

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.30 P.M. ON WEDNESDAY, 7 APRIL 2010

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, Resources and Performance)
Councillor Rofique U Ahmed	(Lead Member, Culture and Leisure)
Councillor Abdul Asad	(Lead Member, Children's Services)
Councillor Marc Francis	(Lead Member, Housing and Development)
Councillor Rania Khan	(Lead Member, Regeneration, Localisation and Community Partnerships)
Councillor Joshua Peck (Vice-Chair)	(Deputy Leader of the Council)
Councillor Oliur Rahman	(Lead Member, Employment and Skills)
Councillor Abdal Ullah	(Lead Member, Cleaner, Safer, Greener)

Other Councillors Present:

Councillor Stephanie Eaton	(Leader Liberal Democrat Group)
Councillor Sirajul Islam	(Chair, Overview & Scrutiny Committee)

Officers Present:

Kevan Collins	– (Chief Executive)
Isobel Cattermole	– (Acting Corporate Director, Children, Schools & Families)
Aman Dalvi	– (Corporate Director, Development & Renewal)
Isabella Freeman	– (Assistant Chief Executive [Legal Services])
Helen Taylor	– (Acting Corporate Director Adults Health & Wellbeing)
Mohammed Ahad	– (Scrutiny Policy Officer)
Robin Beattie	– (Acting Head, Strategy & Resources Communities, Localities and Culture)
Margaret Cooper	– (Head of Transportation & Highways)
Alan Finch	– (Service Head, Corporate Finance, Resources)
Afazul Hoque	– (Scrutiny Policy Manager, Scrutiny & Equalities, Chief Executive's)
Jackie Odunoye	– (Service Head Strategy Regeneration and Sustainability, Development & Renewal)

- Kelly Powell – (Communications Officer, Communications, Chief Executive's)
- Alison Thomas – (Private Sector and Affordable Housing Manager)
- Louise Fleming – (Acting Executive Team Leader, Democratic Services)

The following is a record of those decisions taken by the Cabinet at their meeting held on Wednesday 7th April 2010.

Most decisions may be 'called in', by the Assistant Chief Executive, for scrutiny by the Overview and Scrutiny Committee to be held on Tuesday 8th June 2010 on receipt of a written request.

The **deadline** for the receipt of any such written request is **5.00pm on Friday 16th April 2010**. 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" on Monday 19th April 2010.

Any decision not "called in" for scrutiny can be implemented on Monday 19th April 2010.

Any decision 'called in' for scrutiny but supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 8th June 2010 can be implemented the following day, Wednesday 9th June 2010.

Any decision 'called in' for scrutiny but not supported by the Overview and Scrutiny Committee will be referred back to the Cabinet for further consideration on Wednesday 9th June 2010.

COUNCILLOR L. RAHMAN (CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Mr Stephen Halsey, Corporate Director Communities Localities and Culture, who was deputised for by Mr Robin Beattie, Service Head Strategy and Resources.
- Mr Chris Naylor, Corporate Director Resources, who was deputised for by Mr Alan Finch, Service Head Corporate Finance.

Noted.

Action by:

ASSISTANT CHIEF EXECUTIVE – LEGAL SERVICES (I. FREEMAN)

Acting Executive Team Leader, Democratic Services, Chief Executive's (L. Fleming)

2. DECLARATIONS OF INTEREST

Councillor Ohid Ahmed, Lead Member Resources and Performance, declared a personal interest in Agenda item 10.1 "Communities, Localities and Culture Directorate Capital Programme" (CAB 142/090). The declaration of interest was made on the basis that the report contained recommendations relating to the London Thames Gateway Development Corporation, on which Councillor Ahmed was a board member.

Councillor Abdul Asad, Lead Member Children, Schools and Families, declared a personal interest in Agenda item 7.2 "Children and Young People's Plan Annual Refresh 2010/11" (CAB 138/090). The declaration of interest was made on the basis that the report contained recommendations relating to youth service provision in the Borough, and Councillor Asad was employed by a Borough youth service provider.

Councillor Rania Khan, Lead Member Regeneration, Localisation and Community Partnerships, declared a personal interest in Agenda item 7.1 "Wellington Primary School – Proposed Expansion" (CAB 137/090). The declaration of interest was made on the basis that the school was situated in Councillor Khan's ward.

