

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.35 P.M. ON WEDNESDAY, 10 MARCH 2010

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

Councillor Lutfur Rahman (Chair)	(Leader of the Council)
Councillor Ohid Ahmed	(Lead Member, Resources and Performance)
Councillor Rofique U Ahmed	(Lead Member, Culture and Leisure)
Councillor Abdul Asad	(Lead Member, Children's Services)
Councillor Marc Francis	(Lead Member, Housing and Development)
Councillor Rania Khan	(Lead Member, Regeneration, Localisation and Community Partnerships)
Councillor Joshua Peck (Vice-Chair)	(Deputy Leader of the Council)
Councillor Oliur Rahman	(Lead Member, Employment and Skills)
Councillor Abdal Ullah	(Lead Member, Cleaner, Safer, Greener)

Other Councillors Present:

Councillor Peter Golds	(Leader Conservative Group)
Councillor Waiseul Islam	

Others Present:

Laurie James	Care Quality Commission
John Wiltshire	Care Quality Commission

Officers Present:

Mohammed Ahad	– (Scrutiny Policy Officer)
Kate Bingham	– (Acting Service Head (Resources) Children Schools and Families)
John Chilton	– (Head of Parking Services, Communities Localities and Culture)
Deborah Cohen	– (Service Head, Commissioning and Strategy, Adults Health and Wellbeing)
Colin Cormack	– (Head of Homeless and Housing Advice Services, Older People & Homelessness, Adults Health & Wellbeing)
Thorsten Dreyer	– (Policy and Development Manager, Public Realm)
Jim Elliott	– (Lettings Policy Advisor, Development &

	Renewal)
Alan Finch	– (Service Head, Corporate Finance, Resources)
Stephanie Ford	– (Interim Performance Manager, Strategy & Performance, Chief Executive's)
Chris Holme	– (Service Head, Resources, Development & Renewal)
Lorrayne Johnson	– (Communications Officer, Corporate Communications)
Kevin Kewin	– (Policy Manager)
Paul Leeson	– (Finance Manager, Development & Renewal)
Alison Thomas	– (Private Sector and Affordable Housing Manager)
Jackie Odunoye	– (Service Head Strategy Regeneration and Sustainability, Development & Renewal)
Richard Parsons	– (Service Head Procurement and Corporate Programme, Resources)
Karen Sugars	– (Senior Manager Performance and Quality, Adult Health and Wellbeing)
Matthew Vaughan	– (Political Advisor to the Conservative Group)
Chris Worby	– (Service Head, Housing Regeneration, Development & Renewal)
Louise Fleming	– (Acting Executive Team Leader, Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Sirajul Islam, Chair of the Overview and Scrutiny Committee.

Noted.

2. DECLARATIONS OF INTEREST

Councillor Abdul Asad, Lead Member Children Schools and Families, declared a personal interest in Agenda item 6.3 Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996 (CAB 122/090) and item 6.7 Adoption of Capital Estimate for Housing Investment Programme 2010/11 and other Development & Renewal Lead Capital Initiatives (CAB 126/090). The declaration of interest was made on the basis that the reports contained recommendations relating to Tower Hamlets Homes. Councillor Asad's wife was employed by Tower Hamlets Homes.

Councillor Joshua Peck, Deputy Leader of the Council, declared a personal interest in Agenda item 6.3 Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996 (CAB 122/090). The declaration of interest was made on the basis that the reports contained recommendations relating to Gateway Housing Association, for which Councillor Peck was a board member.

Councillors Oliur Rahman, Lead Member Employment and Skills and Councillor Abdal Ullah, Lead Member Cleaner Safer Greener, declared personal interests in item 6.6 The Termination of the Lease at Latham House (CAB 125/090). The declaration of interest was made on the basis that the site in question was situated with the Councillors' ward.

Councillor Ohid Ahmed, Lead Member Resources and Performance, declared a personal interest in item 6.1 Poplar Baths Development Plans (CAB 120/090). The declaration of interest was made on the basis that Councillor Ahmed had been involved in campaigning for the development of Poplar Baths.

3. UNRESTRICTED MINUTES

The Chair **Moved** and it was

Resolved

That the unrestricted minutes of the ordinary meeting of the Cabinet held on 10th February 2010 be approved and signed by the Chair, as a correct record of the proceedings.

4. DEPUTATIONS & PETITIONS

The Clerk advised that the Assistant Chief Executive had not received any requests for deputations or petitions in respect of business contained in the agenda.

