

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE CABINET

HELD AT 5.36 P.M. ON WEDNESDAY, 13 MARCH 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)
Councillor Oliur Rahman	(Cabinet Member for Children's Services)

Other Councillors Present:

Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Ann Jackson	(Chair, Overview & Scrutiny Committee)
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:

Andy Bamber	– (Service Head Safer Communities, Crime Reduction Services, Communities, Localities and Culture)
Robin Beattie	– (Service Head, Strategy & Resources & Olympic Impact, Communities Localities & Culture)
Jill Bell	– (Head of Legal Services (Environment), Legal Services, Chief Executive's)
Kate Bingham	– (Acting Service Head Resources, Children Schools & Families)
Isobel Cattermole	– (Corporate Director, Education, Social Care and Wellbeing)
Sarah Barr	– (Senior Strategy Policy and Performance Officer, One Tower Hamlets, Chief Executive's)
Deborah Cohen	– (Service Head, Commissioning and Health, Education, Social Care and Wellbeing)
Chris Holme	– (Acting Corporate Director - Resources)

Numan Hussain	– (Political Advisor to the Mayor, Executive Mayor's Office, Chief Executive's)
Shazia Hussain	– (Service Head Localisation, Communities Localities & Culture)
Kevin Kewin	– (Service Manager, Strategy & Performance, Chief Executive's)
Ellie Kuper-Thomas	– (Strategy, Policy and Performance Officer - Executive Mayor's Office, One Tower Hamlets, Chief Executive's)
Takki Sulaiman	– (Service Head Communications, Chief Executive's)
Ann Sutcliffe	– (Service Head Strategic Property, Development and Renewal)
David Tolley	– (Head of Consumer and Business Regulations Service, Safer Communities, Communities Localities & Culture)
Matthew Mannion	– (Committee Services Manager, Democratic Services, Chief Executive's)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from the Head of Paid Service, Steven Halsey, and the Corporate Director for Development and Renewal, Aman Dalvi.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

None were declared.

3. UNRESTRICTED MINUTES

The unrestricted minutes of the ordinary meeting of the Cabinet held on 13 February 2013 were presented for information.

4. PETITIONS

No petitions were received.

5. OVERVIEW & SCRUTINY COMMITTEE

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

Councillor Ann Jackson, Chair of the Overview and Scrutiny Committee (OSC), addressed Cabinet and highlighted some specific issues that had been raised during the Overview and Scrutiny Committee meeting the previous evening:

- The Committee were concerned about the impact of gambling in particular on young people and in increasing domestic violence. She welcomed the Mayor's expressed desire for a 'no casinos' policy for the borough and stated that OSC may also add gambling to its work programme for next year.
- OSC had received a report on the progress made in implementing the Asset Management Scrutiny Review's recommendations. In particular the Committee felt there was a need for a policy on the Community Right to Buy requirements. Questions had also been raised on improving access to underused buildings and on ensuring health and environmental impacts were fully considered during procurement.
- The Committee had also received a Budget and Performance Report and had raised concerns in a number of areas including an increase in domestic violence, the number of carers receiving needs assessments, slippage in capital programmes and employment data.
- Co-opted Members had raised concerns about the Faith Buildings Grant Programme and officers had agreed to circulate more information on applications received so far and to respond to any concerns.

The **Mayor** thanked Councillor Ann Jackson for her presentation.

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

The Clerk advised that no requests had been received by the Assistant Chief Executive (Legal Services) to 'call-in' for further consideration, by the Overview and Scrutiny Committee, any provisional decisions taken by the Mayor in Cabinet, at the Cabinet meeting held on 13 February 2013.

6. A GREAT PLACE TO LIVE

6.1 Licensing Policy Review

Councillor Ohid Ahmed, the Deputy Mayor, introduced the report. He explained that the Council was required to publish a statement of Licensing Policy and that this must be kept under review. This report was asking for agreement to go out to consultation on the policy document.

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

RESOLVED

1. To agree the forward programme for consulting on the Statement of Licensing Policy.
2. To agree, if appropriate, that the consultation should be based on the existing Policy as detailed in Appendix One and the proposed changes detailed in Appendix Two.

3. To agree that the Council should consult on whether or not to adopt the sexual entertainment licensing regime under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

6.2 Gambling Policy

Councillor Ohid Ahmed, the Deputy Mayor, introduced the report. He explained that the Gambling Policy had been out to review and was now being presented for agreement before being submitted to Council for adoption. He noted that the impact of gambling was a big concern to councillors. He reported that he had been to parliament to lobby MPs and Lords about his concerns.

During discussion a number of Cabinet Members raised concerns about the impact of gambling on residents in the borough including:

- The impact on families when one member had a gambling addiction including the potential for violence.
- The limited powers that Councils had to control gambling.
- The need to examine best practice at other councils in determining the best approach.
- Whether there could be a community campaign to raise awareness of the issues.
- The Council should look to try and maintain a 'no casinos' policy.

