

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.38 P.M. ON WEDNESDAY, 9 OCTOBER 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 Amy Whitelock Gibbs	
Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Md. Maium Miah	(Advisor to the Mayor and Cabinet on Third Sector and Community Engagement)
Councillor Gulam Robbani	(Executive advisor to the Cabinet and Mayor on adult social care)

Officers Present:

Anne-Marie Berni	(Infrastructure Planning Manager, Planning & Building Control, Development & Renewal)
Anne Canning	(Service Head Learning and Achievement, Education Social Care and Wellbeing)
Sara Dilmamode	(Mayor Project Development, Planning)
Ben Gadsby	(Political Adviser to the Conservative Group)
Numan Hussain	(Political Adviser to the Mayor, Executive Mayor's Office, Chief Executive's)
Frances Jones	(Service Manager One Tower Hamlets, Corporate Strategy and Equality Service, Chief Executive's)
Murziline Parchment	(Head of Executive Mayor's Office, Democratic Services, Chief Executive's)
John Rutherford	Interim Service Head, Adult Social Care, Education Social Care and Wellbeing
Takki Sulaiman	(Service Head Communications, Chief Executive's)
Paul Thorogood	(Interim Service Head Finance and HR Development, Resources)
Robin Beattie	(Service Head, Strategy & Resources & Olympic)

Jill Bell	Impact, Communities Localities & Culture) (Head of Legal Services (Environment), Legal Services, Chief Executive's)
Aman Dalvi	(Corporate Director, Development & Renewal)
Chris Holme	(Acting Corporate Director - Resources)
Robert McCulloch-Graham	(Corporate Director, Education Social Care and Wellbeing)
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 9 October 2013.

Most decisions may be 'called in' for scrutiny by the Overview and Scrutiny Committee to be held on **Tuesday 5 November 2013** on receipt of a written request.

The **deadline** for the receipt of any such written request is **5.00pm on Friday 18 October 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 21 October 2013.

Any decision 'called in' for scrutiny but supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 5 November 2013, **can be implemented** the following day, **Wednesday 6 November 2013**.

Any decision 'called in' for scrutiny but not supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 5 November 2013, will be **referred back to the Mayor in Cabinet** for further consideration on **Wednesday 6 November 2013**.

MR L. RAHMAN (MAYOR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Oliur Rahman, Cabinet Member for Children's Services
- Stephen Halsey, Head of Paid Service and Corporate Director, Communities, Localities and Culture

Action by:

SERVICE HEAD, DEMOCRATIC SERVICES (J. WILLIAMS)

(Committee Services Manager (M. Mannion))

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

None were declared.

3. UNRESTRICTED MINUTES

The unrestricted minutes of the Cabinet meeting held on 11 September 2013 were presented for information.

4. 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**

Nil items.

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

Nil items.

6. A GREAT PLACE TO LIVE**6.1 Community Infrastructure Levy (CIL) – Revised Draft Charging Schedule****DECISION**

1. Subject to the amendment tabled, to approve the Tower Hamlets Community Infrastructure Levy (CIL) Revised Draft Charging Schedule (Appendix 1 of this report) for a 6 week public consultation.
2. To note the Summary of Consultation Responses October 2013 Report attached at Appendix 2.

3. To note the Infrastructure Planning and Funding Gap Report attached at Appendix 3, as amended. This document explains the infrastructure planning criteria Tower Hamlets must meet in order to implement a CIL 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 authorise the Corporate Director of Development and Renewal to make any minor modifications to the Revised Draft Charging Schedule following the public consultation and to submit the Revised Draft Charging Schedule, the representations made and evidence base 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 to ensure that the proposed CIL rates are set at an appropriate level, to allow the mitigation of the impacts of development and lead to the provision of much needed supporting infrastructure.

Further consultation on the Revised Draft Charging Schedule will ensure the changes are appropriately consulted upon prior to the submission of this document to the Planning Inspectorate for an Examination in Public.

Alternative options

To not proceed with a Tower Hamlets CIL Charging Schedule would mean the Council would be unable to levy a CIL on developments in the borough. The scope for securing infrastructure funding through Section 106 agreements will become far more constrained due to the restrictions on pooling financial contributions in the Community Infrastructure Regulations 2010 (as amended). This restriction will take effect from April 2014 (or more likely April 2015 if proposals to extend this deadline are accepted by Government). Therefore, not proceeding with a CIL will severely limit the Council's ability to raise funds to pay for the additional demands for infrastructure arising from development.

7. A PROSPEROUS COMMUNITY**7.1 Improving post-16 educational attainment in Tower Hamlets: Response to the Scrutiny Challenge Session****DECISION**

1. To note the review report.

Action by:**CORPORATE DIRECTOR EDUCATION, SOCIAL CARE AND WELLBEING
(R. McCULLOCH-GRAHAM)**

(Service Head, Corporate Strategy and Equality (L. Russell)
Senior Strategy Policy and Performance Officer (S. Barr)

Reasons for the decision

Post-16 educational attainment was chosen as a priority issue for the Overview and Scrutiny Committee in 2013-14 because of evidence that shows that many young people in Tower Hamlets are not achieving their full potential at this level. Raising attainment at post-16 is a priority for the Mayor and the Education Social Care and Wellbeing Directorate and it was felt strongly that a scrutiny review could make a valuable contribution to the work on this agenda.

Alternative options

To take no action. This is not recommended as the proposed recommendations are strategic, measurable and attainable. A timetable for delivering the recommendations has also been agreed by officers at the most senior levels of the organisation. The action plan is outlined in appendix 2.

To agree some, but not all recommendations.