5. OVERVIEW & SCRUTINY COMMITTEE

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

The Chair informed Members that Councillor Sirajul Islam, Chair of the Overview and Scrutiny Committee had Tabled:

- Sheet of questions and comments arising from the Overview and Scrutiny Committee held on 9th March 2010 in respect of item 6.1 Poplar Baths Development Plans (CAB 120/090).

The Chair **Moved** and it was

Resolved

That the questions and comments of the Overview and Scrutiny Committee be noted, and that these be given consideration during the Cabinet deliberation of the items of business to which the questions/ comments related.

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

The Clerk advised that no provisional decisions taken by the Cabinet at its meeting held on 10th February 2010 had been referred back to Cabinet by the Overview and Scrutiny Committee for further consideration.

6. A GREAT PLACE TO LIVE

6.1 Poplar Baths Development Plans (CAB 120/090)

Councillor Ohid Ahmed, Lead Member Resources and Performance, declared a personal interest in item 6.1 Poplar Baths Development Plans (CAB 120/090). The declaration of interest was made on the basis that Councillor Ahmed had been involved in campaigning for the development of Poplar Baths.

Councillor Rofique U Ahmed, Lead Member Culture and Leisure, introduced the report, which was then presented by Mr Stephen Halsey, Corporate Director Communities Localities and Culture, who outlined the salient points, in particular the risks and benefits of the options contained in the report.

Mr Halsey addressed the questions tabled by the Chair of the Overview and Scrutiny Committee as follows:

- It was stressed that Cabinet was not committing any revenue funds at this stage.
- It was anticipated that the revenue costs would be contained within the existing leisure management contract.
- Indicative running costs were based on standard industry assumptions. Detailed revenue modelling and visitor number estimates would take place with further detailed work.
- The Leisure Facilities Strategy modelled demand for swimming pools using a nationally recognised modelling tool which indicated that there would be no detrimental impact on other centres.
- The Leisure Facilities Strategy identified the need to provide additional swimming pool capacity in the east of the Borough. The Core Strategy also directed major leisure uses to town centres, with Chrisp Street being the main town centre for this part of the Borough.
- Significant developer contributions for leisure purposes had been identified but not yet earmarked. The Planning Contributions Panel would agree exact contributions in line with standard processes.

Members considered the alternative options set out in the report and set out below:

Provision of leisure facilities as part of Chrisp Street Regeneration

The Council had the option of including its land holding within the predominantly HARCA owned Chrisp Street town centre regeneration proposals, located immediately to the north of Poplar Baths.

Whilst proposals from two short listed developers were currently under consideration, it was clear that due to site constraints the inclusion of a leisure facility was unlikely to be achievable.

Inclusion of adjacent land holdings

The Council had in the past been in discussion with the adjoining landowners to bring forward the redevelopment of Poplar Baths within a wider comprehensive development since 2007. Possible sites included Poplar Fire Station, All Saints DLR Station and Balsam House. The option to extend the redevelopment area had been reviewed but rejected due to the additional level of complexity which would flow from the inclusion of adjacent land and the disparate land owners.

A discussion ensued, in which Members thanked the steering group and campaigners, particularly Sister Christine Frost and Lillian Collins for their hard work. The following points were made:

- There was a preference to put the new swimming pool in the existing hall. However, the downsides to this were acknowledged.
- Options 2a and 2b should be worked on further by officers to enable Members to see the details.
- There were concerns over new affordable housing fitting into the site.
- Any new development should not impact on the existing football pitch behind the site.
- It was acknowledged that there was a significant amount of work to be done. However the report was a testament to the hard work of all those involved and would ultimately have a benefit for the local community.

The Chair **Moved** and it was

Resolved:

1. That a preferred option for providing new leisure facilities in the east of Tower Hamlets with reference to officers' recommendations (Options 2a and 2b) as set out in the body of the report (CAB 120/090) be agreed;
2. That officers be directed to allocate sufficient resource from available developer contributions to cover the costs of the Poplar Baths restoration and leisure centre scheme development to RIBA ([Royal Institute of British Architects](#)) Design State D;

