

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.30 P.M. ON WEDNESDAY, 8 SEPTEMBER 2010

**MAIN HALL, STEPNEY GREEN MATHS AND COMPUTING COLLEGE, BEN
JONSON ROAD, LONDON E1 4SD**

Members Present:

Councillor Shahed Ali	(Lead Member, Environment)
Councillor David Edgar	(Lead Member, Resources)
Councillor Marc Francis	(Lead Member, Housing, Heritage and Planning)
Councillor Joshua Peck (Vice-Chair)	(Deputy Leader of the Council)
Councillor Rachael Saunders	(Lead Member, Health and Wellbeing)
Councillor Abdal Ullah	(Lead Member, Community Safety)

Other Councillors Present:

Councillor Stephanie Eaton	(Leader, Liberal Democrat Group)
Councillor Peter Golds	(Leader, Conservative Group)
Councillor Ann Jackson	(Chair, Overview & Scrutiny Committee)

Others Present:

Officers Present:

Andy Algar	– (Service Head Asset Strategy, Capital Delivery, Property Services, Development & Renewal)
Hafsha Ali	– (Acting Joint Service Head Scrutiny & Equalities, Chief Executive's)
Anne Canning	– (Service Head Learning & Achievement, Children Schools & Families)
Kevan Collins	– (Chief Executive)
Aman Dalvi	– (Corporate Director, Development & Renewal)
Tony Draper	– (Project Support Consultant, Development & Renewal)
David Galpin	– (Head of Legal Services (Community), Legal Services, Chief Executive's)
Stephen Halsey	– (Corporate Director, Communities, Localities & Culture)
John Harkin	– (Assistant Lettings Manager, Development & Renewal)
Chris Holme	– (Service Head, Resources, Development & Renewal)

Paul Leeson	– (Finance Manager, Development & Renewal)
Katharine Marks	– (Acting Service Head, Disabilities and Health, Adults Health & Wellbeing)
Chris Naylor	– (Corporate Director, Resources)
Jackie Odunoye	– (Service Head Strategy Regeneration and Sustainability, Development & Renewal)
David Sommerfield	– (Scrutiny and Equalities Support Officer, Scrutiny & Equalities, Chief Executive's)
Takki Sulaiman	– (Service Head Communications, Chief Executive's)
Owen Whalley	– (Service Head Major Project Development, Development & Renewal)
Angus Taylor	– (Executive Team Leader, Democratic Services, Chief Executive's)

The following is a record of those decisions taken by the Cabinet at their meeting held on Wednesday 8th September 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 5th October 2010 on receipt of a written request.

The **deadline** for the receipt of any such written request is **5.00pm on Friday 17th September 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".

Any decision not "called in" for scrutiny can be implemented on Monday 20th September 2010.

Any decision 'called in' for scrutiny but supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 5th October 2010, can be implemented the following day, Wednesday 6th October 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 6th October 2010.

COUNCILLOR J. PECK (VICE-CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor H. Abbas, Leader of the Council.
- Councillor S. Islam, Lead Member Regeneration and Employment.
- Councillor D. Jones, Lead Member Culture and Creative Industries.
- Councillor S. Khatun, Lead Member Children's Services.
- Ms I Cattermole, Acting Corporate Director Children, Schools and Families for whom Ms A. Canning, Service Head Learning and Achievement, Children, Schools and Families, was deputising.
- Ms I. Freeman, Assistant Chief Executive (Legal Services) for whom Mr D. Galpin, Head of Legal Services (Community), Chief Executive's, was deputising.
- Ms H. Taylor, Corporate Director Adults Health and Wellbeing for whom Ms K. Marks, Acting Service Head Disabilities and Health, Adults Health and Wellbeing, was deputising.

Noted.

Action by:

ASSISTANT CHIEF EXECUTIVE – LEGAL SERVICES (I. FREEMAN)

Executive Team Leader, Democratic Services, Chief Executive's (A. Taylor)

2. DECLARATIONS OF INTEREST

No declarations of interest were made.

