

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE CABINET**

**HELD AT 5.35 P.M. ON WEDNESDAY, 4 FEBRUARY 2015**

**C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,  
LONDON, E14 2BG**

**Members Present:**

Mayor Lutfur Rahman	
Councillor Ohid Ahmed	(Cabinet Member for Community Safety)
Councillor Shahed Ali	(Cabinet Member for Clean and Green)
Councillor Abdul Asad	(Cabinet Member for Health and Adult Services)
Councillor Alibor Choudhury	(Cabinet Member for Resources)
Councillor Shafiqul Haque	(Cabinet Member for Culture)
Councillor Rabina Khan	(Cabinet Member for Housing and Development)
Councillor Aminur Khan	(Cabinet Member for Policy, Strategy and Performance)
Councillor Gulam Robbani	(Cabinet Member for Education and Children's Services)

**Other Councillors Present:**

Councillor Shah Alam	
Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Danny Hassell	
Councillor Md. Maium Miah	
Councillor Muhammad Ansar Mustaquim	
Councillor Shiria Khatun	(Deputy Leader of the Labour Group)
Councillor Joshua Peck	

**Apologies:**

Councillor Oliur Rahman	(Deputy Mayor and Cabinet Member for Economic Development (Jobs, Skills and Enterprise))
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**Officers Present:**

Katherine Ball	(Senior Accountant, Development & Renewal)
Robin Beattie	(Service Head, Strategy & Resources, Communities Localities & Culture)
Anne-Marie Berni	(Infrastructure Planning Manager, Planning & Building Control, Development & Renewal)
Margaret Cooper	(Section Head Transport & Highways, Public Realm, Communities Localities & Culture)
Aman Dalvi	(Corporate Director, Development & Renewal)
Ruth Ebaretonbofa-Morah	(Head of Financial Planning & Development)
David Galpin	(Service Head, Legal Services, Law Probity & Governance)

Stephen Halsey	(Head of Paid Service and Corporate Director Communities, Localities & Culture)
Chris Holme	(Acting Corporate Director - Resources)
Ekbal Hussain	(Financial Planning Manager, Chief Executive's and Resources)
Kevin Kewin	(Service Manager, Strategy & Performance)
Paul Leeson	(Finance Manager, Development & Renewal)
Robert McCulloch-Graham	(Corporate Director, Education Social Care and Wellbeing)
John McDermott	(Deputy Service Head Media Relations and Analysis)
Kevin Miles	(Chief Accountant, Resources)
Poppy Noor	Project Manager - Mayor's Office
Louise Russell	(Service Head Corporate Strategy and Equality, Law Probity & Governance)
Ann Sutcliffe	(Service Head Corporate Property and Capital Delivery, Development and Renewal)
Owen Whalley	(Service Head Planning and Building Control, Development & Renewal)
Matthew Mannion	(Committee Services Manager, Democratic Services, LPG)
David Knight	(Senior Democratic Services Officer)

#### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillor Oliur Rahman (Deputy Mayor and Cabinet Member for Economic Development).

#### **2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

None were declared.

#### **3. UNRESTRICTED MINUTES**

The unrestricted minutes of the Cabinet meeting held on 7 January 2015 were noted. Councillor Ohid Ahmed requested that his name be added to the comments made by Councillor Shahed Ali on Agenda Item 6.2 (Rights of Light – City Pride Development and Island Point Development).

#### **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**

#### **Pre Scrutiny Questions and Comments in relation to Items on the Agenda**

Councillor Joshua Peck, Chair of the Overview and Scrutiny Committee (OSC), **tabled**, pre-scrutiny questions in relation to items 6.2 (Multi-Faith Burial Ground) and 8.1 (Borough Wide 20 M.P.H. Zone), comments in relation to Item 6.1 (Community Infrastructure Levy Adoption) and also drew Members attention to the OSC response to the budget papers as set out in the agenda. The Lead Members responded to the questions and comments during consideration of the respective items.

