

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.34 P.M. ON WEDNESDAY, 10 APRIL 2013

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

Members Present:

Mayor Lutfur Rahman	(Mayor)
Councillor Ohid Ahmed	(Deputy Mayor)
Councillor Rofique U Ahmed	(Cabinet Member for Regeneration)
Councillor Shahed Ali	(Cabinet Member for Environment)
Councillor Abdul Asad	(Cabinet Member for Health and Wellbeing)
Councillor Alibor Choudhury	(Cabinet Member for Resources)
Councillor Shafiqul Haque	(Cabinet Member for Jobs and Skills)
Councillor Rabina Khan	(Cabinet Member for Housing)
Councillor Rania Khan	(Cabinet Member for Culture)

Other Councillors Present:

Councillor Kabir Ahmed	(Executive Advisor to the Mayor and Cabinet)
Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Md. Maium Miah	(Advisor to the Mayor and Cabinet on Third Sector and Community Engagement)

Officers Present:

Robin Beattie	(Service Head, Strategy & Resources & Olympic Impact, Communities Localities & Culture)
Michael Bell	(Strategic Planning Manager, Development & Renewal)
Anne-Marie Berni	(Infrastructure Planning Manager, Planning & Building Control, Development & Renewal)
Anne Canning	(Interim Corporate Director Education Social Care and Wellbeing)
Colin Cormack	(Service Head Housing Options, Development & Renewal)
Aman Dalvi	(Corporate Director, Development & Renewal)
Sara Dilmamode	(Mayor Project Development, Planning)
Isabella Freeman	(Assistant Chief Executive - Legal Services, Chief Executive's)
Stephen Halsey	(Head of Paid Service and Corporate Director Communities, Localities & Culture)
Marissa Hernandez	(Strategic Planner, Strategic Planning, Development and Renewal)
Chris Holme	(Acting Corporate Director - Resources)
Numan Hussain	(Political Advisor to the Mayor, Executive Mayor's Office, Chief Executive's)

Ellie Kuper-Thomas	(Strategy, Policy and Performance Officer - Executive Mayor's Office, One Tower Hamlets, Chief Executive's)
Paul Leeson	(Finance Manager, Development & Renewal)
Martin Ling	(Housing Policy Officer)
Niall McGowan	(Housing Regeneration Manager)
Murziline Parchment	(Head of Executive Mayor's Office, Democratic Services, Chief Executive's)
Claire Symonds	(Service Head, Customer Access and ICT)
James Walsh	(Housing Regeneration Officer, Major Project Development, Development & Renewal)
Raju Miah	(Graduate, Corporate Communications)
Matthew Mannion	(Committee Services Manager, Democratic Services, Chief Executive's)

The following is a record of those decisions taken by the Cabinet at their meeting held on Wednesday 10 April 2013.

Most decisions may be 'called in', by the Assistant Chief Executive, for scrutiny by the Overview and Scrutiny Committee to be held on **Tuesday 7 May 2013** on receipt of a written request.

The **deadline** for the receipt of any such written request is **5.00pm on Friday 19 April 2013**. 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 22 April 2013.

Any decision 'called in' for scrutiny but supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 7 May 2013, **can be implemented** the following day, **Wednesday 8 March 2013**.

Any decision 'called in' for scrutiny but not supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 7 May 2013, will be

referred back to the Mayor in Cabinet for further consideration on Wednesday 8 May 2013.

MR L. RAHMAN (MAYOR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

DECISION

Apologies for absence were received on behalf of Councillor Oliur Rahman (Cabinet Member for Children's Services).

Action by:

ASSISTANT CHIEF EXECUTIVE – LEGAL SERVICES (I. FREEMAN)

(Committee Services Manager, Democratic Services, Chief Executive's (M. Mannion))

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

None were declared.

3. UNRESTRICTED MINUTES

The unrestricted minutes of the ordinary meeting of the Cabinet held on 13 March 2013 were presented for information.

4. PETITIONS

No petitions were received.

5. OVERVIEW & SCRUTINY COMMITTEE

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

Nil items.

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

Nil items.

6. A GREAT PLACE TO LIVE

6.1 The Lettings Policy 2013 and the Lettings Plan

The **Mayor** agreed to amend the Allocations Scheme to reduce, instead of end, the Key Worker Scheme target from 25 to 15 and for officers to monitor this and to come back with comments for the 2014/15 Lettings Plan.

The **Mayor** noted a correction to the priority target information. Accordingly agreed to amend the target for Band 3 should be increased to 10% from 6%.