3. That it be agreed that the Corporate Director of Development & Renewal will develop the preferred option to RIBA Design Stage D, in line with paragraph 6.4.3 of the report (CAB 120/090);
4. That the Poplar Baths project be prioritised via the Council's capital bidding process;
5. That it be agreed that the Corporate Director of Development & Renewal will lead on the exploration of options for enabling development to cross-subsidise the delivery of a swimming pool in the east of Tower Hamlets;
6. That a capital estimate for commissioning Poplar Baths restoration and leisure centre design to RIBA Design Stage D for the preferred option, in line with the estimates at Appendix 4 of the report (CAB 120/090) be adopted;
7. That the risks yet to be quantified as summarised in part 11 of the report (CAB 120/090) and that therefore the costs and values set out in the report are indicative be noted;
8. That it be noted that the Corporate Director of Development & Renewal will bring back a further report to Cabinet upon completion of RIBA Stage D design work; and
9. That it be agreed that a communication strategy will be developed to engage residents in the re-development of Poplar Baths.

6.2 New Lettings Policy (CAB 121/090)

Councillor Marc Francis, Lead Member for Housing and Development introduced the report and outlined the salient points, in particular addressing the perceived unfairness highlighted in the scrutiny review and stressing that the new lettings policy would address the waiting lists. Further discussions were needed in respect of the proposals for Band 3 and it was proposed that authority be delegated to the Corporate Director Development and Renewal after consultation with the Lead Member and Leader of the Council for this purpose. It was intended that the Policy would go live in the Summer of 2010.

A discussion followed, in which Members welcomed the report and stressed the need to make residents aware of the procedure for appealing decisions. Members considered the alternative options set out in the report and set out below:

The Council is required by section 167 of the Housing Act 1996 to have a scheme for determining priorities and the procedures to be followed in allocating housing accommodation. The Council was required to allocate housing in accordance with the allocation scheme. The Lettings Policy serves the function of an allocation scheme in Tower Hamlets. Given the concerns identified by the 2008 Scrutiny Working Group in relation to the existing

Lettings Policy which were accepted by Cabinet in December 2008 it was not considered appropriate to simply leave the Lettings Policy unchanged, which would be another available option. The most appropriate option was considered to be a thorough review of the existing policy, such as had been carried out, in order to produce a new policy that responded to the concerns identified. Specific concerns addressed by the new policy were: that the existing policy created an incentive to apply as homeless by placing these applicants in a higher band; that the existing policy gave insufficient recognition of the length of time applicants in housing need had been waiting on the Housing List; that the existing policy was difficult to understand and explain and was administratively too complex. The changes related to these factors in the new policy were addressed in detail in the main body of the report.

The Chair **Moved** and it was

Resolved:

That the new Lettings Policy attached to the report (CAB 121/090) as Appendix 1, be agreed subject to further discussions with the Corporate Director Development and Renewal, the Lead Member for Housing and Development and the Leader of the Council regarding the proposals for Band 3.

6.3 Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996 (CAB 122/090)

Councillor Abdul Asad, Lead Member Children Schools and Families, declared a personal interest in Agenda item 6.3 Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996 (CAB 122/090) and item 6.7 Adoption of Capital Estimate for Housing Investment Programme 2010/11 and other Development & Renewal Lead Capital Initiatives (CAB 126/090). The declaration of interest was made on the basis that the reports contained recommendations relating to Tower Hamlets Homes. Councillor Asad's wife was employed by Tower Hamlets Homes.

Councillor Joshua Peck, Deputy Leader of the Council, declared a personal interest in Agenda item 6.3 Authorisation of Decisions by Common Housing Register Partners to make allocation decisions under Part VI of the Housing Act 1996 (CAB 122/090). The declaration of interest was made on the basis that the reports contained recommendations relating to Gateway Housing Association, for which Councillor Peck was a board member.

Ms Jackie Odunoye, Service Head Strategy Regeneration and Sustainability, presented the report and outlined the salient points contained in the report. Member considered alternative options as follows:

If the Council did not contract out its functions to RSL partners, the Council risked decisions taken under the CHR being open to challenge as set out in paragraph 3.4 and 5.1 of the report.

Dissolving the Tower Hamlets Common Housing Register was not a realistic option given the huge demand for housing in Tower Hamlets and the adverse impact it would have for the Council in meeting the housing needs of applicants on Tower Hamlets housing list and maximising housing opportunities available for borough residents, because the pool of available homes for letting would be significantly reduced. The CHR had been in operation for a number of years and the report and the recommendations contained therein clarified the decision made by Cabinet on the 1st of July 2009 making the contracting out of such function past, present and future, time specific for a maximum of 10 years from the Cabinet decision date.