In addition, Councillor Joshua Peck reported on the OSC meeting of the previous evening, in particular expressing the disappointment of Committee Members that the Mayor had been unable to attend.

### **5.2 Any Unrestricted Decisions "Called In" by the Overview and Scrutiny Committee - Rights of Light - City Pride Development and Island Gardens**

Councillor Joshua Peck, Chair of the Overview and Scrutiny Committee (OSC), **tabled** the reference report from the Overview and Scrutiny Committee meeting held on Tuesday 3 February 2015. He explained that the Committee had held a useful discussion on the issue and whilst they broadly understood what was trying to be done they referred the issue back to Cabinet as they felt that there needed to be a written policy agreed before the powers were used.

Councillor Rabina Khan, Cabinet Member for Housing and Development, The Lead Member responded to the report setting out the issues that had been considered and the professional advice that had been sought.

The **Mayor** confirmed that use of the powers was a last resort but that this was an important development opportunity for the Borough. He stated that, whilst he respected the call-in he wished to reaffirm his original decision.

#### **RESOLVED**

1. That the original decision taken at Cabinet on 7 January 2015 be confirmed.

## **6. A GREAT PLACE TO LIVE**

### **6.1 Community Infrastructure Levy: Adoption of Charging Schedule**

Councillor Rabina Khan, Cabinet Member for Housing and Development, introduced the report. She explained that the new Community Infrastructure Levy (CIL) would come into force on 1 April 2015 and replace s106 contributions in most cases. She highlighted that not adopting the CIL would make securing infrastructure contributions extremely difficult.

The **Mayor** thanked the Lead Member and officers on their work in developing the proposals which he hoped would bring significant benefits to the Borough. He noted the comments of the Overview and Scrutiny Committee and **agreed** the recommendations as set out in the report.

## **RESOLVED**

1. To approve the Charging Schedule (attached at Appendix A) to be put to Full Council for adoption, with the following recommendations: -
  - Approve the Tower Hamlets CIL Charging Schedule, as modified by the Independent Examiner's report, for adoption on the 1 April 2015, as attached at Appendix A.
  - Note the CIL Examination Report, attached at Appendix B.
  - Note the documents which support the proposed Charging Schedule, for adoption alongside it.
  - Note the CIL Charging Schedule Explanatory Notes document, attached at Appendix A1
  - Approve an annual review of the Charging Schedule, to establish whether an update is necessary and appropriate.
  - Approve the referral of CIL income information within the Capital Programme to be referred to the Budget Setting Full Council every year.
2. To note the CIL Examination Report, attached at Appendix B.
3. To note the CIL Charging Schedule Explanatory Notes document, attached at Appendix A1.
4. To approve the documents which support the proposed Charging Schedule, for adoption alongside it. These documents comprise of: -
  - A Regulation 123 List, attached at Appendix C.
  - An Instalments Policy, attached at Appendix D.
  - A Payment in Kind and Infrastructure Payments Policy, attached at Appendix E.

## 6.2 Multi-Faith Burial Ground

The **Mayor** introduced the report providing updated proposals on the development of a new multi-faith burial ground. He highlighted the breadth of support across the Council for the ideas behind the proposals and stated that he believed they would be of benefit to many residents.

Aman Dalvi, Corporate Director, Development and Renewal asked Members to note a minor correction to the paper as it should state that the site was 6.2 acres in size instead of 3 acres. There was, however, only three acres of usable land. He also answered the Pre-Scrutiny Questions stating that the site was a little over an hour away from the centre of the borough by public transport and that it was anticipated the 3000 burial plots would last around 15 years. He also confirmed that cutting the grass every two months was an industry standard.