DECISION

1. To agree the Allocations Scheme 2013 set out in Appendix 1, with the Key Worker Scheme amendment above.
2. To agree the priority target groups set out in paragraph 11.3 of the report, with the Band 3 amendment above.
3. To consider the impact assessment in Appendix 2.

Action by:

CORPORATE DIRECTOR, DEVELOPMENT AND RENEWAL (A. DALVI)
(Service Head, Housing Options (C. Cormack))

Reasons for the decision

As an overarching observation, the 2010 Lettings Policy has successfully delivered its core goal of being a simple and transparent mechanism for helping those most in housing need. Its development though was influenced by legislative constraints that, only recently, have been relaxed by the Localism Act.

There are opportunities then to amend the Lettings Policy to take advantage of this relaxation and, at the same time, officers invite adoption of a number of other policy and procedural amendments that, having been identified through consultation with residents and stakeholders, come together as a proposed Allocations Scheme 2013.

Alternative options

Some fifteen Policy amendments are proposed and this report recommends the adoption of all of these. The alternative is to either not amend the Policy or to adopt some, but not necessarily all, of the recommended amendments.

6.2 Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule

DECISION

1. To approve the Tower Hamlets Community Infrastructure Levy (CIL) Draft Charging Schedule (Appendix 1) for a six week public consultation including the charging zone maps and Regulation 123 List

(the list of projects Tower Hamlets intends to be able to spend its CIL receipts on).

2. To note the amended Infrastructure Planning and Funding Gap Report (Appendix 2) that forms part of the supporting evidence base to the Draft Charging Schedule. This document informs in respect of the infrastructure planning criteria Tower Hamlets must meet in order to implement a CIL Charging Schedule.
3. To note the Community Infrastructure Levy: Preliminary Draft Charging Schedule - Summary of Consultation Responses Report attached at (Appendix 3) that forms part of the supporting evidence base to the Draft Charging Schedule.
4. To note BNP Paribas Real Estate's Viability Study that forms part of the supporting evidence for the Draft Charging Schedule.
5. To note the Cabinet report regarding the Planning Obligations SPD, running as a consecutive Agenda item, as relating to this report.
6. To authorise the Corporate Director of Development and Renewal, in consultation with the Lead Members for Housing and Resources, to make any minor modifications to the Draft Charging Schedule and supporting evidence following the public consultation and to submit the Draft Charging Schedule and all supporting evidence, together with any proposed modifications, to the Planning Inspectorate for public examination.

Action by:

CORPORATE DIRECTOR, DEVELOPMENT AND RENEWAL (A. DALVI)
(Service Head, Planning and Building Control (O. Whalley))

Reasons for the decision

The reason for the decision is for Cabinet to agree the publication of rates set at a level that ensures the proper basis for the introduction of the CIL in the borough, which mitigates the impacts of development and leads to the provision of much needed supporting infrastructure.

The Council must set out its proposed rates in a Draft Charging Schedule and invite representations in accordance with Regulation 16 of the CIL Regulations 2010 (as amended).

The Council can choose to set differential rates in the Draft Charging Schedule, and for different areas, but it must aim to strike what appears to it to be an appropriate balance between: -

- a) The desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and

- b) The potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area. In doing so, the Council must also take into account the rates set by the Mayor in his Charging Schedule.

Alternative options

To not proceed with a Tower Hamlets Charging Schedule would mean not being able to move forward with the introduction of CIL in the borough. This will severely limit the Council's ability to raise funds, for the identified infrastructure needs of the borough and support the levels of projected growth. It should be noted that the scope for securing infrastructure funding through S106 agreements will be far more constrained from April 2014.

If the Council does not adopt a CIL Charging Schedule, it will be difficult to deliver the required infrastructure to mitigate development impact and support much needed improvements to the borough.

6.3 Revised Planning Obligations Supplementary Planning Document (SPD)

DECISION

1. To approve the Revised Planning Obligations Supplementary Planning Document, as set out in Appendix 1, for a six week consultation period to align with the consultation period of the CIL Draft Charging Schedule as per a separate Cabinet report on the agenda.
2. To delegate authority to the Corporate Director of Development and Renewal, in consultation with the Lead Members for Housing and Resources, to make editorial changes to the Revised Planning Obligations Supplementary Planning Document where necessary, prior to the beginning of the consultation period.

