratic Services, Chief Executive's)
John Goldup	– (Corporate Director, Adults Health and Wellbeing)
Stephen Halsey	– (Corporate Director, Communities, Localities and Culture)
Fiona Heyland	– (Waste Services Group Manager, Waste Management, Communities, Localities & Culture)
Chris Holme	– (Service Head Resources, Development & Renewal)
Afazul Hoque	– (Acting Scrutiny Policy Manager, Scrutiny and Equalities, Chief Executive's)
Nojmul Hussain	– (Scrutiny and Equalities Support Officer, Scrutiny & Equalities, Chief Executive's)
Mark Hutton	– (Team Leader, Development, Design and Conservation, Development & Renewal)
Helen Jenner	– (Service Head, Early Years Children and Learning, Children's Services)
Chris Naylor	– (Corporate Director, Resources)
Martin Smith	– (Chief Executive)
Matt Taylor	– (Team Leader Children & Adults, Legal Services, Chief Executive's)
Jon Underwood	– (Community Safety Partnership and Performance Manager, Community Safety, Communities Localities & Culture)
Mike Windley	– (Team Leader Building Control, Development & Renewal)
Kazim Zaidi	– (Political Advisor to the Labour Group, Democratic Services, Chief Executive's)
Angus Taylor	– (Executive Team Leader, Democratic Services, Chief Executive's)

#### ELECTION OF TEMPORARY CHAIR

At 5.44pm, the Clerk informed those present that the Chair [Chair of the Cabinet for the Municipal Year 2008/09], and Chief Executive were delayed in another meeting. However in accordance with the requirements of the Authority's Constitution (Part 4 – Rules of Procedure, Section 4. Procedure Rules, Rule 8.1, he was required to open the meeting as there were a sufficient number of Cabinet members present to form a quorum. Accordingly the clerk sought nominations from those Cabinet members present for a temporary Chair of the Cabinet.

Councillor C. Hawkins, Lead Member Children's Services, nominated Councillor A. Ullah, Lead Member Cleaner, Safer Greener, as Temporary Chair of the Cabinet. Councillor J. Peck, Lead Member Resources and Performance, seconded the nomination.

There being no other nominations it was: -

### **Resolved**

That Councillor A. Ullah, Lead Member Cleaner, Safer Greener, be elected Temporary Chair of the Cabinet.

### **COUNCILLOR A. ULLAH IN THE CHAIR**

### **ADJOURNMENT**

The Chair informed those members of the Cabinet present that he considered it appropriate that the meeting adjourn for a period of 10 minutes, to allow for the arrival of the Chair [Chair of the Cabinet for the Municipal Year 2008/09], Chief Executive and other members of the Cabinet before consideration of the substantive business on the agenda commenced. Accordingly the Chair **Moved** the following motion for the consideration of members of the Cabinet, and it was: -

### **Resolved**

That the Cabinet adjourn for a period of 10 minutes, at 5.45pm, and that the meeting reconvene at 5.55pm.

**The meeting adjourned at 5.45pm**

**The meeting reconvened at 5.55pm**

At this juncture Councillor A. Ullah, the Temporary chair of the Cabinet, vacated the Chair and Councillor L. Rahman [Chair of the Cabinet for the Municipal Year 2008/09] took the chair.

### **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 Ms S. Binjal, Interim Head of Legal (Community), was deputising.

**Noted.**

## 2. DECLARATIONS OF INTEREST

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 6.1 "Conservation Area Designations: Proposals to designate new Conservation Areas and agree prudent revisions to existing boundaries". The declaration of interest was made on the basis that report referred to the Olympic Delivery Authority and the Olympic Park and Councillor Rofique U. Ahmed was a Board Member - Olympic Delivery Authority - Planning Decision Team.

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 7.1 "Building Schools for the Future (BSF) Wave 5 Outline Business Case" The declaration of interest was made on the basis that the report contained recommendations relating to the approval of the Outline Business Case, which included funding proposals in respect of Central Foundation Girls School, and Councillor Rofique U. Ahmed's daughter attended Central Foundation Girls School.

**Councillor A. Ullah** declared a personal interest in Agenda item 10.1 "Priorities and Arrangements for Mainstream Grants 2009-2012". The declaration of interest was made on the basis that Councillor Ullah was a member of the Wapping Bangladeshi Association.

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 10.2 "General Fund Revenue Budget 2008/09: Service Improvement Growth Proposals". The declaration of interest was made on the basis that the report contained recommendations relating to the funding of youth service provision in Local Area Partnership 1 area and Councillor Rofique U. Ahmed was a member of the LAP 1 Steering Group.

**Councillor M. Francis** declared a personal interest in Agenda item 10.2 "General Fund Revenue Budget 2008/09: Service Improvement Growth Proposals". The declaration of interest was made on the basis that the report contained recommendations relating to the funding of youth service provision in Tower Hamlets, the Old Ford Housing Association was a youth service provider, and Councillor Francis was an independent member the governing body of the Old Ford Housing Association.

**Noted.**

## 3. UNRESTRICTED MINUTES

Councillor Rofique U. Ahmed, Lead Member Culture and Leisure, in referring to the minutes of the meeting of the Cabinet held on 10<sup>th</sup> September 2008 detailed four matters of accuracy (set out in the resolution below) that required revision, and proposed that the minutes be amended accordingly.

