

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.36 P.M. ON WEDNESDAY, 8 MAY 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)

Other Councillors Present:

Councillor Kabir Ahmed	(Executive Advisor to the Mayor and Cabinet)
Councillor Marc Francis	
Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Ann Jackson	(Chair, Overview & Scrutiny Committee)
Councillor Gulam Robbani	(Executive advisor to the Cabinet and Mayor on adult social care)
Councillor Md. Maium Miah	(Advisor to the Mayor and Cabinet on Third Sector and Community Engagement)

Officers Present:

Anne Canning	(Interim Corporate Director Education Social Care and Wellbeing)
John Coker	(Strategic Housing Manager, Development & Renewal)
Aman Dalvi	(Corporate Director, Development & Renewal)
Barbara Disney	(Service Manager, Strategic Commissioning, Adults Health & Wellbeing)
Isabella Freeman	(Assistant Chief Executive - Legal Services, Chief Executive's)
Stephen Halsey	(Head of Paid Service and Corporate Director Communities, Localities & Culture)
Numan Hussain	(Political Advisor to the Mayor, Executive Mayor's Office, Chief Executive's)
Frances Jones	(Service Manager One Tower Hamlets, Chief Executive's)
Paul Leeson	(Finance Manager, Development & Renewal)
Jackie Odunoye	(Service Head, Strategy, Innovation & Sustainability, Development & Renewal)

Diana Warne
Matthew Mannion

(Head of Secondary Learning and Achievement)
(Committee Services Manager, Democratic
Services, Chief Executive's)

1. APOLOGIES FOR ABSENCE

RESOLVED

Apologies for absence were received on behalf of:

- Councillor Oliur Rahman (Cabinet Member for Children's Services)
- Robin Beattie (Service Head, Strategy and Resources)

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of Disclosable Pecuniary Interest were made. However, Councillor Ann Jackson, Chair of the Overview and Scrutiny Committee, declared a Non-Pecuniary Interest in Agenda Item 9.2 "Learning Disability Day Opportunities – Modernisation Programme" as a family member worked for one of the organisations mentioned and she would leave the room and not take part in the discussion of that item.

3. UNRESTRICTED MINUTES

The unrestricted minutes of the Cabinet meeting held on 10 April 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

Councillor Ann Jackson, Chair of the Overview and Scrutiny Committee (OSC), provided an update on their meeting the previous evening.

She reported that they had discussed a number of issues including:

- The Mayoral Decisions about virements of funding for the Mayor's Support Office and East End Life in respect of their earlier request for a report from the Monitoring Officer and Section 151 Officer about whether the decisions were contrary to the Budget and Policy Framework and whether they should have been considered as Key Decisions. They accepted that they would await the response of the Executive.
- In respect of the decision to review East End Life the Committee also questions why the review would need to take 9-12 months.
- The required savings in the adult social care budget were examined and the ability of the directorate to make those savings was explored.

Whilst noting the reassurances from the new Interim Corporate Director it was considered that the Health Scrutiny Panel may well continue to scrutinise the issue.

- The Call-In of the Mayoral Decision on Sutton Street Depot was also debated. This was to be referred back to the Mayor for further consideration.

The **Mayor** thanked Councillor Jackson for her contribution.

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

The Clerk advised that no requests had been received by the Assistant Chief Executive (Legal Services) to 'call-in' for further consideration, by the Overview and Scrutiny Committee, any provisional decisions taken by the Mayor in Cabinet, at the Cabinet meeting held on 10 April 2013.

6. A GREAT PLACE TO LIVE

6.1 HRA Capital Estimates Report

Councillor Rabina Khan, Cabinet Member for Housing, introduced the report welcoming the works that were planned.

There was a general discussion about the report and, whilst the programme was generally welcomed, a number of concerns were expressed of the need to ensure that the contractors properly completed the works and to the required standard. Problems were noted with previous work where, for example, showers had been fitted but did not actually work.

The **Mayor** thanked the Lead Member for the report and welcomed the investment. He noted the discussion and agreed with the concern over the need to monitor contractor performance. He noted the Cabinet Member for Housing's reassurance that this would be done.

RESOLVED

1. To agree the proposed works for the three year Decent Homes programme for 2013-14 to 2015-16.
2. To agree the proposed works for the 2013-14 non-Decent Homes programme, subject to satisfactory leaseholder consultation.
3. To adopt the reprofiled Capital Estimates for years 3, 4 and 5 of the Decent Homes Programme totalling £148.19 million, to bring the total Capital Estimate for the backlog and on-going Decent Homes programme to £181.37 million (paragraphs 5.1 to 5.5).
4. To adopt capital estimates for the Mainstream Capital Programme incorporating the schemes set out in Appendix 2, totalling £6,615,000,

to be managed in accordance with resource availability under the HRA self-financing regime (paragraphs 5.6 to 5.12), and a contingency of £600,000 for urgent works (see paragraph 5.13).

5. To adopt a capital estimate of £500,000 to fund Overcrowding Reduction Initiatives as outlined in paragraph 5.14.
6. To adopt capital estimates for the Aids and Adaptations programme (£750,000), the Capitalisation of Voids (£1.5 million) and the Capitalisation of Fees and Salaries (£650,000) as outlined in paragraph 5.15.
7. To authorise the Assistant Chief Executive (Legal), to enter into all necessary documents to implement the decisions made in respect of this report.

7. A PROSPEROUS COMMUNITY

7.1 Woolmore Primary School - Proposed Expansion

The report was introduced by Anne Canning, Interim Corporate Director Education, Social Care and Wellbeing who noted the objection that had been received to the original plan.