Action by:

CORPORATE DIRECTOR, DEVELOPMENT AND RENEWAL (A. DALVI)

(Service Head, Planning and Building Control (O. Whalley))

Reasons for the decision

Cabinet is asked to agree the publication of the Revised Planning Obligations SPD for consultation. The SPD sets out the Council's approach to the future use of S106 and its relationship with CIL. It explains the Council's approach to infrastructure provision in general and explains which mechanisms will be used to mitigate the impacts of development and to secure specific types of infrastructure.

It is important for the Council to set out its intended approach to S106 prior to the public examination of the CIL Charging Schedule. This will ensure transparency and will support the Council's case at the examination. It will also help demonstrate that there will be no adverse impacts on development viability in Tower Hamlets.

Alternative options

Failure to proceed with a revised Planning Obligations SPD would mean that (at the point when the Council adopts its CIL) the Council may not have a sufficiently robust foundation upon which to continue to apply S106 within the limitations set out in the CIL regulations. Without a revised SPD the Council would also be more vulnerable to challenge over compliance with CIL Regulations and potentially the combined impact on scheme viability where both CIL and S106 are applied.

If the Council does not adopt a Revised Planning Obligations SPD, following a mandatory period of consultation, the Council's capacity to secure site specific mitigation measures and other S106 contributions will be more difficult to achieve.

6.4 Affordable Housing Supplementary Planning Document (DPD)**DECISION**

1. To approve the draft Affordable Housing Supplementary Planning Document (AHSPD) for statutory public consultation.
2. To authorise the Corporate Director of Development and Renewal to make any necessary factual or minor editing changes to the draft AHSPD prior to the start of statutory public consultation.
3. To endorse the Managing Development DPD, as proposed to be modified, that will be presented to Council for adoption on 17 April 2013.

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

(Head of Planning and Building Control (O. Whalley)

(Strategic Planning Manager (M. Bell)

Reasons for the decision

The Council's adopted Core Strategy provides an overall vision for the development of Tower Hamlets over the next 15 years and sets strategic borough wide planning policies, while the 'Managing Development' Development Plan Document (DPD) provides further detail to deliver the vision to ensure new development meets the needs of the borough.

The AHSPD will provide further guidance on the implementation of policy, specifically policy DM3 – Delivering Homes, and negotiation of the provision of affordable housing. It will be a material consideration in the determination of planning applications and will provide certainty and guidance to investors, developers and the community.

In this current economic climate, the situation of development viability suggests developers are likely to challenge Council requirements for affordable housing. In the absence of a formally adopted and detailed

AHSPD, the Council would be in a weakened position to negotiate on the provision of affordable housing which meets identified housing needs.

Alternative options

An alternative option would be to rely on the 2011 London Plan, the 2010 adopted Core Strategy and the emerging Managing Development DPD. The London Plan provides strategic guidance for London, while the borough's Local Plan provides a vision and strategic development principles for the borough as a whole.

This option is considered inadequate as it would not provide sufficient detail to support meaningful negotiations on the provision of affordable housing. Without the additional guidance provided by the AHSPD, the DPDs do not in themselves provide the necessary level of detail to ensure a robust negotiating position for the Council.

The borough would not be able to respond to the challenges of recent changes in national and London planning policy, as well as emerging development pressures, to address specific issues affecting Tower Hamlets. Without a more detailed policy on affordable housing, there is a risk that the new 'affordable rent' product will result in new homes that are not affordable for the Borough's residents.

6.5 Bow Bridge Estates (Poplar HARCA): updated CPO Resolution)

DECISION

1. To note that it is necessary to update the previous Cabinet Resolution (7th November 2007) which authorised a series of precautionary CPOs including specific land interests on Poplar HARCA's Bow Bridge Estate, to reflect variations in the land interests to be acquired since the previous approval, as explained in the report.
2. To delegate to the Corporate Director of Development and Renewal, together with the Assistant Chief Executive, after consultation with the Mayor and Cabinet Member for Housing power to take all necessary steps including the making of a Compulsory Purchase Order (CPO), General Vesting Declaration or Notice to Treat in respect of the land shown edged red on the plan at Appendix 2 with regard to those interests set out in Appendix 1 including existing interests and new rights pursuant to Section 13 of the Local Government (Miscellaneous Provisions) Act 1976,
3. To delegate to the Corporate Director of Development and Renewal in consultation with the Assistant Chief Executive (Legal Services) the power to take all necessary procedural steps in making the compulsory purchase order including:-
 - 3.1. Making of the compulsory purchase order as described in Recommendation 2, including the publication and service of notices and thereafter seeking confirmation of it by the Secretary

