

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.31 P.M. ON WEDNESDAY, 8 APRIL 2015

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

Members Present:

Mayor Lutfur Rahman
Councillor Oliur Rahman (Deputy Mayor and Cabinet Member for Economic Development (Jobs, Skills and Enterprise)
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)

Other Councillors Present:

Councillor Suluk Ahmed
Councillor Shah Alam
Councillor Marc Francis
Councillor Peter Golds (Leader of the Conservative Group)
Councillor Muhammad Ansar Mustaquim
Councillor Joshua Peck

Apologies:

Councillor Ohid Ahmed (Cabinet Member for Community Safety)
Councillor Shahed Ali (Cabinet Member for Clean and Green)
Councillor Gulam Robbani (Cabinet Member for Education and Children's Services)

Officers Present:

Stephen Adams (Finance and Resources Manager, Communities Localities & Culture)
Robin Beattie (Service Head, Strategy & Resources, Communities Localities & Culture)
Anne-Marie Berni (Infrastructure Planning Manager, Planning & Building Control, Development & Renewal)
Kate Bingham (Service Head, Resources, Education Social Care and Wellbeing)
Aman Dalvi (Corporate Director, Development & Renewal)
David Galpin (Service Head, Legal Services, Law Probity & Governance)

Andrew Hargreaves	(Borough Conservation Officer, Development and Renewal)
Chris Holme	(Acting Corporate Director - Resources)
Ellie Kuper-Thomas	(Strategy, Policy and Performance Officer - Executive Mayor's Office, One Tower Hamlets, DLPG)
Andy Mace	(Development Manager, Major Project Development, Development & Renewal)
Kevin Miles	(Chief Accountant, Resources)
Jackie Odunoye	(Service Head, Strategy, Regeneration & Sustainability, Development and Renewal)
Ann Sutcliffe	(Service Head Corporate Property and Capital Delivery, Development and Renewal)
David Williams	(Deputy Service Head, Planning and Building Control, Development & Renewal)
Kevin Kewin	(Service Manager, Strategy & Performance)
Matthew Vaughan	(Political Adviser to the Conservative Group)
Matthew Mannion	(Committee Services Manager, Democratic Services, LPG)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Ohid Ahmed (Cabinet Member for Community Safety)
- Councillor Shahed Ali (Cabinet Member for Clean and Green)
- Councillor Gulam Robbani (Cabinet Member for Education and Children's Services)
- Stephen Halsey (Head of Paid Service, Corporate Director, Communities, Localities and Culture)
- Robert McCulloch-Graham (Corporate Director, Education, Social Care and Wellbeing)

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

None were declared.

3. UNRESTRICTED MINUTES

The unrestricted minutes of the Cabinet meeting held on 4 March 2015 were **tabled** and noted.

4. PETITIONS

Petition in relation to Agenda Item 6.4 (Challenge Session Report: The implications of conservation areas for extension of family homes)

Jude Dutnall presented the petition on behalf of the petitioners highlighting the difficulties home owners were experiencing due to the restrictions placed on them due to the conservation area. In particular they expressed concerns that families were leaving the area as they were unable to extend their homes and

that this was having a detrimental impact on the community. Whilst conservation areas were important they were looking for more flexibility in the rules.

After consideration by Members, Councillor Rabina Khan, Cabinet Member for Housing and Development, responded to the points raised. She thanked the petitioners for raising their concerns and agreed that this was an issue that needed looking at and that residents would be involved in drawing up new proposals through workshops or other events. She highlighted that the related report on the agenda contained a number of recommendations looking to deal with these issues.

RESOLVED

1. That the petition be referred to the Corporate Director, Development and Renewal, for a written response on any outstanding matters within 28 days.

[Note – this petition was considered at the same time as agenda item 6.4 (Challenge Session Report: The implications of conservation areas on the extension of family homes).]

5. OVERVIEW & SCRUTINY COMMITTEE

5.1 Chair's Advice of Key Issues or Questions in Relation to Unrestricted Business to be Considered

Councillor Joshua Peck, Chair of the Overview and Scrutiny Committee (OSC), **tabled** pre-scrutiny questions in respect of agenda items 6.1 (Delivery/Procurement options for the new Civic Centre) and 6.3 (Property Procedures for Disposals and Lettings). Members and officers responded to the points raised during discussion of the relevant reports.

He also provided an update on the OSC meeting the previous evening. In particular, he reported that there had been a good Scrutiny Spotlight session involving Circle Housing and Old Ford looking at residents' concerns around repairs, engagement and other issues. He said improvement proposals had been offered and he asked the Mayor to help push to ensure that poor performing RSAs were successfully challenged to improve.