Councillor Rofique U Ahmed, Lead Member Culture and Leisure, declared a personal interest in Agenda item 10.1 "Communities, Localities and Culture Directorate Capital Programme" (CAB 142/090). The declaration of interest was made on the basis that the report contained recommendations relating to sites within his ward.

Councillor Lutfur Rahman, Leader of the Council, declared a personal interest in Agenda item 20.1 "Osmani Centre Building Project – Lease" (CAB 143/090). The declaration of interest was made on the basis that the site in question was within his ward.

Action by:**ASSISTANT CHIEF EXECUTIVE – LEGAL SERVICES (I. FREEMAN)**

Acting Executive Team Leader, Democratic Services, Chief Executive's (L. Fleming)

3. UNRESTRICTED MINUTES

That the unrestricted minutes of the ordinary meeting of the Cabinet held on 10th March 2010 be approved and signed by the Chair, as a correct record of the proceedings subject to the following amendments in italics:

Minute item 6.7 "Adoption of Capital Estimate for Housing Investment Programme 2010/11..."

"Reservation was expressed regarding the Buywell project...and only those ~~shops~~ *district centres* where there was an identified lack of *opportunities to buy* fruit and vegetables."

"In response to Members' questions...would take place regarding lease agreements *and report back to the Deputy Leader of the Council.*"

"6. That utilisation of £505,000 or available Local Authority Business Growth... and only those ~~shops~~ *district centres* where there was an identified lack of *opportunities to buy* fruit and vegetables."

Action by:**ASSISTANT CHIEF EXECUTIVE – LEGAL SERVICES (I. FREEMAN)**

Acting Executive Team Leader, Democratic Services, Chief Executive's (L. Fleming)

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**

Feedback from the Overview and Scrutiny Committee held 6th April 2010 presented by the Chair of the Overview and Scrutiny Committee.

Resolved

That the comments of the Overview and Scrutiny Committee be noted.

Action by:**ASSISTANT CHIEF EXECUTIVE – LEGAL SERVICES (I. FREEMAN)**

Acting Executive Team Leader, Democratic Services, Chief Executive's (L. Fleming)

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

Nil Items.

6. A GREAT PLACE TO LIVE

6.1 Compulsory Purchase Action for 2 long-term vacant properties (CAB 136/090)

Resolved

1. That the land and buildings as identified on the plan attached at Appendix 1 (CAB 136/090), be made the subject of a Compulsory Purchase Order (CPO) under the provisions of Section 17 of the Housing Act 1985 for the purpose of providing housing accommodation;
2. That the Assistant Chief Executive (Legal) be authorised to take all necessary steps to:
 - (a) make and obtain confirmation of the Compulsory Purchase Order
 - (b) obtain possession of the properties and land following confirmation
 - (c) complete the acquisition of the properties and land and effect immediate disposal in line with the Council's strategic regeneration objectives;
3. That a capital estimate within the Housing Investment Programme for 2011-12 be adopted to allow the purchase by the Authority of the Freehold interests in the properties. The amount of capital inclusive of legal costs and possible interest payments is shown in the restricted appendix 3 of the report (CAB 136A/090);
4. That the Corporate Director of Development & Renewal be authorised to enter into negotiations to acquire the two properties by agreement failing which a CPO will be made. The properties will then be sold on the open market with prospective purchasers entering into a binding legal agreement to renovate the properties and bring them back into residential use; and
5. That the resources generated from the sale of the properties will then be used to regenerate the local area by bringing empty properties back into circulation. They will therefore be 100% usable. The receipts will then be earmarked from the Local Priorities Programme to retrospectively fund the purchase of the properties cited in resolution 1 above.

Action by:**CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL****(A. DALVI)**

Service Head Strategy, Regeneration and Sustainability, Development and Renewal, (J. Odunoye)

Empty Property & Compulsory Purchase Officer, Development and Renewal (C. Ward)

7. A PROSPEROUS COMMUNITY**7.1 Wellington Primary School - Proposed Expansion (CAB 137/090)**

Councillor Rania Khan, Lead Member Regeneration, Localisation and Community Partnerships, declared a personal interest in Agenda item 7.1 "Wellington Primary School – Proposed Expansion" (CAB 137/090). The declaration of interest was made on the basis that the school was situated in Councillor Khan's ward.

Resolved

1. That the contents of the report (CAB 137/090) be noted;
2. That statutory proposals should be published for the enlargement of Wellington Primary School to admit 60 pupils in each year from September 2011; and
3. That subject to resolution 2 above the adoption of a capital estimate of £2.901m for the expansion of Wellington Primary School be approved and that the Acting Corporate Director, Children, Schools & Families be authorised to accept the contract sum negotiated with Tower Hamlets Schools Ltd for this project.

