

LONDON BOROUGH OF TOWER HAMLETS

RECORD OF THE DECISIONS OF THE CABINET

HELD AT 5.35 P.M. ON WEDNESDAY, 4 JULY 2012

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

Members Present:

Mayor Lutfur Rahman (Mayor)	(Mayor)
Councillor Ohid Ahmed (Deputy Mayor)	(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 Kabir Ahmed	(Executive Advisor to the Mayor and Cabinet)
Councillor Stephanie Eaton	
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 Mayor and Cabinet on Adult Social Care)

Others Present:

Officers Present:

Ross Archer	– (Political Adviser to the Conservative Group, Chief Executive's)
Sarah Barr	– (Senior Strategy Policy and Performance Officer, One Tower Hamlets, Chief Executive's)
Robin Beattie	– (Service Head, Strategy & Resources & Olympic Impact, Communities Localities & Culture)
Kate Bingham	– (Acting Service Head Resources, Children

	Schools & Families)
Stephen Cody	– (Interim Corporate Director Adults Health & Wellbeing)
David Courcoux	– (Political Adviser to the Labour Group, Chief Executive's)
Aman Dalvi	– (Corporate Director, Development & Renewal)
Thorsten Dreyer	– (Strategy & Business Development Manager – Culture Environmental Control & Spatial Planning, Communities Localities and Culture)
Emily Fieran-Reid	– (Head of Community Safety Partnership, Domestic Violence & Hate Crime)
Isabella Freeman	– (Assistant Chief Executive - Legal Services, Chief Executive's)
Chris Holme	– (Service Head Resources, Development & Renewal)
Paul Leeson	– (Finance Manager, Development & Renewal)
Andy Mace	– (Development Manager, Major Project Development, Development & Renewal)
Chris Naylor	– (Corporate Director Resources)
Jackie Odunoye	– (Service Head, Strategy, Regeneration & Sustainability, Development & Renewal)
Takki Sulaiman	– (Service Head Communications, Chief Executive's)
Ann Sutcliffe	– (Service Head Building Strategic Property and Capital Delivery, Development & Renewal)
James Walsh	– (Housing Regeneration Officer, Major Project Development, Development & Renewal)
Chris Worby	– (Technical Advisor to Senior Managers, Development & Renewal)
Matthew Mannion	– (Committee Services Manager, Democratic Services, Chief Executive's)
Angus Taylor	– (Interim Committee Services Manager (Operational), Democratic Services, Chief Executive's)

The following is a record of those decisions taken by the Cabinet at their meeting held on Wednesday 4th July 2012.

Most decisions may be 'called in', by the Assistant Chief Executive, for scrutiny by the Overview and Scrutiny Committee to be held on **Tuesday 24th July 2012** on receipt of a written request.

The **deadline** for the receipt of any such written request is **5.00pm on Friday 13th July 2012**. Such requests should be made to John Williams, Service Head Democratic Services-Tel 020 7364 4204.

The request to "call in" a decision must comply with the requirements set out in the Council's Constitution (Part 4 – Rules of Procedure, Section 4.5 – Overview and Scrutiny Procedure Rules, Rules 16.2 and 16.3). This

sets out the time-scale for “call in”, those persons who may “call in” and those details the request must contain.

The Council’s Constitution (Part 4 – Rules of Procedure, Section 4.5 – Overview and Scrutiny Procedure Rules, Rule 16.4) **sets out those decisions that may not be “called in”** for further consideration by the Overview and Scrutiny Committee.

Report authors will be advised by Democratic Services if any decision in respect of an item they have placed on the agenda has been “called in”.

Any decision not “called in” for scrutiny can be implemented on Monday 16th July 2012.

Any decision ‘called in’ for scrutiny but supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 24th July 2012, **can be implemented** the following day, **Wednesday 25th July 2012.**

Any decision ‘called in’ for scrutiny but not supported by the Overview and Scrutiny Committee, at its meeting on Tuesday 24th July 2012, will be **referred back to the Mayor in Cabinet** for further consideration on **Wednesday 25th July 2012.**

MR L. RAHMAN (MAYOR) IN THE CHAIR

10. ONE TOWER HAMLETS

10.1 Poplar Baths and Dame Colet House - tender process update (CAB 016/123)

Councillor Ohid Ahmed declared a personal interest in Agenda item 10.1 “Poplar Baths and Dame Colet House – tender process update” (CAB 016/123). The declaration of interest was made on the basis that the report contained recommendations relating to Poplar Baths and he had a close relationship with the Poplar Baths Steering Group and had participated in the community campaign to reopen the baths.

Councillor Abdul Asad declared a personal interest in Agenda item 10.1 “Poplar Baths and Dame Colet House – tender process update” (CAB 016/123). The declaration of interest was made on the basis that the report contained recommendations relating to Dame Colet House, which was located close to his home.