The Chair **Moved** (taking account of the proposed amendments from Councillor Rofique U. Ahmed); and it was: -

### **Resolved**

That subject to revisions (a) to (d) below the unrestricted minutes of the ordinary meeting of the Cabinet held on 10<sup>th</sup> September 2008 be approved and signed by the Chair, as a correct record of the proceedings:

- (a) Page 5 Agenda item 2. "Declarations of Interest" - second paragraph, bullet 2: the text "LAP 2" to be deleted and replaced with text "LAP 1"
- (b) Page 6 Agenda item 2. "Declarations of Interest" - penultimate paragraph: the text "Olympic Development Agency" to be deleted and replaced with text "Board Member - Olympic Delivery Authority - Planning Decision Team".
- (c) Page 10 Agenda item 7.1 "Resourcing Tower Hamlets Youth Service" - first paragraph, bullet 2: the text "LAP 2" to be deleted and replaced with text "LAP 1"
- (d) Page 20 Agenda item 8.1 "Crime and Drugs Reduction Partnership Plan 2008-2011" - first paragraph: the text "Olympic Development Agency" to be deleted and replaced with text "Board Member - Olympic Delivery Authority - Planning Decision Team".

## **4. DEPUTATIONS & PETITIONS**

The clerk advised that the Assistant Chief Executive had received no requests for deputations or petitions in respect of the business contained in the agenda.

## **5. OVERVIEW & SCRUTINY COMMITTEE**

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

The Chair informed members of the Cabinet that Councillor Asad, Chair of the Overview and Scrutiny Committee, had **Tabled** a sheet of questions/ comments arising from the deliberations of the Overview and Scrutiny Committee, held on 7<sup>th</sup> October 2008, in respect of the unrestricted business contained in the agenda for consideration, a copy of which would be interleaved with the minutes.

Councillor Asad, Chair of the Overview and Scrutiny Committee:-

- Thanked Councillor Peck, Lead Member Resources and Performance, for attending the Overview and Scrutiny Committee the previous evening to respond to the “Call In” of the provisional decision of the Cabinet, taken in September 2008, in respect of 33-37 The Oval and Bethnal Green Gasholders Site, E3. Continued by informing members of the Cabinet that after lengthy deliberation of the “Call In” the Overview and Scrutiny Committee had endorsed the decision previously taken by Cabinet. However members of the Committee had raised a number of issues which the Committee considered should be encompassed within the investigation to be undertaken by Mr Smith, Chief Executive, including:
  - Transparency and openness to consultation with members of the Overview and Scrutiny Committee, Development Committee and Strategic Development Committee.
  - Consideration of whether the Developer tried to mitigate any loss to the Council and development activity had been halted as soon as possible.
  - A review of the Authority’s Scheme of Delegation [delegated powers].
  - Exploration of ways to increase community awareness about such developments through the Local Area Partnerships.
- Thanked Councillor Ali, Lead Member Health and Wellbeing, for attending the Overview and Scrutiny Committee the previous evening for the “Scrutiny Spotlight” and outlined the key issues on which this discussion focused.
- Informed members of the Cabinet of the Committee’s consideration of a report regarding performance in respect of Member’s Enquiries. Progress made with the Members Enquiries Business Process Improvement Project had been welcomed. However the Committee remained concerned about the quality of response that the Authority was receiving from both Council and external partners, and was particularly concerned about the response time from some Registered Social Landlords. The Cabinet was advised to request that Officers continue discussions to improve both the quality and response time for Member’s Enquiries.
- Informed members of the Cabinet that he had nothing to add to the questions/ comments raised by the Overview and Scrutiny Committee, as set out in the tabled paper regarding: -
  - Item 6.2 The Provision of Structural Checking Consultancy Services for Building Control - Contract No. DR3040 Building Control (Item 6.2 Higher Value Works) - (Three Year Contract with 1 Year Extension) Contract No. DR3011 Building Control (Lower Value Works) - (Three Year Contract with 1 Year Extension) (CAB 053/089)

- Item 7.1 Building Schools for the Future (BSF) Wave 5 Outline Business Case (CAB 055/089)
- Item 8.1 ASBO Publicity Protocol ( 059/089)
- Item 10.1 Priorities and Arrangements for Mainstream Grants 2009-2012 (060/089)

Mr Smith, Chief Executive, responded that he would consider recommendations of the Overview and Scrutiny Committee regarding the nature and scope of the investigation he had been requested to undertake in relation to the 33-37 The Oval and Bethnal Green Gasholders Site, when these had been presented to him in detail. However on the basis of the issues outlined by Councillor Asad, Chair of the Overview and Scrutiny Committee, he did not envisage any difficulty with the incorporation of these into the matters to be examined by the investigation.

Councillor Francis, Lead Member Housing and Development, noted the concerns raised by the Overview and Scrutiny Committee regarding the performance of some Registered Social Landlords in relation to both the quality and response time for Member's Enquiries; commenting that most Members acknowledged that this was this was a matter of concern. Accordingly Councillor Francis, proposed the following motion for the consideration of members of the Cabinet:

"That the concern of the Overview and Scrutiny Committee regarding the response time to Member's Enquiries on the part of some of the Authority's Registered Social Landlords partners, be noted; and that the Chief Executive be requested to write to the Chief Executive's of such partner organisations emphasising both the importance of the enquiries and the expectations of the Authority in relation to their responses."

The Chair thanked Councillor Asad for presenting the contribution of the Overview and Scrutiny Committee; and then **Moved** (taking account of the proposed amendment from Councillor Francis), and it was: -

### **Resolved**

1. 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.
2. That the concern of the Overview and Scrutiny Committee regarding the response time to Member's Enquiries on the part of some of the Authority's Registered Social Landlords partners, be noted; and that the Chief Executive be requested to write to such partner organisations emphasising both the importance of the enquiries and the expectations of the Authority in relation to their responses.