- of State (or, if permitted, by the Council pursuant to Section 14A of the Acquisition of Land Act), including the preparation and presentation of the Council's case at any Public Inquiry which may be necessary.
- 3.2. Acquiring all interests in land and new interests identified through the referencing process within the CPO boundary shown at Appendix 2 either by private agreement or compulsorily
 - 3.3. Determination as to whether an individual Order shall be made under the provisions of Section 17 Housing Act 1985, or Section 226 Town and Country Planning Act 1990, as detailed in paragraphs 4.24 to 4.27 of the report (CAB 068/078), should the Assistant Chief Executive (Legal Services) consider this appropriate;
 - 3.4. Monitoring of negotiated agreements by Poplar HARCA with land owners or others as applicable, setting out the terms for withdrawal of objections to the compulsory purchase order, including where appropriate seeking exclusion of land or new rights from the compulsory purchase order.
 - 3.5. Publication and service of notices of confirmation of the CPO and thereafter to execute and serve any general vesting declarations or notices to treat, and notices of entry, and to acquire those interests to secure the development proposals.
 - 3.6. Referral and conduct of disputes relating to compulsory purchase compensation at the Upper Tribunal (Lands Chamber)
 - 3.7. Transfer of any land interests compulsorily acquired by the Council under the terms described in Recommendations 2 and 3 above to Poplar HARCA, once vacant possession is achieved.
4. To determine that the use of CPO powers is exercised where this is recommended in the report after balancing the rights of individual property owners with the requirement to obtain vacant possession of the site.
 5. To determine that the interference with the human rights of the property owners affected by these proposals, and in particular their rights to a home and to the ownership of property, is proportionate, given the adequacy of their rights to object and to compensation, and the benefit to the economic, social and environmental well-being of the areas of Tower Hamlets affected by these proposals.
 6. To note that all costs incurred by the council, to manage and deliver CPO processes will be reimbursed by Poplar HARCA.

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

(Strategic Housing Manager (J. Coker)
(Housing Regeneration Manager (N. McGowan)

Reasons for the decision

The decision requested is necessary to enable the making of a CPO, to support the delivery of a major regeneration scheme by Poplar HARCA on the Bow Bridge Estate. This estate was transferred under the Stock Transfer Scheme by the Council to Poplar HARCA for redevelopment. Poplar HARCA has developed plans for its renewal for existing and future residents. Poplar HARCA has confirmed that these plans cannot be implemented without the use of CPO powers

Negotiations by Poplar HARCA to acquire the affected land interests on a voluntary basis are on-going and many properties have been successfully acquired since the initial CPO Resolution in 2007. Council officers are monitoring HARCA's negotiations, but this approach now needs to be supported by the formal process of Compulsory Purchase. The CPO would run in tandem with HARCA's efforts to secure vacant possession voluntarily, helping to ensure that land interests can ultimately be acquired, thus enabling the proposed redevelopment scheme to progress without indeterminate delays.

Alternative options

The alternative option is to NOT make the recommended Resolution for the proposed CPO. In this instance negotiations by Poplar HARCA with individual land interests would continue, but the absence of a back-up CPO process could potentially have negative impacts, including:

- risks of significant delays in achieving acquisitions if owners refuse to negotiate voluntary settlements, which in turn would delay or jeopardise key redevelopment proposals;
- potentially higher costs for Poplar HARCA, i.e. to complete voluntary acquisitions and/or through resultant contract penalties for delay, either of which could reduce scheme funding or overall financial viability;
- non-delivery on joint commitments by the council and Poplar HARCA to provide comprehensive regeneration, including new affordable homes for local residents;
- risk of investment in public realm and general neighbourhood regeneration being lost;
- risk of cross subsidy funding from the homes for sale to provide the affordable homes being lost

6.6 Older Persons Housing Statement

DECISION

1. To approve the Older Persons Housing Statement attached at Appendix 1
2. To approve Older Persons Housing Statement Action Plan attached at Appendix 2

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

(Strategic Housing Manager (M. Ling))

Reasons for the decision

The changing demographics of older people across the borough requires a more focused response to the needs of this part of the community. The Older Person Housing Statement will provide an action plan that will enable all partners to work together to meet the increasingly diverse needs of this group.

Alternative options

The Council could choose to not have an Older Persons Housing Statement and set out its responses to the needs of this group through other associated plans and strategies.

6.7 Queen Elizabeth Olympic Park Bye-laws**DECISION**

1. To consider the two sets of byelaws for Queen Elizabeth II Olympic Park which are set out in Appendix 1 and 2 and agree that it may go forward to full council for these to be made.