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

### RESOLVED

1. To note the content of the report;
2. To authorise the Corporate Director Development and Renewal to terminate the Agreement to Lease in respect of the site that was approved as an Individual Mayoral Decision (decision log no. 33) dated 17 June 2013;
3. To authorise the Corporate Director Development and Renewal to enter into a Lease for the acquisition of three acres on a 125 year long lease basis and to enter into a Management Agreement for the management of the site, provision of graves and long term maintenance. This would be on the payment of a capital sum (detailed in the accompanying exempt report) for the long leasehold interest in the land.

## 6.3 Interim Disposals Programme

Councillor Alibor Choudhury, Cabinet Member for Resources, introduced the report. He stated that it provided an update following previous discussions but that there were no significant changes.

The **Mayor** stated that it was important to ensure sites were disposed of when they were no longer required to eliminate the cost of maintaining them and he **agreed** the recommendations as set out.

### RESOLVED

1. To note the contents of this report;

2. To agree that the land and buildings (as shown in the maps in Appendix A) are surplus to requirement;
3. To agree to the disposal of the sites by informal tender;
4. To agree to the sale of the sites on 199 year leases;
5. To note that following a direction given by the Secretary of State on 17 December 2014, prior written agreement will be required from appointed Commissioners before disposing of these properties.
6. To authorise the Corporate Director, Development and Renewal to appoint external agents to support the marketing of the sites;
7. To authorise the Corporate Director, Development and Renewal to accept the best tender return for the sites on conclusion of the marketing exercises; and
8. To authorise the Corporate Director, Development and Renewal, following consultation with the Service Head – Legal Services, to agree the terms and conditions of any agreements required to implement the recommendations above.
9. To agree to proceed with the decision made on 5<sup>th</sup> September 2012 to market and dispose of 329 Morville Street.

## **7. A PROSPEROUS COMMUNITY**

Nil items.

## **8. A SAFE AND COHESIVE COMMUNITY**

### **8.1 Boroughwide 20mph Limit**

Councillor Shahed Ali, Cabinet Member for Clean and Green, introduced the report. He highlighted that roughly 85% of the roads controlled by the Council already had 20 MPH limits and that this proposal would bring about consistency. It would also help to reduce fatalities from accidents. He noted a few concerns received during the consultation process about specific roads but highlighted that overall the responses were very positive. In relation to the Pre-Scrutiny Question he agreed with the importance of the issue of encouraging behavioural change and stated that the Council would be working with schools and community organisations to support this.

The **Mayor** welcomed the report as an important step in making roads safer for users. He emphasised that this was a pilot scheme that would be monitored for effectiveness and **agreed** the recommendations as set out.

## **RESOLVED**

1. To consider the responses received from public consultation on the proposed borough wide 20mph speed limit
2. To agree to proceed with the implementation of a 20mph limit on Borough roads pursuant to an experimental traffic order which shall take effect for a period not exceeding 18 months and authorise the Corporate Director Communities, Localities and Culture to approve all necessary experimental traffic orders under the Road Traffic Regulation Act 1984 to facilitate delivery and to take all steps incidental thereto including but not limited to publication and signage and carriageway markings.

## **9. A HEALTHY AND SUPPORTIVE COMMUNITY**

Nil items.

## **10. ONE TOWER HAMLETS**

### **10.1 Housing Revenue Account Budget Report 2015/16**

Councillor Alibor Choudhury, Cabinet Member for Resources, introduced the report taking this report and Agenda Items 10.2 (Treasury Management Strategy, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2015/16) and 10.3 (General Fund Capital and Revenue Budget and Medium Term Financial Plan) together. The following debate considered all three items and is presented below.

He reported that all three reports were follow up reports from those considered by Cabinet on 7 January 2015. He stated that there had been no changes to the reports for Items 10.1 and 10.2 but that there were some changes to Item 10.3. In reference to the comments provided by the Overview and Scrutiny Committee, he confirmed that there had been a detailed discussion but that there continued to be areas of disagreement. He stated that the consultation process had not yet concluded and that they would consider all contributions.