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

The Clerk advised that no provisional decisions taken by the Cabinet, at its meeting held on 10<sup>th</sup> September 2008, had been referred back to Cabinet, by the Overview and Scrutiny Committee, for further consideration.

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

### **6.1 Conservation Area Designations: Proposals to designate new Conservation Areas and agree prudent revisions to existing boundaries (CAB 052/089)**

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 6.1 "Conservation Area Designations: Proposals to designate new Conservation Areas and agree prudent revisions to existing boundaries". The declaration of interest was made on the basis that report referred to the Olympic Delivery Authority and the Olympic Park and Councillor Rofique U. Ahmed was a Board Member - Olympic Delivery Authority - Planning Decision Team.

Mr Evans, Interim Corporate Director Development and Renewal, at the request of the Chair in introducing the report:

- Summarised the salient points contained therein:-
- Advising that the Cabinet, in May 2008, had:
  - Approved a set of draft selection criteria for the identification of areas suitable for designation as a conservation area and reviewed proposals for 7 new conservation areas and proposals for 18 revisions to existing conservation areas.
  - Agreed wide public consultation in relation to both the criteria and these proposals.
  - The report before the Cabinet analysed the responses to consultation and recommended adoption of the criteria designation of the new and revised conservation areas with some minor revisions reflecting the response to consultation.
- Highlighting the definition of a conservation area set out at paragraph 3.1 of the report.
- Drawing attention to the maps at Appendix A which detailed boundaries for the proposed new and revised conservation areas and also the comparative maps at Appendix E which detailed existing and proposed boundaries prior to public consultation.

Councillor Francis, Lead Member Housing and Development:

- Noted the extensive consultation undertaken with residents in relation to the draft conservation area criteria and proposed new and revised conservation areas, and welcomed the proposals set out in the report.

- Advised that he had received last minute representations from two developers in relation to the proposed new conservation areas at Hackney Road and also at Redchurch Street, but commended to members of the Cabinet the recommendation set out in the report, for designation of these areas as conservation areas, for the reasons set out in the body of the report.
- Considered that the potential for designation of the Nags Head Estate and also the Poets Estate as conservation areas should be examined in the next review of conservation area designations.

Mr Evans, Interim Corporate Director Development and Renewal, Mr Hutton, Team Leader Development Design and Conservation – Development and Renewal, and the Clerk, at the request of the Chair, responded to requests for clarification/ assurance, in relation to a number of matters as follows:

- The rationale for the proposed inclusion of Whitechapel Market within a designated conservation area, together with the potential positive and negative implications thereof.
- The basis for inclusion of the swimming baths on The Highway, a modern seventies building, within the St George's in the East Conservation Area.
- The rationale for not including buildings on the south side of Whitechapel Road at its eastern extremity, within the proposed Whitechapel Market Conservation Area which were considered to contribute to the overall character of the area and also to bridge the road in this respect.
- An explanation for the original inclusion of buildings within the Hackney Road Conservation Area, which were now to be excluded following the receipt of representations from English Partnerships. Also an explanation for the acceptance and reflection of these representations in the finalised designation proposals.
- Consideration that the Authority should respond to representations received from the Corporation of London, an unelected body described as the last "rotten borough", which sought to override the views expressed by local residents seeking to protect their environment.
- Consideration that a number of derelict buildings within the Redchurch Street Conservation Area should be prioritised for compulsory purchase within the CPO Strategy previously discussed by Cabinet.
- Whether Cabinet approval of the proposed conservation area designations, as proposed in the report before it, would be effective immediately.

Councillor Golds, Leader of the Conservative Group, speaking with the consent of the Cabinet, thanked both Officers and Members for their support in relation to the extension of the Cold Harbour Conservation Area. Councillor Golds also asked Officers to give consideration to:

- Obtaining a plaque relating the historic status of a building on Prestons Road from the time of King Edward VIII for the benefit of the community.
- Preservation of one of the few remaining outer walls of a historic quay on Prestons Road.

The Chair **Moved** the recommendations as set out in the report, and it was:

**Resolved:**

1. That the criteria for the selection and designation of Conservation Areas, as set out at paragraph 3.5 of the report (CAB 052/089) be adopted;
2. That the designation of the seven new Conservation Areas, and boundary changes to eighteen existing Conservation Areas, as identified on maps 1 to 7 and 1 to 18 respectively, contained within Appendix A of the report (CAB 052/089) be approved;
3. That the designation statements for the seven new Conservation Areas, attached at Appendix B to the report (CAB 052/08) be agreed;
4. That the preparation of draft Conservation Area Character Appraisals and Management Guidelines for the new and amended Conservation Areas be agreed and that it be noted that these will be referred back to the Cabinet to consider their adoption following public consultation.