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

(Senior Advocate (P. Greeno))

Reasons for the decision

The Queen Elizabeth Olympic Park will reopen to the public in phases following the Olympic Games. The first part of the Park will reopen on the 27th July 2013, followed by further phased opening on the 31st December 2013 and finally all Park areas will be open to the public from 31st March 2014. The Council has recently made Byelaws for its parks and open spaces. This park was not included in these Byelaws.

The Council has recently made Byelaws for its parks and open spaces but this park was not included in these Byelaws. These Byelaws will assist in ensuring acceptable behaviour in the park so that residents and visitors are able to fully enjoy the park.

Alternative options

The Council could choose not to have Byelaws but a the area of the Queen Elizabeth Olympic Park straddles Newham, Hackney, Tower Hamlets and Waltham Forest and each authority has been asked to make identical Byelaws in relation to Parks and Open Spaces and Public Conveniences then if the Council was to decide not to make Byelaws then it would have an adverse effect on the overall management of the park.

6.8 Communities, Localities & Culture Directorate Capital Programme 2013/14

DECISION

1. To include the schemes listed in Appendix A to the report within the Communities, Localities & Cultural Services Directorate's 2013/2014 Capital Programme.
2. To adopt Capital Estimates (sum specified in estimated scheme cost column) for the schemes as outlined in Appendix A to the report.
3. To agree that where possible the Council's Measured Term Contracts be used for the implementation of the Transport and Highways Works as appropriate.
4. To agree that where possible the landscape improvement works be let under the terms of the Landscape Framework Agreement for implementation as appropriate.

Action by:

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

(Head of Transport and Highways (M. Cooper)
(Finance and Resources Manager, CLC (S. Adams))

Reasons for the decision

A report was presented to Cabinet in February 2013 to agree the Capital programme for the Council for 2013-14 to 2015-16. Appendix A to this report provides the breakdown of details for individual schemes within that programme for which capital estimates must be adopted according to Financial Procedure FP 3.3. It also provides detail of additional capital funding which has been approved since the beginning of 2013 for inclusion on the 2013/14 capital programme.

Alternative options

Failure to adopt Capital Estimates will result in delays to progression of works in the capital programme.

7. A PROSPEROUS COMMUNITY

7.1 Children Schools and Families Capital Programme

DECISION

1. To note the contents of this report and specifically the predicted out-turn for the 2012/13 CSF Programme (detailed in Appendix A) and proposed allocation of the funding available in 2013/14(as detailed in Appendix B);

2. To approve the adoption of capital estimates for 2013/14 capital condition and improvement programme schemes as shown in Appendix C and authorise expenditure (paragraph 6.9);
3. To note the completion of the Primary Capital Programme (PCP) schemes as shown in Appendix D (paragraph 6.11);
4. To note the existing approved Primary School Expansion Programme as detailed in Appendix E (paragraph 6.13);
5. To approve the revised capital estimate of £7.16m for the works at Marnier Primary School to be funded from the uncommitted funds within the CSF capital programme (paragraph 6.14);
6. To approve the revised capital estimates of £4.80m for the works at Arnhem Wharf Primary School to be funded from the uncommitted funds within the CSF capital programme (paragraph 6.16);
7. To approve the adoption of a capital estimate of £400,000 for the costs of providing additional short term accommodation if required for additional pupils until major works have been carried out to provide permanent additional school places and authorise expenditure (paragraph 6.20);
8. To approve the adoption of a capital estimate of £500,000 to cover the costs of developing proposals to be considered for inclusion in the capital programme and authorise expenditure (paragraph 6.22);
9. To approve the adoption of £1.3m grant to fund capital works to provide the places required to meet the statutory entitlement for free early education for eligible two year olds from 1st September 2013 (paragraph 6.24);
10. To approve the adoption of £126,348.87 to renovate the Youth Services One Stop Shop, based at 150 Burdett Road to be funded from the 2012/13 Short Breaks Capital grant. (paragraph 6.32);
11. To agree that the Director of Education, Social Care and Wellbeing (ESCW), in respect of all proposed tenders referred in this report, in consultation with the Assistant Chief Executive (Legal Services), is authorised to accept tenders for projects within the approved programmes and capital estimate and to award the necessary contracts and the Assistant Chief Executive (Legal Services), is authorised to enter into all necessary documents to implement this decision ;
12. To agree that any scheme exceeding the approved budget, the Director of ESCW is authorised to prepare and carry out a Bill of Reductions where relevant to ensure expenditure is contained within the agreed costs.