The Chair **Moved** and it was

Resolved:

1. Authorise exercises of the Council's functions under Part 6 of the Housing Act 1996, as permitted by Article 2 of the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions Order 1996, for a period of 10 years (the actual period to be specified in the authorisation) with effect from the date of the Cabinet decision (as permitted by Article 2 of the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions Order 1996), by, or by employees of, the RSL partners from time to time to the Common Housing Register, including but not limited to the following: Gateway Housing Association, Poplar HARCA, Spitalfields Housing Association, Tower Hamlets Community Housing, Swan London, Eastend Homes, Southern Housing Group, Island Homes, Old Ford Housing Association, Providence Row Housing Association, Family Mosaic, East Homes, Metropolitan Housing Trust, Mitali Housing Association, Toynbee Housing Association, Community Housing Association or their successors in title;
2. That all past exercises of the Council's functions under Part 6 of the Housing Act 1996 be ratified and/or authorised, for a specified period of 10 years preceding the date of the Cabinet decision, (as permitted by Article 2 of the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions Order 1996) by, or by employees of, the RSL partners from time to time to the Common Housing Register, including but not limited to the following: Gateway Housing Association, Poplar HARCA, Spitalfields Housing Association, Tower Hamlets Community Housing, Swan London, Eastend Homes, Southern Housing Group, Island Homes, Old Ford Housing Association, Providence Row Housing Association, Family Mosaic, East Homes, Metropolitan Housing Trust, Mitali Housing Association, Toynbee Housing Association, Community Housing Association or their successors in title; and

3. That officers be authorised retrospectively to contract out the exercise of the Council's functions referred to in resolution 1 above.

6.4 Approval of policy for removal of vehicles from the highway and award of contract for the removal and disposal of vehicles service (CAB 123/090)

Councillor Abdal Ullah, Lead Member Cleaner Safer Greener, presented the report and outlined the salient points, in particular stressing that the Council did not clamp vehicles, rather it towed abandoned vehicles instead. Any clamping in the Borough was carried out by private estates. Councillor Ullah highlighted that a grace period had been introduced in order to not unfairly penalise residents.

Member considered alternative options as follows:

Council decides to provide these services itself. The Council had no experience in providing vehicle removal services whereas there was an established commercial market for these (and similar) enforcement services.

The Council could cease providing vehicle removal services. This would mean a build up of abandoned vehicles in the Borough and leave the Council in breach of its obligations under the Refuse Disposal (Amenity) Act 1978. In addition, the Council would be unable to deal with the worst parking offences (i.e. those that create the greatest risk to safety or inconvenience to others) promptly. This would have particular consequences for the Council's parking suspensions service.

A discussion ensued in which Members welcomed the report and made the following points:

- There should be strict guidelines around taking copies of credit cards, due to the potential for fraud.
- The £400,000 of savings from the new contract were welcomed.
- The new policy would be fairer to residents and the grace period was welcomed.
- The Lead Member and officers involved in formulating the policy were thanked.

In response to Members' questions, Mr John Chilton, Head of Parking Services, advised that copies of credit cards should not be taken and that he would investigate any such incidences.

The Chair **Moved** and it was

Resolved:

1. That the Award of the Contract for the Removal and Disposal of Vehicles Service to NSL Limited for four years commencing 1 April 2010, subject to the conclusion of contractual formalities be agreed; and

2. That the draft policy statement governing the removal of vehicles be agreed.

6.5 Blackwall Reach Regeneration Procurement and Scheme Development (CAB 124/090)

Mr Chris Worby, Service Head Regeneration, presented the report and outlined the salient points. Councillor Marc Francis, Lead Member for Housing and Development, stressed that the proposals contained in the report were necessary at this stage in the regeneration. However, the Council should seek assurances that the Homes and Communities Agency (HCA) would bear any further cost of development.

Members considered that the alternative options involved delaying the project as without commitment at this stage the procurement and design process would not be fully funded and therefore 'Key Mile Stones' would not be achievable.

Mr Aman Dalvi, Corporate Director Development and Renewal, informed Members that the HCA had recently changed their procedures. However every effort had been made to not overspend. Any future spend would be discussed with the Lead Member and brought back to a future Cabinet meeting.