**6.2 The Provision of Structural Checking Consultancy Services for Building Control - Contract No. DR3040 Building Control (Higher Value Works) - (Three Year Contract with 1 Year Extension) and Contract No. DR3011 Building Control (Lower Value Works) - (Three Year Contract with 1 Year Extension) (CAB 053/089)**

Mr Evans, Interim Corporate Director Development and Renewal, at the request of the Chair in introducing the report:

- Briefly summarised the salient points contained therein and in particular:-
  - Outlined the continuing need for structural checking services relating to building regulation applications to be provided to the Authority on a consultancy basis.
  - Summarised that both contracts had been tendered in accordance with the formal procedural requirements of European Union regulations and Public Contracts Regulations 2006.
  - Advised that although the precise value of the contracts DR 3040 and 3011 could not be determined, being dependent on the number and value of project and the general level of economic activity, an estimate based on referral levels in the past 18 months, placed the contract value for the former within the financial threshold requiring Cabinet approval, whilst the latter fell within the financial threshold requiring reporting to Cabinet for information.
- Addressed the matters raised by the Overview and Scrutiny Committee, held on 7<sup>th</sup> October 2008, in relation to the report; as set out in the tabled sheet of questions and comments presented by the

Chair of the Overview and Scrutiny Committee earlier in the proceedings.

The Chair **Moved** the recommendations as set out in the report, and it was:

**Resolved:**

1. That the selection and appointment of Monson Engineering Ltd as the Council's consultant under contract DR 3040 be approved;
2. That the appointment of Waterman Civil Ltd. as the Council's consultant under contract DR 3011 be noted.

## **7. A PROSPEROUS COMMUNITY**

### **7.1 Building Schools for the Future (BSF) Wave 5 Outline Business Case (CAB 055/089)**

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 7.1 "Building Schools for the Future (BSF) Wave 5 Outline Business Case" The declaration of interest was made on the basis that the report contained recommendations relating to the approval of the Outline Business Case, which included funding proposals in respect of Central Foundation Girls School and Councillor Rofique U. Ahmed's daughter attended Central Foundation Girls School.

Mr Collins, Corporate Director Children's Services, at the request of the Chair in introducing the report:

- Summarised the salient points contained therein and in particular-
  - Commented that that given the scale, importance and transformational nature of the Building Schools for the Future (BSF) programme it was appropriate that a further report be presented for Cabinet consideration.
  - Indicated that there were two waves to the BSF Programme in Tower Hamlets, Wave 3 which was in its advanced stages with work due to commence on the Bethnal Green St Paul's Way School at the start of January 2009; and Wave 5 which was progressing steadily through the required process, and the report before Cabinet related to approval of the Outline Business Case (OBC) for Wave 5 of the BSF programme.
  - Highlighted that:
    - ◆ The original value of the BSF Programme had been £185 million but this had risen to approximately £300 million, with Wave 5 a little less than £200 million.
    - ◆ The programme would yield the opening of a new secondary school by 2014, additional sixth form places to keep young people in education until the age of 18 (in line with new Government requirements), enhanced provision

for Special Educational Needs, resourcing which took account of inflation, and overall would result in the transformation of the school estate with all schools either refurbished or new build.

- Advised that the agreed delivery vehicle for the BSF programme was the Local Education Partnership (LEP) and that Bouygues Partnership for Education and Community had been approved as the Authority's partner to achieve delivery. It was hoped that lessons could be learned from the operational experience of Bouygues, as the chosen BSF Programme partner for the London Borough's of Waltham Forest and Westminster, to improve the outcome of the programme in Tower Hamlets.
- Indicated the next step, should the Cabinet be minded to approve the proposed OBC for Wave 5, would be to enter a direct dialogue with schools as to what the uplift in funding would mean for individual schools.
- Addressed the matters raised by the Overview and Scrutiny Committee, held on 7<sup>th</sup> October 2008, in relation to the report; as set out in the tabled sheet of questions and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings.

Councillor Hawkins, Lead Member Children's Services:

- Welcomed the proposals set out in the report as a fantastic step forward.
- Commented that although there was currently a climate of economic uncertainty, the funding for the BSF programme was guaranteed and would be used wisely, with investment in secondary school infrastructure and Information Communication Technology being the focus, both of which she considered to be greatly needed. Also commented that the Authority could not invest too much in the young people of Tower Hamlets, as they deserved the best service provision and BSF Wave 5 would deliver this.
- Thanked all those involved for their contribution to the positive position the Authority now found itself in, in relation to the BSF Programme, a priority for the Council; and also thanked the Labour Government for providing the resources for this programme.

The Chair **Moved** the recommendations as set out in the report, and it was:

**Resolved:**

1. That the Building Schools for the Future (BSF) Wave 5 Outline Business Case (OBC) be approved for submission to Partnership for Schools;
2. That the Wave 5 OBC be endorsed at a capital value of £199,495,969. (Inflated to funding start date), excluding ICT;
3. That the Corporate Director of Children's Services in consultation with the Corporate Director – Resources after consultation with the Lead

Member Children's Services be authorised to make any further amendments to the Wave 5 OBC consistent with its spirit in order to complete the approval process by Partnership for Schools.

## **7.2 Consultation on the Admission Arrangements (CAB 056/089)**

Councillor Hawkins, Lead Member Children's Services, in introducing the report summarised the salient points contained therein, in particular highlighting that under the admission arrangements for nursery schools, nursery classes, early years units and primary schools which were being proposed for annual consultation:

- Prioritisation would be given in cases where one or both parents of a child has a disability that would make travel to a school further away significantly more difficult.
- The policy in relation to admissions from Children's Centres would be given much greater clarity.

The Chair **Moved** the recommendations as set out in the report, and it was:

### **Resolved:**

That the annual consultation be undertaken on admissions for the 2010/11 academic year in relation to nursery schools, classes, early years units and primary admissions, as set out at paragraphs 4.2 and 4.3 of the report (CAB 056/089), secondary admissions, as set out at paragraph 6.1 of the report, and generic issues, as set out at paragraphs 7.1 and 7.4 the report.