The **Mayor** welcomed the proposals and wider regeneration as much needed for the area and agreed the recommendations.

RESOLVED

1. To agree that statutory proposals for the enlargement of Woolmore Primary School to admit 90 pupils in each year from September 2014 should be implemented as published.

7.2 Review of the Council's Discretionary Awards Determination for the 2013/14 financial year and discretionary award policies

The **Mayor** introduced the report, welcoming it as a good news story for the Borough.

Responding to questions Anne Canning, Interim Corporate Director Education, Social Care and Wellbeing stated that the Higher Education grants would have a significant impact and she would explore how the impact of the grants in general could be recorded and reported back to Cabinet Members. She also stated that publicity was planned both direct from the Council and via partners such as schools to make sure students were aware of the schemes.

The **Mayor** agreed the recommendations listed in the report.

RESOLVED

1. To agree that the Council takes up the power to make the Mayor's discretionary awards in respect of specified groups of students over compulsory school age in 2013/2014.
2. To approve the policy in Appendix 1 for the provision by the Council of The Mayor's school clothing grants in 2013/2014 within the budget specified in paragraph 5.2 of this report.
3. To approve the policy in Appendix 2 for the provision of the Mayor's Budget Holding Lead Professional Scheme for Attendance Support in 2013/2014 within the budget specified in paragraph 5.2 of this report.
4. To approve the policy in Appendix 3 for the provision by the Council of the Mayor's discretionary awards in support of education travel in 2013/2014 within the budget specified in paragraph 5.2 of this report.
5. To approve the policy in Appendix 4 for the provision by the Council of the Mayor's Education Award (MEA) until the end of 2013/2014 academic year.
6. To approve the policy in Appendix 5 for the provision of the Mayor's Higher Education Award Scheme.

8. A SAFE AND COHESIVE COMMUNITY

Nil items.

9. A HEALTHY AND SUPPORTIVE COMMUNITY**9.1 Towards a Healthier Tower Hamlets: Health and Wellbeing Plan**

Councillor Abdul Asad, Cabinet Member for Health and Wellbeing, introduced the report and welcomed it as a vision to reduce health inequality and promote choice and independence. He highlighted the extensive consultation that had taken place.

The **Mayor** also noted the focus on partnership work set out in the Plan and he agreed the recommendations set out in the report.

RESOLVED

1. To endorse Towards a Healthier Tower Hamlets: Health and Wellbeing Plan, contained in Appendix 1, and the delivery plan in Appendix 2.

9.2 Learning Disability Day Opportunities - Modernisation Programme

Councillor Abdul Asad, Cabinet Member for Health and Wellbeing, introduced the report noting that the Programme had followed a vigorous process with full involvement of the Legal Services department.

The **Mayor** agreed the recommendations as set out in the report.

RESOLVED

1. To approve the award of the block contract, for a three-year period from the date of contract award, for the provision of the Supported Employment, Training and Social Enterprise Service.
2. To approve the award of contracts, for a three-year period for the Community Hub Preferred Provider list from the date of contract award subject to an annual review as part of the evaluation exercise.

1. Contract 4221: Supported Employment, Training and Social Enterprise (Block)
Tower Project
2. Contract 4179: Community Hubs – Preferred Provider List (Spot)
Suppliers (in order of score rating)
1. Apasenth
2. RCHL

3. Whilst this is a part B service for the purposes of the relevant European Union and UK Legislation on competition, good practice dictates that contract award cannot be confirmed until conclusion of a standstill period, which is 10 days from the date that the intention to award contracts is communicated to bidders to allow for settling challenges from unsuccessful bidders.

10. ONE TOWER HAMLETS

10.1 Strategic Plan 2013/14

Councillor Alibor Choudhury, Cabinet Member for Resources, introduced the report. He highlighted the key priorities for the year ahead and how they linked with the Mayor's stated priorities and pledges.

The **Mayor** welcomed the report and agreed the recommendations.

RESOLVED

1. To approve the Strategic Plan (appendix 1)

2. To authorise the Service Head Corporate Strategy and Equality to make any appropriate and necessary amendments prior to publication.

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

12. UNRESTRICTED REPORTS FOR INFORMATION

12.1 Exercise of Corporate Directors' Discretions

The **Mayor** reviewed the report and agreed the recommendation.

RESOLVED

To note the exercise of Corporate Directors' discretions as set out in Appendix 1.

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" – 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 21.1 "Reports of the Monitoring Officer and the Section 151 Officer in respect of Mayoral Virements" as the discussion of those reports was likely to contain 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 21.1. “Reports of the Monitoring Officer and the Section 151 Officer in respect of Mayoral Virements” 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 10 April 2013 were presented 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

Nil items.

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

21.1 Reports of the Monitoring Officer and Section 151 Officer in Respect of Mayoral Virements

The **Mayor** considered two **tabled** reports by the Monitoring Officer and Section 151 Officer in relation to Individual Mayoral decisions taken to vire money to provide funding to (a) East End Life and (b) the Mayor's Office.

AGREED

1. The two reports confirm that the Mayoral decisions were not in breach of the Budget and that I had taken the appropriate considerations into account in respect of my decision that they were not 'key decisions'. The Executive accepts the reports and has nothing further to add. I ask that the officers prepare a report for submission to the next Overview and Scrutiny Committee meeting confirming this response.

22. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil items.

The meeting ended at 6.16 p.m.

Chair, Mayor Lutfur Rahman
Cabinet