The **Mayor** thanked all those who had contributed to the debate. He agreed with the concerns expressed and he asked officers to urgently seek to develop a 'no Casinos' policy and to report back to Cabinet at the earliest opportunity on the proposals. He then approved the recommendations set out in the report.

RESOLVED

1. To consider the proposed Gambling Policy and agree that it may go forward to full council for adoption.
2. To note that it is intended to present the Gambling Policy to Full Council on the 17th April 2013.
3. To recommend that Full Council approve the Gambling Policy.

7. A PROSPEROUS COMMUNITY

7.1 Woolmore School - Proposed Expansion

Isobel Cattermole, the Interim Corporate Director of Education, Social Care and Wellbeing, introduced the report. She highlighted the need for an increase in the provision of school places.

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

RESOLVED

1. To note the contents of this report;
2. To agree that statutory proposals should be published for the enlargement of Woolmore Primary School to admit 90 pupils in each year from September 2014.

7.2 Academy Conversions - Old Ford and Culloden Primary Schools

Isobel Cattermole, the Interim Corporate Director of Education, Social Care and Wellbeing, introduced the report. She explained that the two schools had been accepted by the Department of Education for conversion to Academy status and that the Council was therefore required to agree various matters such as the transfer of land and deeds of variation.

During discussion a number of Members expressed opposition to the Academy process and concern about its impact on education overall, in particular in creating a piecemeal education system.

The **Mayor** noted the concerns and asked officers to explore options for monitoring Academies, in particular around special measures and also what would happen should an Academy wish to convert back to local authority control. However, despite the opposition of his administration and other Members to the Academy process, the **Mayor** made it clear that the Council would work with all schools for the good of their pupils. He then accepted the recommendations in the report.

RESOLVED

1. To approve the land disposal for both schools;
2. To approve the Council to enter into commercial and staffing transfers for both schools;
3. To approve the Council to enter into all other necessary documentation to ensure the liability under the Grouped Schools PFI arrangements for Old Ford School are transferred to the Academy;
4. To authorise the Corporate Director, Education, Social Care and Well-Being in consultation with the Assistant Chief Executive Legal Services and Corporate Director Resources to settle remaining issues associated with the conversion for the two schools;
5. To authorise the Assistant Chief Executive (Legal Services) to execute all documentation required to implement those decisions at 1 to 4.

6. To authorise the Section 151 Officer to execute the Local Government (Contract) Act 1997 Certificate required to implement the decisions at 1 to 4.

8. A SAFE AND COHESIVE COMMUNITY

Nil items.

9. A HEALTHY AND SUPPORTIVE COMMUNITY

9.1 The Establishment of the Tower Hamlets Health and Wellbeing Board (to follow)

This report was withdrawn.

9.2 Tendering of Carers' Hub

The **Mayor** accepted the recommendations set out in the report.

RESOLVED

1. To approve the outcome of the tendering of the Carers Hub Services and award the contract to the Carers Centre, as the highest ranking bidder following the evaluation process.
2. To authorise the Assistant Chief Executive (Legal Services) to enter into all necessary documents to implement the decision at 1 once the standstill period has expired and any objections dealt with.

9.3 New Information Advice and Advocacy (IAA) Services Tender

During discussion the **Mayor** noted a request that the hubs and outreach services be evenly spaced across the borough. He accepted the recommendations as set out in the report.

RESOLVED

1. To approve and award the contract for the Information, Advice and Advocacy services to the REAL who will lead a consortium of specialist providers.
2. To authorise the Assistant Chief Executive (Legal Services) to enter into all necessary documents to implement the decision at 1 once the standstill period has expired and any objections dealt with .

9.4 Letting Supporting People Contracts 2012- 2015: The Mobilisation Plan

Councillor Abdul Asad, the Cabinet Member for Health and Wellbeing introduced the report. He reported that the contracts looked to make use of

local provider to encourage local employment and also required adherence to the London Living Wage.

The **Mayor** noted that there was a Restricted/Exempt appendix to consider later on the agenda.

Following that further discussion, the **Mayor** amended the recommendations to limit the maximum length of contract extension.

RESOLVED

1. To agree the proposed re-commissioning mobilisation plan with proposed contract extensions limited to a maximum of up to 12 months and that any further necessary extensions are agreed by Cabinet .
2. To note that officers will work to keep the required extension period to a minimum period possible. No blanket extensions will be applied. All extensions will be expressed as 'up to' the agreed period.
3. To authorise the Assistant Chief Executive (Legal Services) to enter into all necessary documents to implement the decision at 1.

10. ONE TOWER HAMLETS

10.1 Strategic Performance, General Fund Revenue Budget and Capital Programme Q3

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

RESOLVED

1. To review and note the Quarter 3 2012/13 performance; and
2. To note the Council's financial position as detailed in sections 3 and 4 and Appendices 1-4 of this report.

10.2 Implementing Local Structures – Local Community Ward Forums

Shazia Hussain, Service Head Localisation, introduced the report. She highlighted the consultation that had taken place and the fact that participatory budgeting provided budgets of £10k per year for the forums to invest.