Action by:**ACTING CORPORATE DIRECTOR, CHILDREN SCHOOLS AND FAMILIES****(I. CATTERMOLE)**

Acting Service Head, Resources, Children's Schools and Families (K. Bingham)

Head of Building Development ,Children Schools and Families (P. Watson)

7.2 Children and Young People's Plan Annual Refresh 2010/11 (CAB 138/090)

Councillor Abdul Asad, Lead Member Children, Schools and Families, declared a personal interest in Agenda item 7.2 "Children and Young People's Plan Annual Refresh 2010/11" (CAB 138/090). The declaration of interest was made on the basis that the report contained recommendations relating to

youth service provision in the Borough, and Councillor Asad was employed by a Borough youth service provider.

Resolved

1. That the revised CYPP actions at appendix 1 of the report (CAB 138/090) be agreed; and
2. That the Corporate Director Children, Schools and Families, after consultation with the Lead Member for Children, Schools and Families and Children and Families' Trust be authorised to make appropriate amendments to the CYPP ahead of publication.

Action by:

**ACTING CORPORATE DIRECTOR, CHILDREN SCHOOLS AND FAMILIES
(I. CATTERMOLÉ)**

Service Head, Strategy, Partnerships and Performance, Children Schools and Families (S. Acland-Hood)

Service Manager, Strategy, Partnership and Performance, Children Schools and Families (L. Richards)

7.3 Phoenix School - Proposed Addition of a Sixth Form (CAB 139/090)

Resolved

1. That the contents of the report (CAB 139/090) be noted; and
2. That statutory proposals should be published for the addition of a sixth form at Phoenix School with effect from September 2010.

Action by:

**ACTING CORPORATE DIRECTOR, CHILDREN SCHOOLS AND FAMILIES
(I. CATTERMOLÉ)**

Acting Service Head, Resources, Children's Schools and Families (K. Bingham)

Head of Building Development, Children Schools and Families (P. Watson)

8. A SAFE AND SUPPORTIVE COMMUNITY

Nil Items.

9. A HEALTHY COMMUNITY

9.1 End of Life Care - responses to the recommendations of the Scrutiny Review Working Group (CAB 140/090)

Resolved

1. That the report of the Health Scrutiny Panel Working Group on End of Life Care as attached at Appendix 1 of the report (CAB 140/090) be noted; and
2. That the response to the recommendations from the Health Scrutiny Panel Working Group on End of Life Care attached at Appendix 2 of the report (CAB 140/090) be agreed.

Action by:**CHIEF EXECUTIVE (K. COLLINS)**

Service Head, Scrutiny and Equalities, Chief Executive's (H. Ali/F. Jones)
 Scrutiny Policy Manager, Scrutiny and Equalities, Chief Executive's (A. Hoque)

9.2 Children, Schools and Families Contracts (CAB 141/090)**Resolved**

1. That the Corporate Director of Children, Schools and Families be authorised to undertake contract negotiations with QALB Discovery Home for the delivery of the service and to enter into contracts for these services on behalf of the Authority as below; and

Provider	Service Provision	Ofsted Grade	Inspection	Contract Value	Contract period
QALB Discovery Home	Overnight short breaks for disabled children	Good		£459,000	1 July 2010 - 31 March 2011

2. That the Corporate Director of Children, Schools and Families be authorised to use delegated powers to extend the funding up to March 2012, subject to satisfactory performance of the provider, and dedicated government funding being available.

Action by:**ACTING CORPORATE DIRECTOR, CHILDREN SCHOOLS AND FAMILIES (I. CATTERMOLLE)**

Service Head, Strategy, Partnerships and Performance Children Schools and Families (S. Acland-Hood)

10. ONE TOWER HAMLETS**10.1 Communities Localities and Culture Directorate Capital Programme 2010/11 (CAB 142/090)**

Councillor Ohid Ahmed, Lead Member Resources and Performance, declared a personal interest in Agenda item 10.1 "Communities, Localities and Culture Directorate Capital Programme" (CAB 142/090). The declaration of interest was made on the basis that the report contained recommendations

relating to the London Thames Gateway Development Corporation, on which Councillor Ahmed was a board member.