The Chair, in **Moving** the recommendations stressed the need to leave a degree of flexibility to ensure the progression of the scheme, and it was

Resolved:

1. That the current position towards procuring a partner/consortium to deliver the regeneration of the Blackwall Reach area be noted;
2. That the HCA's letter in respect of future funding and the provision of National Affordable Housing Programme (NAHP) social housing grant (SHG) be noted;
3. That it be noted that the decanting and demolition programme for Robin Hood Gardens is proposed to be undertaken in two phases, as indicated in the July 2009 Cabinet report, and that the decision to commence this process, is due to be taken concurrently with the completion of the procurement process within the appointment of the Development Consortium this autumn [Oct/Nov 10];
4. That it be agreed in principle that £1.05m be allocated to support this procurement and scheme development process jointly and in partnership with the HCA but note that as this will be met from the £13m of resources identified and agreed in the July Cabinet report;

5. That it be noted that a review of arrangements for financing and phasing the project will be identified prior to the decision to appoint a developer partner as outlined in paragraph 6.6 of the report (CAB 124/090);
6. That it be noted that there may be a need to identify additional resources at the time of determining the decision to proceed with the decanting and acquisition programme; and
7. That it be noted that any future spend should be discussed by the Lead Member, Housing and Development and brought back to a future Cabinet meeting.

6.6 The Termination of the Lease at Latham House (CAB 125/090)

Councillors Oliur Rahman, Lead Member Employment and Skills and Councillor Abdal Ullah, Lead Member Cleaner Safer Greener, declared personal interests in item 6.6 The Termination of the Lease at Latham House (CAB 125/090). The declaration of interest was made on the basis that the site in question was situated with the Councillors' ward.

Councillor Marc Francis, Lead Member for Housing and Development, presented the report and outlined the salient points, including the recommendations which would address the unacceptable living conditions imposed by the current social landlord.

Members considered alternative options as follows:

The Council could have insisted that Family Mosaic return the block to the Council with vacant possession. However it was likely that Family Mosaic would be unable to rehouse the many of the tenants locally. Although Family Mosaic and Spitalfields were Common Housing Register Partners, recent experiences showed that decanting the block within one year would not be possible. In reality Family Mosaic would need to cease renewing the assured sheltered tenancies as they expired which would in turn lead to affected tenants approaching the Council for assistance via the homelessness route which would put pressure on the Homeless Service budget and potentially increase numbers in temporary accommodation. A limited number of households may be determined as 'not in priority need' and would receive no further assistance from the Council.

This option also has further negative consequences:

- Latham House could be squatted and/or vandalised whilst vacant
- Many households were housed in Latham House through the homelessness route. This option requires them to go through the process for a second time

- There would be a negative impact on the Homelessness Performance Indicators

Even when the Council had enforced the return of the block with vacant possession it would still be faced with decisions as to how/whether to refurbish it, whether to redevelop or sell it. There would be costs for each of the options; considerable additional revenue costs e.g. security and the loss, at least short term of 94 units of accommodation.

The Council could sell the block to Family Mosaic to continue to be used for affordable rent which would solve some of the issues raised by tenants. Family Mosaic is currently not interested in purchasing the block, due to the potential cost of decent homes works. This option would not solve the management problems and a number of other complaints listed in section 6.1.

The Council could work with Family Mosaic to either refurbish or redevelop the block. Both of these options would involve a full or at least partial decant and considerable disruption to the tenants. In order to make it financially viable and in order for Family Mosaic to apply for funding from the HCA it would almost certainly mean the block would have to be transferred to Family Mosaic. There would potentially be constraints to possible schemes because the block is in a conservation area. Neither scheme would be quick to deliver and therefore it is likely that the management issues would remain unresolved for the foreseeable future. In the current financial climate Family Mosaic is not interested in exploring this option.

Councillor Abdal Ullah, Lead Member Cleaner Safer Greener, thanked the work of the Lead Member, Councillor Alibor Choudhury and the officers involved. Councillor Oliur Rahman, Lead Member Employment and Skills, echoed the comments made by Councillor Ullah and stressed that Family Mosaic had failed the residents. The proposals would ensure more accountability for those residents.

The Chair **Moved** and it was

Resolved:

1. That the 94 households within Latham House be accepted as secure or probationary tenants from 1st April 2010;
2. That the management of the block be transferred to Tower Hamlets Homes (THH). The property is identified on the map contained in Appendix 1 (CAB 125/090);
3. That the Corporate Director of Development and Renewal and the Assistant Chief Executive (Legal Services) be authorised to agree the appropriate amendment to the Management Agreement with THH; and
4. That the disposal of one vacant and non-decent street property namely 187 Swaton Road, London E3 4EP to Family Mosaic at a sum of £1 be agreed.