8. A SAFE AND COHESIVE COMMUNITY

Nil items.

9. A HEALTHY AND SUPPORTIVE COMMUNITY**9.1 Tower Hamlets Safeguarding Children Board Annual Report and Business Plan 2012-13****DECISION**

1. To note the content of the Safeguarding Children Board Annual Report and be advised of the appointment of the new Independent LSCB Chair by the Head of Paid Service.

Action by:**CORPORATE DIRECTOR EDUCATION, SOCIAL CARE AND WELLBEING
(R. McCULLOCH-GRAHAM)**

(Senior Strategy, Policy and Performance Officer (Safeguarding Children Board Business Lead) (M. Bakht)

Reasons for the decision

In accordance with Working Together to Safeguard Children 2013, LSCBs are required to publish an annual report on the effectiveness of child safeguarding arrangements and promoting the welfare of children in their localities. Tower Hamlets LSCB seeks to ensure the report is available within the professional and public domain.

Alternative options

No alternative options have been considered as the LSCB annual report is presented only for Cabinet's information.

9.2 Tower Hamlets Safeguarding Adults Board Annual Report**DECISION**

1. To approve the publication of the Safeguarding Adults Board Annual Report.

Action by:

**CORPORATE DIRECTOR EDUCATION, SOCIAL CARE AND WELLBEING
(R. McCULLOCH-GRAHAM)**

(Safeguarding Adults and MCA Co-Ordinator (M. Gomes))

Reasons for the decision

The Safeguarding Adults Board seeks to be transparent and wishes to place this report in the public domain.

Alternative options

The Council might not agree with publication, but that would raise significant issues in relation to transparency and the independence of the Board.

10. ONE TOWER HAMLETS**10.1 Medium Term Financial Plan Update**

To consider and comment on the draft Medium Term Financial Plan set out in paragraph 6 and Appendix 1 of the report, in the context of the Spending Review 2013.

To consider the financial outlook and medium term projections set out in this report and agree that, on this basis, no immediate action is required to develop additional savings for 2014/2015.

To note that the financial position is subject to many unknowns and that officers will monitor the financial position closely and report to the Corporate Management Team and the Mayors Advisory Board for Strategic and Resource Planning during the financial year on developments in Government policy and their implication on the medium term financial plan.

To agree that officers, after consultation with the Mayor and Lead Member for Resources continue to develop further spending reduction options for the 2015/2016 financial year and the medium term.

Action by:

ACTING CORPORATE DIRECTOR RESOURCES (C. HOLME)

(Interim Service Head for Finance and HR Development (P. Thorogood))

Reasons for the decision

The Council's integrated financial and business planning process is the key mechanism for reviewing plans and strategies to ensure priorities are being met and that resources are allocated effectively to underpin their achievement. The process concludes in changes to the budget and medium term financial strategy that delivers a revised Community Plan and Strategic Plan.

While many key decisions, including the formal setting of Council Tax, are undertaken annually, these decisions need to be set in the context of a longer term plan. Forward planning offers greater opportunities to link service outcomes to the level of resources available, especially as Government funding reduces.

The planning process needs to be informed by an up-to-date understanding of the priorities for our residents and partners.

This report is intended to provide the financial context in which future decisions will need to take place.

Alternative options

This report is primarily for information. Any decision not to develop options to address future spending reductions would have serious ramifications for the Council.

10.2 Contract Forward Plan Q3**DECISION**

1. To approve that all the contracts set out in Appendix 1 can go to tender.
2. That the Corporate Director for the service has delegated power to award the contracts subject to consultation with the Mayor and the relevant lead member and a Head of Legal Services.
3. To authorise a Head of Legal Services to execute all necessary contract documents in respect of the awards of contracts referred to at recommendation 1 above.

Action by:

ACTING CORPORATE DIRECTOR RESOURCES (C. HOLME)

(Senior Procurement Manager (Z. Ahmed))

Reasons for the decision

The Council's Procurement Procedures require submission of a quarterly forward plan of contracts for Cabinet consideration, and it is a requirement of the Constitution that "The contracting strategy and/or award of any contract for goods or services with an estimated value exceeding £250,000, and any

contract for capital works with an estimated value exceeding £5,000,000, shall be approved by the Cabinet in accordance with the Procurement Procedures". This report fulfils these requirements for contracts to be let during and after the period Q3 of the Financial Year.

Alternative options

Bringing a consolidated report on contracting activity is considered the most efficient way of meeting the requirement in the Constitution, whilst providing full visibility of contracting activity; therefore no alternative proposals are being made.

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

12. UNRESTRICTED REPORTS FOR INFORMATION

12.1 Exercise of Corporate Directors' Discretions

DECISION

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

Action by:

ACTING CORPORATE DIRECTOR RESOURCES

(Chief Financial Strategy Officer (O. Shonola)

(Finance Officer (L. Stone)

Reasons for the decision

Financial Regulations requires that regular reports be submitted to Council/Committee setting out financial decisions taken under Financial Regulation B8.

The regular reporting of Corporate Director's Discretions should assist in ensuring that Members are able to scrutinise officer decisions.

Alternative options

The Council is bound by its Financial Regulations (which have been approved by Council) to report to Council/Committee setting out financial decisions taken under Financial Regulation B8.

13. EXCLUSION OF THE PRESS AND PUBLIC

No motion to exclude the press and public was passed.

14. EXEMPT / CONFIDENTIAL MINUTES

Nil items.

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

Nil items.

22. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil items.

The meeting ended at 6.06 p.m.

John S Williams
SERVICE HEAD, DEMOCRATIC SERVICES