Action by:**INTERIM CORPORATE DIRECTOR, EDUCATION, SOCIAL CARE AND WELLBEING (A. CANNING)**

(Head of Building Development (P. Watson))

Reasons for the decision

The Local Authority (LA) has a responsibility to maintain its properties to ensure that they are safe and secure for staff and users. In the case of schools, the LA also has a statutory responsibility to provide sufficient places for children and young people of school age. Cabinet is asked to note the programme and approve the adoption of the capital estimates so that the required works can proceed.

Alternative options

When identifying which works to include within the capital programme alternative options are always considered. This is to ensure that the projects both meet value for money and address the needs identified. Expansion projects are recommended following options appraisals and to select the options which best meet the location needs of the rising school age population.

7.2 Holy Family and Our Lady's Schools - Proposed Amalgamation**DECISION**

1. Note the contents of this report;
2. Note that Our Lady & St Joseph's School is planned to open in September 2014 following the amalgamation of the two existing primary schools.

Action by:**INTERIM CORPORATE DIRECTOR, EDUCATION, SOCIAL CARE AND WELLBEING (A. CANNING)**

(Head of Building Development (P. Watson))

Reasons for the decision

Westminster Diocese, the LA and the governing body of Holy Family & Our Lady's Schools have been working together for some time to develop proposals to allow the schools to amalgamate on one site. Following initial consultation, statutory proposals were published on 14 January 2013 by the Diocese and the governing body. This report informs Cabinet of the consultation and the decision taken to implement the proposals.

Alternative options

The required process has been followed in order to make the changes to the schools. The proposals were developed to ensure the long term sustainability of two small schools and presented an opportunity to address the accommodation deficiencies of the Our Lady's School site and premises which would not otherwise be capable of improvement.

7.3 Bow School - Proposals for September 2014

DECISION

1. To note the contents of this report;
2. To agree that statutory proposals should be published for Bow School for the proposed enlargement and change of character to admit boys and girls from September 2014;
3. To agree that the transitional admission arrangements described in paragraph 6.17.4 should operate for admissions to the school for the four years from September 2014.

Action by:

INTERIM CORPORATE DIRECTOR, EDUCATION, SOCIAL CARE AND WELLBEING (A. CANNING)

(Head of Building Development (P. Watson))

Reasons for the decision

Proposals have been developed to expand Bow School, admit both boys and girls and transfer to a larger site. Initial consultation on the proposals has been held. Cabinet is asked to consider the proposed changes, the response to the initial consultation and the recommendation that statutory proposals for the expansion and admission of both boys and girls should be published. The publication of statutory proposals is required in order to implement these changes to the school.

Alternative options

In order to meet the rising need for school places, the Council has implemented a number of school expansion projects and continues to develop further schemes to meet need. Longer term development plans for the borough include proposals for new schools. The proposals for Bow School will form part of a programme that will continue in order to meet the need.

8. A SAFE AND COHESIVE COMMUNITY

Nil items.

9. A HEALTHY AND SUPPORTIVE COMMUNITY

9.1 Adult Social Care Local Account (April 2011 – Dec 2012)

DECISION

1. To note the attached Local Account.

Action by:

INTERIM CORPORATE DIRECTOR, EDUCATION, SOCIAL CARE AND WELLBEING (A. CANNING)

(Service Manager Strategy & Performance Commissioning (K. Sugars))

Reasons for the decision

The Local Account is being put before Cabinet for information purposes.

Alternative options

N/A.

10. ONE TOWER HAMLETS

Nil items.

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

DECISION

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” – contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs

- Agenda item 16.1. "Ocean Estate Retail Units" contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs of the Council.

(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" – contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs
- Agenda item 16.1. "Ocean Estate Retail Units" contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs of the Council.

that the public interest in maintaining the exemption on the information outweighed the public interest in disclosing it.

14. EXEMPT / CONFIDENTIAL MINUTES

The exempt/confidential minutes of the Cabinet meeting held on 13 March 2013 were **tabled** for information.

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

16.1 Ocean Estate Retail Units

The recommendations in the report were **agreed** subject to a minor amendment.

17. A PROSPEROUS COMMUNITY

Nil items.

18. A SAFE AND COHESIVE COMMUNITY

Nil items.

19. A HEALTHY AND SUPPORTIVE 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 6.22 p.m.

Isabella Freeman
ASSISTANT CHIEF EXECUTIVE (Legal Services)