The **Mayor** thanked Councillor Joshua Peck for his update. He stated that, in respect of Registered Social Landlords (RSLs), he had made clear to them his concerns and that residents needs must come first.

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

Allocations Scheme 2015 and Lettings Plan (Cabinet decision 4 March 2015)

The Call-in report from the Overview and Scrutiny Committee meeting held on Tuesday 7 April 2015 was **tabled** by Councillor Joshua Peck, Chair of the Overview and Scrutiny Committee and Councillor Marc Francis.

The concerns of the Overview and Scrutiny Committee were reported and the Mayor was asked to reconsider the decision to reduce the Band 3 quota to 5%.

Councillor Rabina Khan, Cabinet Member for Housing and Development, responded to the report highlighting that the 10% target had only been intended to be for a short period and that moving to a 5% target would be reverting to the original.

The **Mayor** thanked all who had been involved in the discussions around this issue. He stated that having considered the matter he had decided to retain the 10% target for another year and to then review it.

RESOLVED

1. That the original decision be confirmed subject to an amendment to retain the existing 10% quota for Band 3 applicants for a further 12 months to be reviewed at that time.

6. A GREAT PLACE TO LIVE

6.1 Delivery/procurement options for the new civic centre

The Equality Analysis Quality Assurance Checklist was **tabled**.

Councillor Alibor Choudhury, Cabinet Member for Resources, introduced the report. He highlighted the capital estimates and the different procurement options set out in the report. He stated that he felt the framework listed in Option one would be restrictive and that the Council should instead choose Option 2 with the development and disposals procured via OJEU (Official Journal of the European Union tender process).

Ann Sutcliffe, Service Head, Corporate Property and Capital Delivery responded to the Pre-Scrutiny Questions tabled at the meeting.

Cabinet Members then discussed the report expressing general support for the proposals and the opportunity this presented the Borough to improve the Whitechapel area whilst at the same time providing a more accessible Civic Centre.

The **Mayor** welcomed the report as a once in a generational opportunity. He acknowledged that with any project this size there would be risks and challenges and it was important to consider those. However, he considered that the Council was capable of delivering this project. He agreed with the proposed amendment to recommendations proposed by Councillor Alibor Choudhury to choose Option Two and then **agreed** the amended recommendations.

RESOLVED

1. To agree option 2 as set out in paragraph 2.3 of the report, namely a packaged development and disposals procured via OJEU.
2. To adopt a capital estimate of £2.5 million to undertake investigations and complete the design to RIBA stage 2 and procure a delivery partner based on the chosen model of delivery;
3. To authorise the procurement of the required professional and technical services to undertake the work to RIBA stage 2 utilising, if available, suitable procurement frameworks available to the public sector;
4. To agree disposal of sites identified in paragraph 3.11 of this report in accordance with the Council's disposal procedure and with the requirements of section 123 of the Local Government Act 1972;
5. To note the requirement to obtain the prior approval of the Commissioners appointed by the Secretary of State prior to disposal of the sites identified in paragraph 3.11.
6. To authorise the Corporate Director, Development and Renewal, following consultation with the Service Head – Legal Services, to agree and enter into the terms and conditions of any agreements required to implement recommendations 1, 2, 3 and 4 in order to progress the civic centre project.
7. To authorise the Service Head – Legal Services to execute all documents necessary to give effect to these recommendations.

6.2 Delegation to the Transport and Environment Committee and Third Variation to the Association of the London Government Transport and Environment Committee Agreement

An amended Appendix 2 was **tabled**.

David Galpin, Service Head, Legal Services, introduced the report. He explained that the report sought continued Council support to the operation of the Parking on Private Land Appeals Service operated through London Councils.

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

RESOLVED

1. To confirm that the functions delegated to TEC to enter into the arrangement with the British Parking Association were and continue to be delivered pursuant to section 1 of the Localism Act 2011 (“the 2011 Act”);
2. To agree to expressly delegate the exercise of the Council’s general power of competence under section 1 of the 2011 Act to the TEC joint committee for the sole purpose of providing an appeals service for parking on private land for the British Parking Association under contract; and
3. To agree that the TEC Governing Agreement can be varied to this end and the Memorandum of Participation to vary the TEC Governing Agreement can be entered into.

6.3 Property Procedures for Disposals and Lettings

Councillor Alibor Choudhury, Cabinet Member for Resources, introduced the report. He stated that the policy review set out a number of proposed improvements to processes. The **tabled** pre-scrutiny questions were noted and it was proposed that, as there were so many of them, officers would be tasked with reviewing them and responding as necessary.