Finally Councillor Alibor Choudhury stated that Agenda Item 16.1 (Multi-faith burial site) had a potential budget implication and that the recommendations for agenda item 10.3 should only be agreed subject to any changes required due to Item 16.1.

Councillor Ohid Ahmed, Cabinet Member for Community Safety, introduced a proposed amendment to the budget. He stated that, as the Administration, were proposing to appoint a Head of Paid Service as opposed to a Chief Executive, the Chief Executive salary line in the budget could be deleted and

the saving used to employ additional police officers. He also highlighted the importance of police accountability to the Council in relation to any funded posts.

The **Mayor** thanked Members for their contributions and thanked officers for the work they had put into the reports. He highlighted that the proposals were designed to protect front line services and jobs. He agreed the proposed amendments to the recommendations for Agenda Item 10.3.

The **Mayor** agreed the recommendations (to Agenda Item 10.1) as set out in the report.

## **RESOLVED**

### Revenue

1. To approve the draft 2015/16 Housing Revenue Account budget as set out in Appendix 1.
2. To approve the draft 2015/16 Management Fee payable to Tower Hamlets Homes (THH) of £35.116 million as set out in Table 3 in section 7.
3. Subject to 2 above, to note that under the Management Agreement between the Council and THH, THH will manage delegated income budgets of £89.818 million and delegated expenditure budgets of £24.345 million on behalf of the Council in 2015/16.
4. To note the HRA Medium Term Financial Plan (2015-18) outlined in Appendix 2.

### Capital

5. To adopt a capital estimate of £1 million to fund Overcrowding Reduction Initiatives as outlined in paragraph 10.3.
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 10.4.
7. To adopt a capital estimate of £250,000 in order to maintain a contingency for urgent works of £1 million, as outlined in paragraph 10.5.
8. To adopt an increased capital estimate for Ashington East new build scheme of £2.450 million, as detailed in 10.7 and 10.8.
9. To adopt a capital estimate of £813,000 for the award of Disabled Facilities Grants, as outlined in paragraph 11.1.



10. To adopt a capital estimate of £550,000 in respect of Private Sector Improvement Grants, including Empty Property Grants, for 2015/16, to be financed from ring-fenced resources received from the East London Renewal Partnership (paragraph 11.2).
11. To adopt capital estimates for the various S106 schemes outlined in section 12.
12. To note that £33 million of resources have been included within the capital programme (Appendix 4) to reflect the necessity to deliver new housing supply in order to spend the currently unallocated 1-4-1 receipts of £14.5 million, as detailed in para 6.17.

## **10.2 Treasury Management Strategy, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2015/16**

Councillor Alibor Choudhury, Cabinet Member for Resources, introduced the report taking this report and Agenda Items 10.1 (Housing Revenue Account Budget Report 2015/16) and 10.3 (General Fund Capital and Revenue Budget and Medium Term Financial Plan) together. The debate is presented in the minutes under Agenda Item 10.1.

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

### **RESOLVED**

1. To recommend that Full Council adopt:
  - 1.1. The Minimum Revenue Provision Policy Statement set out in paragraph 7 of this report;
  - 1.2. The Treasury Management Strategy Statement set out in sections 8-11 of this report; and
  - 1.3. The Annual Investment Strategy set out in section 12 & 13 of this report, which officers involved in treasury management, must then follow.
2. To delegate to the Acting Corporate Director of Resources, after consultation with the Lead Member for Resources, authority to vary the figures in this report to reflect any decisions made in relation to the Capital Programme prior to submission to Budget Council.

## **10.3 General Fund Capital and Revenue Budgets and Medium Term Financial Plan 2015/16**

Councillor Alibor Choudhury, Cabinet Member for Resources, introduced the report taking this report and Agenda Items 10.1 (Housing Revenue Account Budget Report 2015/16) and 10.2 (Treasury Management Strategy, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2015/16) together. The debate is presented in the minutes under Agenda Item 10.1.