During discussion of the report Councillor Ohid Ahmed, the Deputy Mayor, welcomed the report and thanked officers for their work.

In response to questions the **Mayor** highlighted that all Councillors were very welcome to attend their local forum meetings.

RESOLVED

1. To approve a yearly programme of 3 x LCWF meetings in each of the Borough's wards.
2. To agree the detail for each of the LCWF meetings in the yearly programme.
3. To agree to implement a participatory budgeting process and the allocation of £10K per ward for 2013/14 and 14/15.
4. To agree the role of the Community Plan Delivery Groups (CPDGs) in co-commissioning services identified through LCWF priority setting.

10.3 Fees and Charges 2013/14

In response to questions, Robin Beattie, Service Head Strategy and Resources, explained that the parking restrictions around Fish Island were subject to an ongoing review and additional consultation.

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

RESOLVED

Adults, Health and Wellbeing

1. To approve the revised fees and charges as set out in Appendix 1 with effect from 1st April 2013 (or as soon as is practical thereafter)

Chief Executives

2. To approve the revised fees and charges as set out in Appendix 2 with effect from 1st April 2013 (or as soon as is practical thereafter)

Communities, Localities and Culture

3. To approve the revised fees and charges as set out in Appendix 3 with effect from 1st April 2013 (or as soon as is practical thereafter)

Children's, Schools and Families

4. To approve the revised fees and charges as set out in Appendix 4 with effect from 1st April 2013 (or as soon as is practical thereafter)

Development & Renewal

5. To approve the revised fees and charges as set out in Appendix 5 with effect from 1st April 2013 (or as soon as is practical thereafter)

10.4 Contracts Forward Plan Q4

During discussion Councillor Ohid Ahmed, the Deputy Mayor, asked officers to investigate the possible inclusion of a 2 year break clause in contract AHWB 4352 (Framework for Community Equipment Services).

The **Mayor** altered the recommendations to state that all contracts could go out to tender but for three contracts to be presented back to Cabinet for approval.

RESOLVED

1. To approve that all the contracts can go to tender.
2. That the Corporate Director for the service has delegated power to award the contract subject to consultation with the Mayor and the lead member and the Assistant Chief Executive (Legal Services) prior to award except for the following contracts where the decision to award must come back to cabinet:
 - AHWB4397 (Community Based Mental Health Services)
 - AHWB4398 (Older People and Other Community Based Services)
 - AHWB4378 (Extra Care Sheltered Housing)
2. To authorise the Assistant Chief Executive (Legal Services) to execute all necessary contract documents in respect of the awards of contracts referred to at recommendation 1 above.

11. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

Nil items.

12. UNRESTRICTED REPORTS FOR INFORMATION

12.1 Exercise of Corporate Directors' Discretions

The **Mayor** accepted the recommendation set out in the report.

RESOLVED

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

13. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That pursuant to regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the press and public be excluded from the remainder of the meeting:

- (a) As it was likely, in view of the nature of the business to be transacted in Section Two of the agenda, that if members of the public were present during consideration of this business there would be disclosure of exempt information.
- Exempt information is defined in section 100I and, by reference, Schedule 12A of the Local Government Act 1972 (“the 1972 Act”). To be exempt, information must fall within one of the categories listed in paragraphs 1 to 7 of Schedule 12A, must not fall within one of the excluded categories in paragraphs 8 and 9 and the public interest in maintaining the exemption must outweigh the public interest in disclosing the information.
 - Agenda item 14 “Exempt/ Confidential Minutes” – contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs
 - Agenda item 19.1. “Letting Supporting People Contracts 2012-15: The Mobilisation Plan” 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:
- Agenda item 14 “Exempt/ Confidential Minutes” – contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs
 - Agenda item 19.1. “Letting Supporting People Contracts 2012-15: The Mobilisation Plan” contained information relating to the financial or business affairs of any particular person (including the authority holding that information). In particular information relating to the financial affairs of the Council.

that the public interest in maintaining the exemption on the information outweighed the public interest in disclosing it.

14. EXEMPT / CONFIDENTIAL MINUTES

The Exempt/Confidential Minutes of the Ordinary Cabinet meeting held on 13 February 2013 were **tabled** for information.

15. OVERVIEW & SCRUTINY COMMITTEE

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

Nil items.

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

Nil items.

16. A GREAT PLACE TO LIVE

Nil items.

17. A PROSPEROUS COMMUNITY

Nil items.

18. A SAFE AND COHESIVE COMMUNITY

Nil items.

19. A HEALTHY AND SUPPORTIVE COMMUNITY

19.1 Letting Supporting People Contracts 2012- 2015: The Mobilisation Plan - Exempt Appendices

RESOLVED

1. To note the information contained in the exempt appendix in relation to the main report.

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 6.29 p.m.

Chair, Mayor Lutfur Rahman
Cabinet