6.7 Adoption of Capital Estimate for Housing Investment Programme 2010/11 and other Development & renewal Lead Capital Initiatives (CAB 126/090)

Councillor Marc Francis, Lead Member Housing and Development, presented the report and outlined the major works proposed.

Members considered the alternative options as follows:

Schemes within the Housing Investment Programme were assessed by Tower Hamlets Homes in accordance with relative need, and were then prioritised. Although alternative schemes were feasible, they would not be adopted in accordance with the asset management strategy and would be contrary to the procedures applied to the Housing Investment Programme.

In respect of the Section 106 Health contributions, the process for the generation of Section 106 resources has been approved by the Strategic Development Committee.

On 30 July 2008 Cabinet agreed to ring-fence Local Authority Business Growth Initiative (LABGI) funding for business district / town centre regeneration as part of the "Resource Allocation and Budget Review 2009-10 to 2010-11." The proposals within this report meet this priority need. The funding was not a ring-fenced grant but the Council had already determined how it should be allocated.

A discussion ensued, in which Members welcomed the proposed works and made the following comments:

- Concern was expressed regarding compulsory changes to windows of leaseholder properties as it incurred additional costs and it was proposed that this be made optional.
- Reservation was expressed regarding the Buywell project and it was felt that this should be restricted to district centres, and only those shops where there was an identified lack of fruit and vegetables.
- It was also felt that the Health Trainers should be removed as they were not felt to be appropriate.

In response to Members' questions, Councillor Marc Francis advised that it was important for substandard windows to be replaced. Further detailed discussions with Tower Hamlets Homes would take place regarding lease agreements.

The Chair **Moved** and it was

Resolved:

1. That capital estimates for the 2010/11 financial year for all schemes set out in Appendix A of the report be adopted (CAB 126/090) and officers be authorised to progress those schemes;

2. That capital estimates for the Capitalisation of Voids (£1,500,000) and the funding of the Cash Incentive Scheme (£500,000) as outlined in paragraph 6.5 of the report (CAB 126/090) be adopted;
3. That a capital estimate of £250,000 to incorporate the “Provision of Secured-by-Design Front Entrance Doors to Tenanted Properties – Phase 2” within the 2009-10 Housing Capital Programme, as outlined in paragraph 7.1 and Appendix B of the report (CAB 126/090) be adopted;
4. That capital estimates for the award of Disabled Facilities Grants (£1,000,000) and Discretionary Private Sector Housing Grants (£850,000), subject to confirmation of available resources (paragraph 6.9 of the report (CAB 126/090)) be adopted;
5. That capital estimates of £1,610,000 in respect of the Section 106 Health Provision funding for the Dunbridge Street Health and Well-Being Centre, and £4,776,500 towards the financing of the St Andrew’s Health and Well-Being Centre be adopted; and
6. That the utilisation of £505,000 of available Local Authority Business Growth Initiative funds to finance the Town Centre management projects outlined in paragraph 7.3 of the report (CAB 126/090) and detailed in Appendix C be approved, and a capital estimate of £350,000 be adopted to enable the progression of the schemes, subject to the deletion of the Health Trainers scheme and the reduction of the Buywell Project to only shops within the 9 district centres, and only those shops where there is an identified lack of fruit and vegetables.

7. A PROSPEROUS COMMUNITY

7.1 Results of the Consultation on the 2011/12 Admission Arrangements for Tower Hamlets Community and Voluntary Controlled Schools (CAB 127/090)

Councillor Marc Francis, Lead Member for Housing and Development proposed an additional recommendation that officers in the Children Schools and Families directorate undertake more detailed modelling of the a priority area for primary school admissions in the North East of the Borough, to be considered from the 2012-13 school year.

Councillor Joshua Peck, Deputy Leader of the Council, asked that figures relating to the numbers of primary school age children affected by the lack of provision in Bow be circulated to Cabinet Members.

Ms Isobel Cattermole, Acting Corporate Director Children Schools and Families explained the growth proposals and undertook to circulate the requested figures to Members.

Members considered alternative options contained in the report and as follows:

The Council had legal duties to determine admission arrangements, to formulate a complying scheme for coordinating admission arrangements and to formulate a complying in-year scheme, as detailed in section 11 of the report. If Cabinet failed to take such action the Council would be acting contrary to law.

