



Meeting of the

TOWER HAMLETS COUNCIL

Wednesday, 17 December 2008 at 7.30 p.m.

A G E N D A

VENUE

Council Chamber, 1st Floor,
Town Hall, Mulberry Place,
5 Clove Crescent,
London E14 2BG

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact:

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**TO THE MAYOR AND COUNCILLORS OF THE LONDON BOROUGH OF TOWER
HAMLETS**

You are summoned to attend a meeting of the Council of the London Borough of Tower Hamlets to be held in **THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON, E14 2BG** at **7.30 p.m.** on **WEDNESDAY, 17 DECEMBER 2008**

Martin Smith
Chief Executive

LONDON BOROUGH OF TOWER HAMLETS

COUNCIL

WEDNESDAY, 17 DECEMBER 2008

7.30 p.m.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Chief Executive.

3. MINUTES

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To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of the Council held on 15th October 2008.

4. TO RECEIVE ANNOUNCEMENTS FROM THE MAYOR, LEADER OF THE COUNCIL, MEMBERS OF THE CABINET OR THE CHIEF EXECUTIVE

5. TO RECEIVE ANY DEPUTATIONS OR PETITIONS

37 - 40

The deputations and petitions received for presentation to the Council Meeting are set out in the attached agenda item 5.

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

41 - 42

(Maximum of 30 minutes allowed)

The questions which have been received are set out in agenda item 6.

7. TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL

43 - 50

(Maximum of 30 minutes allowed)

The questions which have been received are set out in agenda item 7.

- 8. REPORTS FROM THE EXECUTIVE AND THE COUNCIL'S COMMITTEES**
- 8 .1 Report of the Cabinet of 5th November 2008 - Response to Scrutiny Review on the Licensing of Strip Clubs 51 - 98**
- 9. TO RECEIVE REPORTS AND QUESTIONS ON JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**
- 9 .1 Joint Arrangements**
- No business under this heading to be considered.
- 9 .2 External Organisations**
- No business under this heading to be considered.
- 10. OTHER BUSINESS**
- 10 .1 Review of proportionality and allocation of places on committees and panels of the Council 99 - 102**
- 11. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL 103 - 118**

The motions submitted by Members of the Council for debate at this Council Meeting are set out in agenda item 11.

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

Declaration of interests for Members

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

What constitutes a prejudicial interest? - Please refer to paragraph 6 of the adopted Code of Conduct.

Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-

- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE COUNCIL

HELD AT 7.30 P.M. ON WEDNESDAY, 15 OCTOBER 2008

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

Members Present:

Councillor Helal Abbas	Councillor Ann Jackson
Councillor Ohid Ahmed	Councillor Denise Jones
Councillor Rajib Ahmed	Councillor Dr. Emma Jones
Councillor Rofique U Ahmed	Councillor Azizur Rahman Khan
Councillor Anwara Ali	Councillor Rania Khan
Councillor Shahed Ali	Councillor Shiria Khatun
Councillor M. Shahid Ali	Councillor Abdul Matin
Councillor Tim Archer	Councillor Abjol Miah
Councillor Abdul Asad	Councillor Fozol Miah
Councillor Lutfa Begum	Councillor Harun Miah
Councillor Philip Briscoe	Councillor Abdul Munim
Councillor Alibor Choudhury	Councillor Tim O'Flaherty
Councillor Stephanie Eaton	Councillor Ahmed Adam Omer
Councillor Rupert Eckhardt	Councillor Joshua Peck
Councillor Marc Francis	Councillor Lutfur Rahman
Councillor Peter Golds	Councillor Oliur Rahman
Councillor Fazlul Haque	Councillor Muhammad Abdullah Salique
Councillor Shafiqul Haque	Councillor A A Sardar
Councillor Clair Hawkins	Councillor David Snowdon
Councillor Alexander Heslop	Councillor Bill Turner
Councillor Shirley Houghton	Councillor Dulal Uddin
Councillor Ahmed Hussain	Councillor Abdal Ullah
Councillor Sirajul Islam	Councillor Salim Ullah
Councillor Waiseul Islam	Councillor Motin Uz-Zaman

The meeting opened at 7.33 p.m.

The Mayor, Councillor Muhammad Abdullah Salique, in the Chair

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Carli Harper-Penman and Councillor Mohammed Mamun Rashid.

RESOLVED

That the apologies for absence be noted.

2. DECLARATIONS OF INTEREST

Councillors made declarations of interest in items included on the agenda as follows:

Councillor	Item(s)	Type of interest	Reason
Helal Abbas	11.3	Personal	Leaseholder
Helal Abbas	11.4	Personal	Member of Tower Hamlets Credit Union
Ohid Ahmed	5.2.3	Personal	Chair of Grants Panel
Ohid Ahmed	11.3	Personal	Leaseholder, Poplar Harca
Rajib Ahmed	11.3	Personal	Leaseholder
Rofique Ahmed	5.1.1 & 11.3	Personal	Leaseholder
Rofique Ahmed	8.1 & 11.9	Personal	Board member – Olympic Delivery Authority Planning Committee
Rofique Ahmed	11.4	Personal	Member of the GMB
Rofique Ahmed	11.5	Personal	Family members on housing waiting list
Anwara Ali	5.2.3	Personal	Board member – Tower Hamlets PCT and GP in Tower Hamlets
Mohammed Shahid Ali	Urgent motion	Personal	Tenant, Toynbee Housing Association
Shahed Ali	11.3 & Urgent motion	Personal	Leaseholder/Toynbee Island Homes
Abdul Asad	11.4	Personal	Member of the Co-operative Party
Lutfu Begum	5.2.3	Personal	Employed by PCT
Stephanie Eaton	Urgent motion	Personal	Leaseholder, Toynbee/Island Homes
Fazlul Haque	11.2	Personal	Member of NO2ID Campaign
Fazlul Haque	11.3	Personal	Leaseholder
Philip Briscoe	7.2	Personal	Professional relationship with Swan Housing (not related to this project)