## **7.3 Marnar Primary School - Proposed Expansion (CAB 057/089)**

Councillor Hawkins, Lead Member Children's Services, welcomed the proposals as an exciting development.

The Chair **Moved** the recommendations as set out in the report, and it was:

### **Resolved:**

1. That the contents of the report (CAB 057/089) be noted;
2. That statutory proposals be published for the enlargement of Marnar School to admit 90 pupils in each year from September 2010.

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

### **8.1 ASBO Publicity Protocol (CAB 059/089)**

Mr Halsey, Corporate Director Communities, Localities and Culture, at the request of the Chair in introducing the report, briefly summarised the salient points contained therein and in particular:-

- Highlighted that:
  - The proposals contained in the report, relating to the Authority's approach to publicising Anti Social Behaviour Orders (ASBOs), reflected Home Office Guidance and had not been locally generated.
  - A one year pilot of the ASBO Publicity Protocol, with an analysis of the outcomes reported to Cabinet in early 2010 was proposed.
- Drew attention to:
  - Section 4 of the report which set out the evidential support, derived from a survey of the approach of other local authorities, for the proposed approach to publicising ASBO's
  - Paragraph 3.4 of the report which set out the benefits to be derived from the proposed approach and gauges to measure the success of the one year pilot.
- Addressed the matters raised by the Overview and Scrutiny Committee, held on 7<sup>th</sup> October 2008, in relation to the report; as set out in the tabled sheet of questions and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings.

Councillor Peck, Lead Member Resources and Performance, broadly welcomed the proposals, set out in the report, as a sensible and proportionate way of dealing with anti social behaviour. However he also:

- Considered that The ASBO Publicity Protocol required revision to indicate with clarity that there would be no Member level involvement in the associated decision making process.
- Commented that publicising ASBOs could, in some cases, have a negative impact on public confidence and levels of reassurance or even have potential to cause public disorder, and consequently felt that Officers should be required to take such factors into consideration when examining, on a case by case basis, whether to publicise an ASBO, and that the ASBO Publicity Protocol and associated proforma required appropriate revision.

Accordingly Councillor Peck proposed, for the consideration of members of the Cabinet, that the recommendation set out in paragraph 2.1 of the report be agreed, subject to the suggested revisions set out above.

A discussion followed, during which the proposals were broadly welcomed and which focused on the following:

- Acknowledgement that ASBOs and the publicising of them could be an effective tool in mitigating anti social behaviour, tempered with consideration that the benefits of publicity needed weighed against the negative impact on the individuals concerned. The safeguards built into the ASBO Publicity Protocol in this regard, together with the learning derived from best practice in other local authorities to develop a more reasonable approach, was noted.

- It was noted that a one year pilot scheme was proposed and that the outcome of this would be reported to Cabinet for consideration; and also its agreement sought for any roll out of the scheme. In this context it was also requested that the progress report should include evidence of all kinds, including anecdotal information.
- Concern was expressed that whilst for some an ASBO was a badge of honour and publicity might enhance this, for others it could stigmatise the individuals, adversely affect their families, or even endanger their safety. In this context assurance was sought and given that the possible approach to publicising ASBOs, proposed in the report, would be determined on a case by case basis and only taken up as a last resort, following a risk assessment.
- Whether the scheme would apply on estates where housing stock had transferred to Registered Social Landlords.

Councillor Ullah, Lead Member Cleaner Safer Greener, welcomed the proposals as a step towards reducing fear of crime and a demonstration that the stand taken by the Community against anti-social behaviour was moving forward and would work. He added that a new Community Safety Award Scheme, commended by the Home Secretary, would also give recognition to the contribution of individuals in encouraging a safer borough.

The Chair **Moved** the recommendations contained in the report (taking account of the amendment proposed by Councillor Peck), and it was:-

**Resolved:**

1. That subject to (a) and (b) below the approach contained within the ASBO [Anti-Social Behaviour Order] Publicity Protocol [attached at Appendix 1 to the report (CAB 059/089)] be approved as a pilot for one year and an analysis of the results of the pilot be presented to Cabinet in early 2010.
  - (a) That the ASBO Publicity Protocol states with clarity that there is no Member level involvement in the associated decision making process.
  - (b) That both the ASBO Publicity Protocol and the ASBO Publicity Proforma (latter attached at Appendix 2 to the report) include reference to the consideration of potential negative impact on public confidence/ reassurance and the potential for public disorder, as a result of the publicising of an ASBO; and
2. That it be noted that should the pilot referred to in resolution 1. above be approved, it will be publicly launched by sending a press release to the local media and placing a story in East End Life.

**9. A HEALTHY COMMUNITY**

The Clerk advised that there were no business to be considered under this section of the agenda.

## 10. ONE TOWER HAMLETS

### 10.1 Priorities and Arrangements for Mainstream Grants 2009-2012 (CAB 060/089)

**Councillor A. Ullah** declared a personal interest in Agenda item 10.1 "Priorities and Arrangements for Mainstream Grants 2009-2012". The declaration of interest was made on the basis that Councillor Ullah was a member of the Wapping Bangladeshi Association.