Consideration had been given to alternative admission arrangements as set out in the body of the report. The recommendations in the report had been prepared having regard to the need for arrangements that are clear, objective and fair. Any alternative action could lead to inequality and leave the Council open to legitimate complaint and legal challenge. If Cabinet wished to consider adoption of alternative arrangements, then regard would need to be had to the guidance provided in the report, particularly as to legal requirements.

The Chair **Moved** and it was

Resolved:

1. That the admission criteria for admission to primary and secondary schools in 2011/12 as set out at Appendix A of the report (CAB 127/090) be agreed;
2. That the co-ordinated schemes for admission to primary and secondary schools in 2011/12 as set out at Appendix B of the report (CAB 127/090) be agreed;
3. That the scheme for 'In-Year' Admissions for 2010/11 and 2011/12, which include the arrangements for In-Year Transfers purposes as set out at Appendix C of the report (CAB 127/090) be agreed;
4. That Tower Hamlets be agreed as the "relevant area" for admissions purposes as set out in paragraph 9.1 of the report (CAB 127/090);
5. That the planned admission number for each Tower Hamlets School in 2011/12 as set out at Appendix D of the report (CAB 127/090) be agreed; and
6. That officers in the Children Schools and Families directorate undertake more detailed modelling of the a priority area for primary school admissions in the North East of the Borough, to be considered from the 2012-13 school year.

8. A SAFE AND SUPPORTIVE COMMUNITY

8.1 Care Quality Commission Inspection of Adult Social Care (CAB 128/090)

Mr Laurie James, of the Care Quality Commission, presented the report and outlined the findings and recommendations contained therein. He thanked all the officers involved for their cooperation and effective engagement. Mr James highlighted the areas for improvement and advised that the Council was performing excellently overall and showed good prospects for the future.

Members welcomed the report and its findings in particular the recognition of the Council's priority to care for Older People in the Borough. The Cabinet was required to consider the findings and recommendations set out in the Inspection Report. The Council was also required to complete an action plan setting out how it would respond to the inspection report. Therefore there were no other options considered.

Ms Helen Taylor, Acting Corporate Director Adult Health and Wellbeing advised Members that the inspection had been a rigorous one and that it had been a useful learning exercise. Many of the recommendations contained in the report of the Care Quality Commission had already been progressed. It was anticipated that the next inspection would result in the Council being awarded excellent status.

The Chair, in **Moving** the recommendations, thanked the Inspector for his presentation and all involved in the report.

Resolved:

1. The findings and recommendations set out in the Inspection Report following the Inspection of Adults Social Care by the Care Quality Commission be noted; and
2. That the programme of work to address the recommendations in Appendix 1 of the report (CAB 128/090) be agreed.

9. A HEALTHY COMMUNITY

9.1 Children, Schools & Families Contracts (CAB 129/090)

Noted that the item had been withdrawn and would be considered at the next meeting.

10. ONE TOWER HAMLETS

10.1 Local Area Agreement Refresh (CAB 130/090)

Councillor Ohid Ahmed, Lead Member Resources and Performance, presented the report and outlined the salient points. Members considered the alternative options contained in the report and set out below:

The Council would not be fulfilling its statutory obligations if it did not update its LAA in response to central government requirements, including by ensuring that all designated indicators, such as NIs 146 and 150, have targets attached.

The Council could opt to refuse central government's invitation to renegotiate its affordable homes delivery and benefit related targets in the light of the economic downturn. The Council could also refuse central government's proposal to remove teenage pregnancy from reward grant calculations. All of these options would be likely to result in the Council receiving less LAA reward grant.

The Chair **Moved** and it was

Resolved:

1. That the Local Area Agreement attached as appendix A to the report (CAB 130/090) be endorsed;
2. That the Chief Executive, after consultation with the Leader of the Council be authorised to make appropriate and necessary amendments to the LAA in advance of final submission and publication; and
3. That the Chief Executive, after consultation with the Leader of the Council be authorised, to prepare the revision proposal for submission to the Secretary of State.

10.2 Contracts Forward Plan (CAB 131/090)

Councillor Ohid Ahmed, Lead Member Resources and Performance, presented the report and outlined the salient points. Members considered the alternative options contained in the report and set out below:

The principal alternative to a consolidated report would be for each contract to be reported separately, which would be demanding upon Cabinet time, with no discernible benefit.