Councillor Rofique U Ahmed, Lead Member Culture and Leisure, declared a personal interest in Agenda item 10.1 "Communities, Localities and Culture Directorate Capital Programme" (CAB 142/090). The declaration of interest was made on the basis that the report contained recommendations relating to sites within his ward.

Resolved

1. That the schemes listed in appendix A to the report (CAB 124/090) be included within the Communities Localities & Cultural Services Directorate's 2010/2011 Capital Programme;
2. That Capital Estimates (sum specified in estimated scheme cost column) for the schemes as outlined in Appendix A to the report (CAB 142/090) be adopted; and
3. That the Council's Measured Term Contracts be used for the implementation of the Transportation and Highways Works as appropriate.

Action by

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

Head of Transportation & Highways, Communities, Localities and Culture (M. Cooper)

Finance Manager, Communities, Localities and Culture (L. Cully)

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items

12. UNRESTRICTED REPORTS FOR INFORMATION

Nil items

13. EXCLUSION OF THE PRESS AND PUBLIC

Resolved

That pursuant to regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the press and public be excluded from the remainder of the meeting:

- (a) As it was likely, in view of the nature of the business to be transacted in Section Two of the agenda, that if members of the public were present during consideration of this business there would be disclosure of exempt information.

- Exempt information is defined in section 100I and, by reference, Schedule 12A of the Local Government Act 1972 (“the 1972 Act”). To be exempt, information must fall within one of the categories listed in paragraphs 1 to 7 of Schedule 12A, must not fall within one of the excluded categories in paragraphs 8 and 9 and the public interest in maintaining the exemption must outweigh the public interest in disclosing the information.
 - Agenda item 15.1. “Compulsory Purchase Action for 2 long-term vacant properties (CAB 136A/090)” contained Information relating to any individual, the financial or business affairs of any particular person (including the authority holding that information)” and any action taken or to be taken in connection with the prevention, investigation or prosecution of crime”.
 - Agenda item 20.1 “Osmani Centre Building Project – Lease” (CAB 143/090) contained information relating to the financial or business affairs of any particular person (including the authority holding that information).
- (b) As although there is a public interest favouring public access to local authority meetings, in this case the Cabinet concluded that given the information contained in:
- Agenda Item 15.1. “Compulsory Purchase Action for 2 long-term vacant properties (CAB 136A/090)” pertaining to information relating to any individual, the financial or business affairs of any particular person (including the authority holding that information) and any action taken or to be taken in connection with the prevention, investigation or prosecution of crime”, that the public interest in maintaining the exemption on the information outweighed the public interest in disclosing it.
 - Agenda item 20.1 Osmani Centre Building Project – Lease” (CAB 143/090) pertaining to information relating to any individual, the financial or business affairs of any particular person (including the authority holding that information), that the public interest is best served by withholding the exempt information in order to preserve the Council’s position in a commercial transaction still to be completed.

14. OVERVIEW & SCRUTINY COMMITTEE

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

Nil Items.

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

Nil Items.

15. A GREAT PLACE TO LIVE

15.1 Compulsory Purchase Action for 2 long-term vacant properties (CAB 136A/090)

Exempt Appendices **Agreed.**

Action by:

CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL

(A. DALVI)

Service Head Strategy, Regeneration and Sustainability, Development and Renewal, (J. Odunoye)

Empty Property & Compulsory Purchase Officer, Development and Renewal (C. Ward)

16. A PROSPEROUS COMMUNITY

Nil Items.

17. A SAFE AND SUPPORTIVE COMMUNITY

Nil Items.

18. A HEALTHY COMMUNITY

Nil Items.

19. ONE TOWER HAMLETS

Nil Items.

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

20.1 Osmani Centre Building Project - Lease (CAB 143/090)

Councillor Lutfur Rahman, Leader of the Council, declared a personal interest in Agenda item 20.1 "Osmani Centre Building Project – Lease" (CAB 143/090). The declaration of interest was made on the basis that the site in question was within his ward.

Special Circumstances and Reasons for Urgency **Agreed.**

Recommendations **Agreed.**

Action by:

**ACTING CORPORATE DIRECTOR, CHILDREN SCHOOLS AND FAMILIES
(I. CATTERMOLE)**

Acting Service Head, Resources, Children's Schools and Families (K. Bingham)

Head of Building Development ,Children Schools and Families (P. Watson)

21. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil Items.

The meeting ended at 7.25 p.m.

**Kevan Collins
CHIEF EXECUTIVE**