Mr Evans, Interim Corporate Director Development and Renewal, at the request of the Chair in introducing the report:

- Briefly summarised the salient points contained therein, in particular:-
  - Highlighting that the Cabinet were asked to consider arrangements for the roll out of a commissioning approach to the allocation of Mainstream Grant to the Third Sector, in accordance with the decision of the Cabinet in August 2007. They were asked to agree both the priorities for funding and in principle funding for these over a three year period.
  - Advising that the strategic commissioning approach proposed was congruent with the priorities of both the Community Plan and those of the Administration.
  - Advising that the indicative budget allocation for Mainstream Grant in 2009/10 was approximately £2.7 million, however this was subject to the Authority's Budget setting process.
  - Stating that it was not proposed that Mainstream Grant funding would only be available to large organisations or consortia under a commissioning approach. However a commissioning approach would provide a clear understanding for groups of all scales as to how they could make a successful contribution to the achievement of the identified priorities and related outcomes.
- Addressed the matters raised by the Overview and Scrutiny Committee, held on 7<sup>th</sup> October 2008, in relation to the report; as set out in the tabled sheet of questions and comments presented by the Chair of the Overview and Scrutiny Committee earlier in the proceedings.

A detailed discussion followed, during which clarification/ assurance was sought and given in relation to the following:

- The potential for small organisations at grass roots level delivering meaningful services to be marginalised by large organisations or consortia, which might have more capacity and expertise in the submission of funding applications which met the relevant criteria. Also consideration that organisations of all sizes should be able to apply for funding if that resulted in excellent service outcomes for residents of the borough.

- Consideration that additional clarity was required in relation to the financial threshold at which the commissioning process would be applicable and the application process for very small grants of between £1,000 and £2,000, currently awarded by the Grants Panel, for activities such as homework classes and supplementary schools activities.
- Arrangements being made for funding small groups in the start up phase and arrangements for capacity building groups which might be commissioned in the future.
- The need for transparency and inclusivity within the commissioning process including a need to support applicant groups/ organisations through this and renewed focus on simplification of the application process and assessment based on the quality of the scheme.

Councillor Rofique U. Ahmed, Lead Member Culture and Leisure proposed (Councillor A. Ali, Lead Member Health and Wellbeing, seconded the proposal) that the Interim Corporate Director Development and Renewal work closely with the Lead Member Regeneration, Localisation and Community Partnerships and other appropriate Lead Members prior to final implementation of the commissioning processes.

Councillor A. Choudhury, Lead Member Employment and Skills, commented that he had a strong belief in the value of “home grown” organisations and service provision because this empowered the local community and encouraged self sufficiency. He considered that performance monitoring of the commissioning approach to Third Sector funding should be linked to NI7 within the Local Area Agreement “Environment for a Thriving Third Sector”. Councillor Choudhury accordingly proposed an additional recommendation for the consideration of members of the Cabinet as follows:-

“That the commissioning approach to third sector funding be noted as supporting NI7 within the Local Area Agreement “Environment for a Thriving Third Sector”

Councillor O. Ahmed Lead Member Regeneration, Localisation and Community Partnerships, commented that:

- He worked in the Third Sector and had a great deal of personal knowledge about the activities of such organisations in Tower Hamlets; and he was aware that there was a great deal of uncertainty on the part of such organisations, that currently received Mainstream Grant funding of between £3,000 and £5,000, and whether the commissioning process would result in their closure.
- He was not totally convinced that small organisations would be able to secure funding under the new commissioning approach and that Officers should note that the Administration valued their contribution and it was the aspiration of members of the Cabinet that such organisations did not close under the new approach to funding.

Accordingly Councillor O. Ahmed proposed four additional recommendations, to those contained in the report, for the consideration of members of the Cabinet, as follows: “

- That the unique contribution of a diverse and vibrant third sector to the Council's vision of improving the quality of life for everybody of living and working in the Borough be acknowledged
- That the Authority's commitment to ensuring that small third sector organisations are able to fully participate and benefit from the commissioning process be reiterated and that the Interim Corporate Director Development and Renewal be instructed accordingly.
- That the Authority's intention to utilise the commissioning approach to focus on achieving positive outcomes for local people and maximising certainty and stability for third sector organisations be confirmed.
- That a mid-term progress report on commissioning be submitted for Cabinet consideration."

The Chair summarised that there was a consensus that:

- There should be continued funding of small organisations by the Authority, outside the commissioning process if necessary, which enabled them to continue to play a significant role in the provision of local services.
- That the commissioning approach to Third Sector funding should be linked to NI7 within the Local Area Agreement "Environment for a Thriving Third Sector".
- That there should be Lead Member "buy in" to final implementation of the Commissioning processes;

Accordingly he **Moved** the recommendations as set out in the report taking account of the proposed amendments from Councillor O. Ahmed, Councillor Rofique U. Ahmed and Councillor Choudhury), and it was:

**Resolved:**

1. That it be noted that, in accordance with the Cabinet decision of 1st August 2007, referred to at paragraph 3.6 of the report (CAB 060/089), all Mainstream Grant funding streams must use the adopted commissioning framework by 2009; as set out in paragraph 3.6 of the report (CAB 060/089);
2. That the detail and lessons learned from the Advice Services Commissioning Pilot, as set out in paragraphs 4.1 to 4.3 and Appendix A of the report (CAB 060/089), be noted;
3. That the rollout to all funding streams of the new funding model, as set out in paragraphs 5.1 to 5.7 of the report (CAB 060/089), be noted;
4. That the indicative 2009/10 Budget allocation for mainstream grant, across all funding streams and in total, as set out in table 1 within paragraph 6.2 of the report (CAB 060/089), which is to be subject to a commissioning approach, be noted; and that it also be noted that this is subject to the Authority's budget process;