3. UNRESTRICTED MINUTES

Resolved

That, subject to the amendments set out below, the unrestricted minutes of the ordinary meeting of the Cabinet held on 4th August 2010 be approved and signed by the Chair, as a correct record of the proceedings.

- Page 28 - Agenda item 10.2 "Budget 2011/12 – 2013/14 – Resource Allocation and Budget Review" third bullet contained in introduction of motion by the Lead Member Resources: deletion of text "thought to be

in the range of 57 million and million over the next three years” and insertion of “estimated to be £70 million over the next three years”.

- Page 29 - Agenda item 10.2 “Budget 2011/12 – 2013/14 – Resource Allocation and Budget Review” fifth bullet contained in introduction of motion by the Lead Member Resources: deletion of word “extrospective” and insertion of words “outward looking”.

Action by:

ASSISTANT CHIEF EXECUTIVE – LEGAL SERVICES (I. FREEMAN)

Executive Team Leader, Democratic Services, Chief Executive’s (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 7th September 2010 **Tabled** by the Chair of the Overview and Scrutiny Committee.

Resolved

That the questions/ comments/ advice 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/ comments/ advice related.

Action by:

ASSISTANT CHIEF EXECUTIVE – LEGAL SERVICES (I. FREEMAN)

Executive Team Leader, Democratic Services, Chief Executive’s (A. Taylor)

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

Nil items.

6. A GREAT PLACE TO LIVE

6.1 LDF Core Strategy: Adoption of the plan (CAB 029/101)

Resolved

1. That the Final Core Strategy contained in Appendix 1 to the report (CAB 029/101) be noted and endorsed also noting the Inspectors report and three Annexes as included in Appendix 2 to the report; and
2. That full Council be recommended to adopt the Local Development Framework Core Strategy (including the Inspectors required amendments) to be a part of the borough's Development Plan.

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

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

Deputy Service Head Planning and Building Control, Development and Renewal (D. Williams)

6.2 Adoption of Housing Investment Programme Capital Estimates - 2010/11 (CAB 030/101)**Resolved**

1. That the contractually committed schemes that have been let and have commitments in 2010-11 and 2011-12, as set out in paragraph 7.2 of the report (CAB 030/101) and Appendix A to the report, be noted;
2. That the capital estimates for those schemes set out in Appendix B to the report (CAB 030/101) be adopted and authority delegated to the Corporate Director, Development and Renewal, after consultation with the Lead Member – Housing, Heritage and Planning, to progress, subject to clarification on the funding for 2011-12 and resources being made available, as set out in paragraphs 7.4 and 7.5 to the report;
3. That a capital estimate of £500,000 be adopted within the 2010 -11 capital programme to establish a contingency provision for urgent works, as set out in paragraph 7.6 of the report (CAB 030/101);
4. That capital estimates of up to £2,000,000, as outlined in Appendix D of the report (CAB 030/101) be adopted, to allow the commencement of the Decent Homes programme to be funded under the Accelerated Delivery of Key Priorities as agreed by Cabinet on 4 November 2009, as set out in paragraph 8.1 of the report;
5. That a capital estimate of £100,000 to incorporate additional Aids and Adaptations funding into the Housing Investment Programme be adopted, noting that these resources were also approved under the Accelerated Delivery of Key Priorities as agreed by Cabinet on 4 November 2009, as set out in paragraph 8.2 of the report (CAB 030/101); and
6. That the capital receipt of £800,000 from the sale of 9 ex-short life properties to Network Housing Association be used to part fund the Network scheme at 14-20 Alie Street, as outlined in Section 9 of the report (CAB 030/101).

Action by:

CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL (A. DALVI)

Service Head - Strategy, Innovation & Sustainability, Development and Renewal (J. Odunoye)

Finance Manager, Development & Renewal (P. Leeson),

6.3 Carbon Reduction Commitment (CRC) Energy Efficiency Scheme (CAB 031/101)

Report withdrawn.