Following the discussed listed earlier the **Mayor agreed** the recommendations as set out in the report subject to amendments relating to the proposal to fund additional police officers and any potential impact of the decisions taken in relation to Agenda Item 16.1 (Multi-Faith Burial Ground) later on the agenda.

## **RESOLVED**

1. To agree a General Fund Revenue Budget of £291.270m and a Council tax (Band D) at £885.52 for 2015-2016 be referred to Full Council for consideration.

2. To consider and comment on the following matters –

**a. Budget Consultation**

The results of the feedback for the budget consultation are being collated but will not be completed prior to the publication of this report as the second roadshow has been scheduled for the 5th February 2015. The results will be presented at the Full Council Meeting in February.

**b. Funding**

The funding available for 2015-2016 and the indications and forecasts for future years set out in Section 8.

**c. Base Budget 2015-2016**

The Base Budget for 2015-2016 as £293.933m as detailed in Appendix 1.

**d. Growth and Inflation**

The risks identified from potential inflation and committed growth arising in 2015-2016 and future years and as set out in Section 9 and in Appendix 3.

**e. General Fund Revenue Budget and Medium Term Financial Plan 2015-2016 to 2017-2018**

The initial budget proposal and Council Tax for 2015-2016 together with the Medium Term Financial Plan set out in Appendix 1 and the budget reductions arising.

**f. Savings**

Savings items to be included in the budget for 2015-2016 and the strategic approach for future savings to be delivered are set out in Section 10, Appendix 4.1 of the report.

**g. Capital Programme**

The capital programme to 2017-2018; including proposed revisions to the current programme as set out in section 14 and detailed in Appendices 8.1, 8.2 & 8.3.

Adopt an increased capital estimate of £8.632m in respect of the

Building Schools for the Future programme, bringing the total scheme budget to £328.333m (see paragraph 14.9 to 14.13 of the report). This will ensure that all specific BSF resources are fully included within the capital programme.

**h. Dedicated Schools Grant**

The position with regard to Dedicated Schools Grant as set out in Section 12 and Appendices 6.1 & 6.2.

**i. Housing Revenue Account**

The position with regard to the Housing Revenue Account as set out in Section 13 and Appendix 7.

**j. Financial Risks: Reserves and Contingencies**

Advise on strategic budget risks and opportunities as set out in Section 11 and Appendices 5.1, 5.2 and 5.3.

**k. Reserves and Balances**

The position in relation to reserves as set out in the report and further detailed in Appendices 5.1 and 5.3

**l. Mayor's Priorities**

Initiatives proposed by the Mayor are set out in Section 9.9 to 9.14.

3. To adjust the budget proposals to allocate the savings made through the deletion of the Chief Executive's Salary budget to provide funding for additional police officers.

4. To agree to the above recommendations subject to any alterations necessary following the consideration of Agenda Item 16.1 (Multi-Faith Burial Ground)

**11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**

Councillor Shahed Ali, Cabinet Member for Clean and Green, highlighted concerns about a new government proposal that developers of vacant buildings would not be required to make planning contributions. He ask the Mayor to consider the implications of this scheme and proposed that the Mayor should write to the relevant government minister expressing his concerns on the negative impact of this proposal.

The **Mayor** noted the issue raised and stated that he would discuss it with the Lead Member.

**12. UNRESTRICTED REPORTS FOR INFORMATION**

**12.1 Exercise of Corporate Directors' Discretions**

**RESOLVED**

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

### **13. EXCLUSION OF THE PRESS AND PUBLIC**

#### **RESOLVED**

1. 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 16.1 "Multi-Faith Burial Ground" 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 the above listed reports that the public interest in maintaining the exemption on the information outweighed the public interest in disclosing it.

### **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**

**16.1 Multi-Faith Burial Ground**

The **Mayor** considered the report and an amendment presented by officers. He then agreed the recommendations as set out in the report with an 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 6.35 p.m.

John S. Williams  
SERVICE HEAD, DEMOCRATIC SERVICES