5. That, subject to (a) and (b) below, in principle funding, for the 3 years of the service contract from April 2009 to March 2012, as set out in paragraph 6.2 of the report (CAB 060/089), be agreed;
  - (a) agreement on budget settlements
  - (b) delivery of agreed outputs/outcomes by the contracted organisations; and
6. That the Directorate funding priorities for 2009-2012, as set out in sections 6.5.1 to 6.5.4 of the report (CAB 060/089), be agreed;
7. That the unique contribution of a diverse and vibrant third sector to the Council's vision of improving the quality of life for everybody of living and working in the Borough be acknowledged; and that the commissioning approach to third sector funding be noted as supporting NI7 within the Local Area Agreement "Environment for a Thriving Third Sector";
8. That the Authority's commitment to ensuring that small third sector organisations are able to fully participate and benefit from the commissioning process be reiterated and that the Interim Corporate Director Development and Renewal secure the agreement of the Lead Member Regeneration, Localisation and Community Partnerships and other Lead Members as necessary, to the final implementation of the Commissioning processes;
9. That the Authority's intention to utilise the commissioning approach to focus on achieving positive outcomes for local people and maximising certainty and stability for third sector organisations be confirmed; and
10. That a progress report on commissioning be submitted for Cabinet consideration by April 2009.

#### **10.2 General Fund Revenue Budget - In Year Service Improvement Growth 2008/09 to 2010/11 (CAB 061/089) - To Follow**

**Councillor Rofique U. Ahmed** declared a personal interest in Agenda item 10.2 "General Fund Revenue Budget 2008/09: Service Improvement Growth Proposals". The declaration of interest was made on the basis that the report contained recommendations relating to the funding of youth service provision in Local Area Partnership 1 area and Councillor Rofique U. Ahmed was a member of the LAP 1 Steering Group.

**Councillor M. Francis** declared a personal interest in Agenda item 10.2 "General Fund Revenue Budget 2008/09: Service Improvement Growth Proposals". The declaration of interest was made on the basis that the report contained recommendations relating to the funding of youth service provision in Tower Hamlets, the Old Ford Housing Association was a youth service provider, and Councillor Francis was the an independent member the governing body of the Old Ford Housing Association.

The Chair informed members of the Cabinet that the special circumstances and reasons for urgency associated with the proposals were detailed on the front page of the report. The Cabinet subsequently agreed the special circumstances and reasons for urgency as set out on the front page of the report and also set out below:

- The report was unavailable for public inspection within the standard timescales set out in the Authority's Constitution, because detailed review and discussions were required with a number of the stakeholders identified in the proposed schemes for service improvement growth.

Councillor Peck, Lead Member Resources and Performance, in introducing the report summarised the salient points contained therein:

- Commenting that:
  - The proposals contained in the report sought to accelerate delivery in relation to the five areas comprising the Administration's priorities for achievement of transformational change agreed by the Cabinet, at its meeting held at the end of July 2008, in response to the aspirations of local residents:
    - ◆ Reducing over-crowding
    - ◆ Raising GCSE results to be the best in the country
    - ◆ Reducing levels of youth unemployment
    - ◆ Tackling anti-social behaviour and crime
    - ◆ Improving cleanliness and quality of the public realm
  - That the reduction of overcrowding was to be delivered through the Housing Strategy being taken forward by the Lead Member Housing and Development, and funded through the Housing Revenue Account. Improved attainment of GCSE's, particularly in English and Mathematics, was being taken forward by the Lead Member Employment and Skills, and would be funded through the Working Neighbourhoods Fund. It had consequently been determined that the focus of the service improvement growth proposals set out in the report should be the allocation of additional resources to the remaining three priorities.
- Highlighting key aspects of the proposals:
  - A dramatic increase in funding for Youth Services with £1million of additional resources year on year: £500,000 this year, £1million next year and the year after. A clear demonstration of the Administration's commitment to respond to the concerns raised that young people did not have enough to keep them occupied. The target outcomes associated with the additional funding included outreach work with targeted under-represented groups, increased proportions of accredited outcomes and better trained youth workers. The proposals would result in greatly improved service provision for a segment of the community which was vulnerable but also held much promise.

- Additional resourcing for the extension of the Litter Picking Scheme for a further two months, an initiative which resident feedback had indicated was resulting in a cleaner environment.
- Additional resourcing for road safety measures such as flashing vehicle speed signs, proven to result in drivers slowing down, which could also be moved to target accident hot spots. This was of key importance in a Central London Borough with large volumes of through traffic, in which the levels of road fatalities had been reduced but further improvement was needed.
- Although levels of recorded crime in Tower Hamlets had dropped, further improvement was needed and the proposals sought to achieve this through:
  - ◆ Additional resourcing to fund the roll out to all areas of enforcement activity days, focused on quality of life issues, which had resulted in 90 per cent satisfaction ratings from local residents in areas where these had been piloted.
  - ◆ Additional resources used to target crack houses which would expedite an improvement in the quality of people's lives, where one such house in a block could cause serious problems for the remaining residents.
  - ◆ Additional resources to place more police on the streets. Tower Hamlets had been the first Borough to have a Safer Neighbourhood Team in every Ward funded by the Council, and the cutting edge proposal in the report was to introduce a second wave of local police officers funded by the Council, resulting in local residents seeing a visible presence from the Borough's Bobbies
- Concluded that altogether the package of proposals would deliver a cleaner, safer and greener borough.