6.4 Renewal of Housing General Build Repair and Gas Servicing and Repair Contracts (CAB 032/101)**Resolved**

1. That it be agreed that the contracts for General Build Housing Repair and Gas Servicing and Repair proceed to Award stage; and
2. That the Corporate Director of Development and Renewal be authorised to award the contract or contracts, and after consultation with the Assistant Chief Executive (Legal Services) to execute all necessary contract documents.

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

Service Head - Strategy, Innovation & Sustainability, Development and Renewal (J. Odunoye)

Strategic Housing Manager, Development and Renewal (J. Coker)

6.5 The Private Rented Sector: Report of the Scrutiny Working Group (CAB 033/101)**Resolved**

1. That the report of the Scrutiny Working Group on the Private Rented Sector, as set out in Appendix 1 to the report (CAB 033/101), be noted; and
2. That, subject to (a) to (c) below, the response to the recommendations from the Working Group as set out in Appendix 2 to the report (CAB 033/101) be agreed, noting that continuing consideration was to be given to the emerging policy changes and public sector funding decisions of the new coalition government that have been made since the agreement of these recommendations by the Overview and Scrutiny Committee in April 2010.
 - (a) Response to Recommendation 4 – revision to include a reciprocal mechanism for referral between the Council and its partners.

- (b) Response to Recommendation 7 – revision to include use of East End Life to publicise services available to local residents for the reporting of rogue landlords.
- (c) Response to Recommendation 8 – revision to indicate that the Council’s existing award ceremonies would be developed to encompass a “landlord of the year” element.

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

Acting Joint Service Head Scrutiny & Equalities, Chief Executive's (H. Ali)
Scrutiny Policy Manager, Scrutiny & Equalities, Chief Executive's (A. Hoque)
Scrutiny Policy Officer (M. Ahad)

6.6 Poplar Baths - proposed procurement route (CAB 034/101)**Resolved**

1. That the proposed procurement route be agreed, and the Corporate Director Development and Renewal be authorised to commence the process of inviting developers/contractors to express an interest in the scheme by completing a pre qualification questionnaire;
2. That the capital funding requirement and the fact that the procurement process cannot proceed to shortlist phase without funding being in place be noted; and
3. That the Corporate Director, Development and Renewal be instructed to explore the scope for the capital receipt from any enabling development on Housing Revenue Account land being used to support this scheme.

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

Service Head Asset Management, Development and Renewal (A. Algar)

6.7 Building Control Charges (CAB 035/101)**Resolved**

1. That London Borough of Tower Hamlets Building Regulations Charging Scheme No1 2010 attached at Appendix A to the report (CAB 035/101) be agreed; and
2. That the Corporate Director Development and Renewal be authorised to approve standard charges tables in the proposed charges scheme and to amend, revoke or replace any future London Borough of Tower

Hamlets Building Regulations Charging Scheme made under the Building (Local Authority Charges) Regulations 2010.

Action by:

CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL (A. DALVI)

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

Deputy Service Head Planning and Building Control, Development and Renewal (D. Williams)

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

7. A PROSPEROUS COMMUNITY

7.1 Childcare Capital Projects (CAB 036/101)

Report withdrawn.

7.2 Culloden Primary School - Proposed Expansion (CAB 037/101)

Resolved

That statutory proposals be published for the enlargement of Culloden Primary School to admit 90 pupils in each year from September 2012.

Action by:

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

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

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

7.3 Thomas Buxton Infant and Junior Schools - Proposed Amalgamation (CAB 038/101)

Resolved

That statutory proposals be published both for the closure of Thomas Buxton Junior School from 31 March 2011 and the change of age range of Thomas Buxton Infant School from 1 April 2011, in order that the amalgamation of the existing Thomas Buxton Infant and Junior Schools be implemented.