The **Mayor** agreed the recommendations as set out with the understanding that officers could update the procedures if required following a review of the pre-scrutiny questions.

RESOLVED

1. To approve the revised Property Procedure for Disposal and Lettings.
2. To authorise the corporate director to incorporate such of the suggestions of the Overview and Scrutiny Committee as are considered appropriate and otherwise to provide written responses to the matters raised by the Committee.
3. To note the requirement for approval from the Commissioners, set out in paragraph 5.6 of the report.

6.4 Challenge Session Report: The implications of conservation areas for extension of family homes

Councillor Joshua Peck, Chair of the Overview and Scrutiny Committee, introduced the report on the scrutiny challenge session considering issues in relation to the implications of conservation areas for extension of family homes. He reported that this had been taken up due to the high number of resident who had raised it as a concern.

He stated that officers and Members were concerned about the impact the existing rules were having and he thanked officers, Members of the Overview and Scrutiny Committee and Councillor Rabina Khan, Cabinet Member for Housing and Development for their work to support the challenge session. He stated that this was a very good example of cross-party working.

The **Mayor** thanked Councillors Joshua Peck and Rabina Khan and all those involved in preparing the report. He stated that he shared the concerns and that he accepted the action plan set out.

RESOLVED

1. To agree the action plan in response to the review recommendations.

6.5 Consultation on draft Revised Planning Obligations SPD

Councillor Rabina Khan, Cabinet Member for Housing and Development introduced the report and **tabled** a number of small amendments.

The **Mayor** welcomed the report and **agreed** the recommendations and the SPD subject to the tabled amendments.

RESOLVED

1. To approve the Revised Planning Obligations SPD (as set out in Appendix 1 of the report), for public consultation.
2. To delegate authority to the Corporate Director of Development and Renewal, to make changes to the Revised Planning Obligations SPD where necessary, prior to the beginning of the consultation period provided the changes do not change the substance of the document.

7. A PROSPEROUS COMMUNITY

7.1 CLC Capital Programme 2015/16

Robin Beattie, Service Head Strategy and Resources, CLC, introduced the report providing an update on the Communities, Localities and Culture Capital Programme for 2015/16. He highlighted that there had been some small amendments recently due to s106 and Transport for London funding.

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

RESOLVED

1. To include the schemes listed in Appendix A to the report within the Communities Localities & Cultural Services Directorate's 2015/2016 Capital Programme.
2. To adopt Capital Estimates (sum specified in estimated scheme cost column, inclusive of fees) 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

8. A SAFE AND COHESIVE COMMUNITY

Nil items.

9. A HEALTHY AND SUPPORTIVE COMMUNITY**9.1 Adult Social Care Local Account**

Councillor Abdul Asad, Cabinet Member for Health and Adult Services, introduced the report. He highlighted that this was an annual report setting out performance of the service including looking at data from service users. He reported that the Council were protecting adult social care spending which had now risen to 36% of the Council's budget. Finally, he noted the priorities for the next year as set out in the report.

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

RESOLVED

1. To note the content and approve the publication of the Local Account.

10. ONE TOWER HAMLETS**10.1 Strategic Plan 2015/16**

Councillor Aminur Khan, Cabinet Member for Policy, Strategy and Performance, introduced the report. He highlighted that Cabinet Members had been fully involved in its preparation.

The **Mayor** acknowledged that significant work had gone into the preparation of the report and thanked all those involved and especially the Lead Member. He **agreed** the recommendations as set out.

RESOLVED

1. To approve the draft Strategic Plan (appendices 1 and 2 to the report)
2. To approve the draft Single Equality Framework (appendix 3 to the report)

10.2 Strategic Performance, 14/15 General Fund Revenue Budget and Capital Programme Monitoring Q3

Chris Holme, Acting Corporate Director, Resources, introduced the report. In particular he noted that the financial position remained sound and that the previous overspend in adult social care had been addressed but that there would continue to be pressures in the future due to increased demand.

Councillor Aminur Khan, Cabinet Member for Policy, Strategy and Performance, highlighted that most performance measures were on target and that weaker areas were being tackled.

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

RESOLVED

1. To note the Council's financial performance compared to budget for 2014/15 as detailed in Sections 3 to 6 and Appendices 1-4 of the report
2. To approve the use of specific reserves set aside for ICT infrastructure works as set out in paragraph 4.7 of the report.
3. To note the 2014/15 quarter 3 performance for reportable Strategic Measures in section 7 and Appendix 5 to the report.

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

Nil items.

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 6.34 p.m.

John S. Williams
SERVICE HEAD, DEMOCRATIC SERVICES