A detailed discussion followed, during which the proposals were universally welcomed and, which included the following points:-

- The proposed uplift in funding for Youth Service provision of approximately fifty percent, allocated through the youth service contracts, was welcomed as placing young people at the top of the Authority's agenda, reflecting current political priorities to improve GCSE results, tackling anti social behaviour and crime and reducing youth unemployment, of a scale sufficient to effect transformational change in these areas and demonstrating the commitment of the Administration to young people.
- It was considered that the proposed allocation of additional funding for Youth Service provision on a per capita basis linked to Local Area Partnerships, would result in a fairer distribution of available resources and would result in the benefit being felt by all young people.
- The proposal that the uplift in funding for Youth Service Provision start immediately was welcomed.
- Targets associated with the uplift in funding for Youth Service provision were welcomed with particular reference to:

- The roll out to all young people of later weekday opening, weekend opening and guaranteed opening.
- Increased proportion of accredited outcomes particularly in respect of the Duke of Edinburgh Award Scheme.
- Outreach and detached work to engage young people.
- Targeting of underrepresented groups such as girls, young people with disabilities and those that were lesbian and gay.
- It was considered that the outcome would be structured youth provision tailored to local need, but also facilitating catchment from a wider geographical area.
- Acknowledging historical shortcomings in youth provision, which had required taking provision “in house”, the importance of robust client monitoring of contractor performance to secure delivery of the desired outcomes was emphasised.
- The proposed additional funding for extra police officers was welcomed in the context of the positive affect on resident perceptions of the strong visible presence of police during the recent good behaviour zone initiative on the Roman Road.
- It was considered that deployment of the additional police officers, funded by the Council, was key to their effectiveness and also that it was appropriate that they should be used to tackle the excesses of anti-social behaviour found in all wards. It was noted that the officers could be deployed in different areas.
- The proposed road safety measures, welcome signage initiative, and road closure with associated enhancements in Fieldgate Street, contained within the proposals were welcomed.
- With reference to paragraph 6.9.2 of the report the importance of Community Cohesion in relation to the design of the proposed mosaic in Fieldgate Street was emphasised. It was noted that the Authority had achieved Beacon Status in this sphere.

Councillor Choudhury, Lead Member Employment and Skills:

- Considered it important that the description of activities and targets relating to the Council funding of a zero tolerance initiative in respect of drug dealing, set out in the body of the report, should not only refer to the arrest of drug dealers but also to an accompanying charge. This on the basis that without a charge for dealing the offence would be downgraded to one of possession and there could be an element of double counting toward the target of arrests for possession.
- Considered it appropriate that the proposed funding of a zero tolerance initiative in respect of drug dealing, and the related target of 365 arrests during 2008/09, should be headlined as “A Dealer a Day” initiative within the Authority’s associated communication strategy.

Accordingly Councillor Choudhury proposed, for the consideration of members of the Cabinet, that the recommendations set out in the report be revised accordingly.

Councillor Ullah, Lead Member Cleaner Safer Greener, considered it appropriate that the initiative for welcome signage contained in the proposals

set out in the body of the report clearly reflect the Authority's status as a 2012 Olympic Borough; and proposed, for the consideration of members of the Cabinet, that the recommendations set out in the report be revised accordingly.

The Chair in **Moving** the recommendations set out in the report (taking account of the proposed amendments from Councillors Choudhury and Ullah) commented that the proposals contained in the report demonstrated the commitment of the Administration to the delivering the aspirations of the local community in respect of a cleaner and safer environment and improved life chances for its young people.

And it was:-

### **Resolved**

1. That the allocation of additional funding for the youth service and the detailed allocations of that additional funding including specified outputs and expected outcomes, as set out at paragraph 4.5 and 4.6 of the report (CAB 061/089), be agreed;
  2. That the proposals for one off service improvement growth in respect of tackling anti-social behaviour; improving cleanliness and the quality of the public realm; and road safety as summarised in Figure 2 and paragraphs 6.3 to 6.11 of the report (CAB 061/089), be agreed;
  3. That Budget provision of £600,000 be allocated from 2009/10 to fund additional police officer support within each ward of the borough, as outlined in Section 6.7 of the report (CAB 061/089);
  4. That the Authority's activities and targets relating to drug dealing, detailed in paragraph 6.6, and included within the zero tolerance initiative referred to in figure 2 paragraph 6.2 of the report:
    - (a) Make reference to both an increased level of arrests and a high percentage of these accompanied by charges.
    - (b) Be headlined as "A Dealer a Day" initiative within the Authority's associated communication strategy.
  5. That the initiative for welcome signage detailed in paragraph 6.6, and referred to in figure 2 paragraph 6.2 clearly reflect the Authority's status as a 2012 Olympic Borough.
- 11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**

The Clerk advised that there were no business to be considered under this section of the agenda.

**12. UNRESTRICTED REPORTS FOR INFORMATION**

The Clerk advised that there were no business to be considered under this section of the agenda.

**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.

**14. EXEMPT / CONFIDENTIAL MINUTES**

Minutes of the meeting of the Cabinet held on 10<sup>th</sup> September 2008 approved.

**15. OVERVIEW & SCRUTINY COMMITTEE**

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

Nil items.

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

Nil items.

**16. A GREAT PLACE TO LIVE**

Nil items.

**17. A PROSPEROUS COMMUNITY**

Nil items.

**18. A SAFE AND SUPPORTIVE COMMUNITY**

Nil items.

**19. A HEALTHY COMMUNITY**

Nil items.

**20. ONE TOWER HAMLETS**

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 7.10 p.m.

Chair, Councillor Lutfur Rahman  
Cabinet