A brief discussion ensued, in which Members asked questions relating to the support in place for small businesses within the Borough and outlined the

areas which should receive further detailed investigation and consideration by Cabinet as follows:

- i. DR3192 Blackwall Reach Project
- ii. H2981 Ocean Estate Developer Partner
- iii. H3190 THH Repairs and Maintenance
- iv. R3207 Main Construction Contractor Framework; and
- v. R3209 Minor Works and Repairs Framework

The Chair **Moved** and it was

Resolved:

2. That the contract summary at Appendix 1 of the report (CAB 131/090) be noted and identify those contracts about which specific reports should be brought before Cabinet prior to contract award as follows:
 - i. DR3192 Blackwall Reach Project
 - ii. H2981 Ocean Estate Developer Partner
 - iii. H3190 THH Repairs and Maintenance
 - iv. R3207 Main Construction Contractor Framework; and
 - v. R3209 Minor Works and Repairs Framework; and
2. That the proposed contract awards listed in paragraph 8.1 of the report (CAB 131/090) be agreed.

10.3 Strategic Plan 2009/10-11/12: Year 2 Action Plan; and Outline Plan (CAB 132/090)

Councillor Oliur Rahman, Lead Member Employment and Skills, condemned the recent Islamophobic comments made against the Council which had emerged in the media; which were in opposition to the spirit of One Tower Hamlets.

Members considered the alternative options contained in the report and as follows:

Cabinet might choose not to adopt the Strategic Plan. However, the Strategic Plan is part of the corporate business planning cycle. Cabinet approval of the Year 2 Action Plan 2010/11 in March would ensure that the corporate business planning cycle was synchronised and that the development of Directorate and Team Plans took place in a coherent framework which supports the delivery of Council priorities.

Cabinet could choose to agree the Strategic Plan in altered form. If Cabinet wished to alter the Strategic Plan, regard would need to be given to the constraints expressed in the report, including the Community Plan objectives.

Mr Kevan Collins, Chief Executive, reminded Members that the Strategic Plan would come back before Members for consideration at Cabinet in June 2010.

The Chair **Moved** and it was

Resolved:

1. That the Council's Strategic Plan 2009/10-11/12: Year 2 Action Plan and the Outline Plan be agreed; and
2. That the Chief Executive be authorised to make appropriate and necessary amendments to the Strategic Plan 2009/10-11/12: Year 2 Action Plan and the Outline Plan prior to publication.

10.4 2009/10 Capital Programme: Capital Monitoring Report as at 31st December 2009 (Q3) (CAB 133/090)

Councillor Ohid Ahmed, Lead Member Resources and Performance, presented the report and outlined the salient points. As the report was for noting only, there were no alternative options to be considered.

The Chair **Moved** and it was

Resolved:

That the contents of the report (CAB 134/090) be noted.

10.5 Performance and Corporate Revenue Budget Monitoring Report 2009/10 (CAB 134/090)

Councillor Ohid Ahmed, Lead Member Resources and Performance, presented the report and outlined the salient points. As the report was for noting only, there were no alternative options to be considered.

The Chair **Moved** and it was

Resolved:

That the performance information set out in the report be (CAB 134/090) noted as follows:

- The performance against targets for the first quarter; and
- The actions to be taken in 2009/10 to contain spending within budget.

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil Items.

12. UNRESTRICTED REPORTS FOR INFORMATION

12.1 Exercise of Corporate Directors' Discretions (CAB 135/090)

As the report was for information only, there were no alternative options to be considered.

The Chair **Moved** and it was

Resolved:

That the exercise of Corporate Directors' discretions as set out in Appendix 1 of the report (CAB 136/090) be noted.

13. EXCLUSION OF THE PRESS AND PUBLIC

The agenda circulated contained no Section Two business (business containing information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972. There was therefore no requirement to exclude the press and public, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, to allow for consideration of such business prior to the conclusion of the meeting.

14. OVERVIEW & SCRUTINY COMMITTEE

14.1 Chair's advice of Key Issues or Questions in relation to Exempt / Confidential Business to be considered.

Nil Items.

14.2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee

Nil Items.

15. A GREAT PLACE TO LIVE

Nil Items.

16. A PROSPEROUS COMMUNITY

Nil Items.

17. A SAFE AND SUPPORTIVE COMMUNITY

Nil Items.

18. A HEALTHY COMMUNITY

Nil Items.

19. ONE TOWER HAMLETS

Nil Items.

20. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT

Nil Items.

21. EXEMPT / CONFIDENTIAL REPORTS FOR INFORMATION

Nil Items.

The meeting ended at 7.00 p.m.

Chair, Councillor Lutfur Rahman
Cabinet