Action by:

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

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

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

8. A SAFE AND SUPPORTIVE COMMUNITY

8.1 Youth Offenders: Supporting Vulnerable Young People. Report of the Scrutiny Working Group (CAB 039/101)

Resolved

1. That the report of the Scrutiny Working Group on Youth Offending, as set out in Appendix A to the report (CAB 039/101), be noted; and
2. That the response to the recommendations from the Working Group, as set out in Appendix B to the report (CAB 039/101) be agreed, noting that continuing consideration is to be given to the emerging policy changes and public sector funding decisions of the new Coalition Government that have been made since the agreement of these recommendations by the Overview and Scrutiny Committee in April 2010.

Action by:

CHIEF EXECUTIVE (K. COLLINS)

Acting Joint Service Head Scrutiny & Equalities, Chief Executive's (H. Ali)
Scrutiny Policy Manager, Scrutiny & Equalities, Chief Executive's (A. Hoque)
Scrutiny and Equalities Support Officer (D. Sommerfield)

9. A HEALTHY COMMUNITY

Nil items.

10. ONE TOWER HAMLETS

10.1 2009/10 Capital Outturn (CAB 040/101)

Resolved

1. That the contents of the report (CAB 040/101) be noted; and
2. That approvals of £4.083 million in the Local Priorities Programme, as detailed in Appendix 2 to the report (CAB 040/101), be carried forward into 2010/11.

Action by:

CORPORATE DIRECTOR RESOURCES (C. NAYLOR)

Service Head Corporate Finance, Resources (A. Finch)

10.2 Enforcement Policy and RIPA (CAB 041/101)

Special Circumstances and Reasons for urgency Agreed.

Resolved

1. That, subject to (a) below, the enforcement policy contained in Appendix 1 to the report (CAB 041/101), be approved:
 - (a) Annex 1 "Policy on the use of Covert Surveillance Regulation of Investigatory Powers Act 2000", Section 4 "Priorities", Paragraph 4.3 list of Council's current priorities for the use of RIPA to be revised to include all licence breaches.
2. That Full Council be recommended to amend the Council's Constitution so that the Terms of Reference of the Standards Committee includes oversight of enforcement action as part of its ethical governance function; and
3. That the Members Development Programme be modified to include training for members of the Standards Committee in respect of the Authority's Enforcement Policy and specifically aspects relating to the Regulation of Investigatory Powers Act 2000 (RIPA) dealing with surveillance.

Action by:

ASSISTANT CHIEF EXECUTIVE – LEGAL SERVICES (I. FREEMAN)

Head of Legal Services (Community), Chief Executive's, (D. Galpin)

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

12. UNRESTRICTED REPORTS FOR INFORMATION**12.1 Exercise of Corporate Director Discretions (CAB 042/101)****Resolved**

That the exercise of Corporate Directors' discretions, as set out in Appendix 1 of the report (CAB 042/101), be noted.

Action by:

CORPORATE DIRECTOR RESOURCES (C. NAYLOR)

Service Head, Corporate Finance, Resources (A. Finch)

Chief Financial Strategy Officer, Corporate Finance, Resources (O. Shonola)

Finance Officer, Corporate Finance, Resources (L. Stone)

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 14. “Exempt/ Confidential Minutes” (of the meeting of the Cabinet held on 7th April 2010) contained information
 - Relating to any individual.
 - The financial or business affairs of any particular person (including the authority holding that information).
 - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
- (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 14. “Exempt/ Confidential Minutes” (of the meeting of the Cabinet held on 7th April 2010) relating to
 - any individual.
 - The financial or business affairs of any particular person (including the authority holding that information).
 - 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.

SUMMARY OF EXEMPT PROCEEDINGS

14. EXEMPT / CONFIDENTIAL MINUTES

Revised minutes of Cabinet meeting held on 7th April 2010 agreed.

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 7.20 p.m.

Kevan Collins
CHIEF EXECUTIVE