Councillor Alibor Choudhury declared a personal interest in Agenda item 10.1 “Poplar Baths and Dame Colet House – tender process update” (CAB 016/123). The declaration of interest was made on the basis that the report contained recommendations relating to Dame Colet House/ Haileybury Centre and Councillor Choudhury had been a member of the Authority’s Strategic

Development Committee and been present at the meeting of it which determined that Section 106 monies be allocated to Dame Colet House/ Haileybury Centre.

Councillor Oliur Rahman declared a personal interest in Agenda item 10.1 “Poplar Baths and Dame Colet House – tender process update” (CAB 016/123). The declaration of interest was made on the basis that the report contained recommendations relating to Dame Colet House, located in St Dunstan’s and Stepney Green Ward, and Councillor Rahman was a Ward Councillor for that Ward.

Decision

1. That the progress made on the procurement process be noted; and
2. That consideration of recommended decisions 2.2 to 2.4, as set out in the report (CAB 016/123), be deferred until the consideration of the exempt/ confidential report “Poplar Baths and Dame Colet House - tender process update” (CAB 017/123) in Section two of the proceedings.

CORPORATE DIRECTOR COMMUNITIES LOCALITIES AND CULTURE (S. HALSEY)

CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL (A. DALVI)

Service Head, Corporate Property and Capital Delivery, Development and Renewal (A. Sutcliffe)

13. EXCLUSION OF THE PRESS AND PUBLIC

Decision

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” (of the meeting of the Cabinet held on 20th June 2012) 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 London Housing Corporation (LHC) and the Council.
- ∇ The financial affairs of both the Council and Rich Mix Cultural Foundation.

In respect of which a claim to legal professional privilege could be maintained in legal proceedings. In particular both legal advice as well as material prepared in direct contemplation of legal proceedings.

- Agenda item 20.1 “Poplar Baths and Dame Colet House – tender process update” (CAB 017/123).” 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” (of the meeting of the Cabinet held on 20th June 2012) 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 London Housing Corporation (LHC) and the Council.
 - ∇ The financial affairs of both the Council and Rich Mix Cultural Foundation.

In respect of which a claim to legal professional privilege could be maintained in legal proceedings. In particular both legal advice as well as material prepared in direct contemplation of legal proceedings.
 - Agenda item 20.1 “Poplar Baths and Dame Colet House – tender process update” (CAB 017/123).” 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.

SUMMARY OF EXEMPT PROCEEDINGS

20. ONE TOWER HAMLETS

20.1 Poplar Baths and Dame Colet House - tender process update (CAB 017/123)

Councillor Ohid Ahmed declared a personal interest in Agenda item 20.1 "Poplar Baths and Dame Colet House – tender process update" (CAB 017/123). The declaration of interest was made on the basis that the report contained recommendations relating to Poplar Baths and he had a close relationship with the Poplar Baths Steering Group and had participated in the community campaign to reopen the baths.

Councillor Abdul Asad declared a personal interest in Agenda item 20.1 "Poplar Baths and Dame Colet House – tender process update" (CAB 017/123). The declaration of interest was made on the basis that the report contained recommendations relating to Dame Colet House, which was located close to his home.

Councillor Alibor Choudhury declared a personal interest in Agenda item 20.1 "Poplar Baths and Dame Colet House – tender process update" (CAB 017/123). The declaration of interest was made on the basis that the report contained recommendations relating to Dame Colet House/ Haileybury Centre and Councillor Choudhury had been a member of the Authority's Strategic Development Committee and been present at the meeting of it which determined that Section 106 monies be allocated to Dame Colet House/ Haileybury Centre.

Councillor Oliur Rahman declared a personal interest in Agenda item 20.1 "Poplar Baths and Dame Colet House – tender process update" (CAB 017/123). The declaration of interest was made on the basis that the report contained recommendations relating to Dame Colet House, located in St Dunstan's and Stepney Green Ward, and Councillor Rahman was a Ward Councillor for that Ward.

Decision

1. That the progress made on the procurement process be noted;
2. That the Corporate Director Communities Localities & Culture and the Corporate Director Development & Renewal be authorised to proceed the competitive dialogue to final tenders with bidders 2 and 3 and with the variant bids as set out in the report (CAB 017/123);
3. That the Corporate Director Communities Localities & Culture and the Corporate Director Development & Renewal be instructed to submit the final report, recommending the final bidder and contract sum prior to contract award, for the consideration of the Mayor in Cabinet;
4. That it be confirmed that funding will be available to meet the potential contract costs subject always to satisfactory tenders and final sum; and

5. That the Corporate Director Communities Localities & Culture and the Corporate Director Development & Renewal be instructed to provide a timeline (subject to the planning consent process) for the commencement of works on both the Poplar Baths and Dame Colet/ Haileybury Centre schemes.

Action by:

CORPORATE DIRECTOR COMMUNITIES LOCALITIES AND CULTURE (S. HALSEY)

CORPORATE DIRECTOR DEVELOPMENT AND RENEWAL (A. DALVI)

Service Head, Corporate Property and Capital Delivery, Development and Renewal (A. Sutcliffe)

The meeting ended at 6.25 p.m.

Isabella Freeman

ASSISTANT CHIEF EXECUTIVE (Legal Services)