Philip Briscoe	11.1	Personal	Professional relationship with renewable energy companies
Shafiqul Haque	11.3	Personal	Leaseholder
Shafiqul Haque	11.10	Personal	Board member, Tower Hamlets Community Housing
Carli Harper-Penman	11.2	Personal	Member of the NO21D campaign
Carli Harper-Penman	11.4	Personal	Member of the Co-operative Party
Alex Heslop	5.1.1, 7.7, 7.11, 7.18, 11.10	Personal	Board Member, Tower Hamlets Homes
Alex Heslop	11.3	Personal	Leaseholder and Board Member, Tower Hamlets Homes
Alex Heslop	11.4	Personal	Member of Co-operative Party and shareholder in co-operative
Shirley Houghton	Urgent motion	Personal	Member, Barkantine Management Board
Ahmed Hussan	5.2.3	Personal	Employed by PCT
Sirajul Islam	11.5	Personal	On Council Housing waiting list
Sirajul Islam	11.10	Personal	Board member – Tower Hamlets Community Housing
Waiseul Islam	11.10	Personal	Board member, Tower Hamlets Community Housing
Ann Jackson	5.2.3	Personal	Had discussions with the petitioner organisation
Denise Jones	5.1.1, 7.7, 7.11, 7.18, 11.3, 11.10	Personal	Board member, East End Homes and Tower Hamlets Homes
Denise Jones	5.2.2	Personal	Director of bookshop in Tower Hamlets
Denise Jones	5.2.3	Personal	Board member – Tower Hamlets PCT
Azizur R. Khan	11.3	Personal	Leaseholder
Shiria Khatun	11.3	Personal	Tenant – Poplar Harca

Harun Miah	11.3	Personal	Leaseholder
Oliur Rahman	8.1	Personal	Previously been a member of Neighbourhood Watch
Oliur Rahman	11.2	Personal	Signed the NO21D petition
Oliur Rahman	11.3	Personal	Leaseholder
Oliur Rahman	11.5	Personal	On Council Housing waiting list
Oliur Rahman	Urgent motion	Personal	Tenant Toynbee/Island Homes
Muhammad Abdullah Salique	11.3	Personal	Leaseholder
A. A. Sardar	5.1.1	Personal	Leaseholder
A. A. Sardar	11.3	Personal	Leaseholder
Bill Turner	5.2.3	Personal	Founder Governor of East London Mental Health Foundation Trust
Bill Turner	11.4	Personal	Member, Co-operative Party and shareholder in co-operative and member of Tower Hamlets Credit Union
Abdal Ullah	11.3	Personal	Leaseholder
Salim Ullah	11.3	Personal	Leaseholder
Motin Uz-Zaman	5.1.1 & 11.3	Personal	Leaseholder
Motin Uz-Zaman	5.1.1 & 11.3	Personal	Board member – Poplar Harca and East End Homes
Motin Uz-Zaman	5.2.3 & 8.1	Personal	Employed by Barts and the London NHS Trust

3. MINUTES

RESOLVED

That subject to amendments to (i) correct the spelling of Cllr Shahed Ali's name; and (ii) record the declaration by Cllr Philip Briscoe of a personal interest in agenda item 10.1 as the Director of a company that provides advice on property development; the minutes of the meeting held on Wednesday 25th June 2008 be confirmed as a correct record of the proceedings and the Mayor be authorised to sign them accordingly.

4. TO RECEIVE ANNOUNCEMENTS FROM THE MAYOR, LEADER OF THE COUNCIL, MEMBERS OF THE CABINET OR THE CHIEF EXECUTIVE**(i) Former Councillors Dan Kelly and Brian Son**

At the invitation of the Mayor the Council, officers and members of the public stood for a minute's silence in memory of former Councillors Dan Kelly and Brian Son, who had each passed away recently.

Councillor Lutfur Rahman, Leader of the Council, paid tribute to the work that the two former Councillors had undertaken on behalf of the people of Tower Hamlets. Councillors Alex Heslop, Tim Archer, Abjol Miah, Stephanie Eaton and Peter Golds endorsed Councillor Rahman's comments and added their own tributes to Councillors Kelly and Son and condolences to their respective families.

(ii) Local Democracy Week

The Mayor said that Councillors were aware that this week was Local Democracy Week and he welcomed Faiza Mukeith, Deputy Young Mayor to the meeting. A full programme of Local Democracy Week activities was taking place in the Town Hall and in schools across the borough to promote young people's awareness of and participation in democracy. There was a display of School Council declarations outside the Chamber and Local Democracy Week also marked the opening of nominations for the Young Mayor elections 2009.

(iii) Children's Services announcements - Councillor Clare Hawkins

Councillor Clare Hawkins, Lead Member for Children's Services, announced that figures to be published shortly showed that there had been a significant increase this year in the proportion of young people from Tower Hamlets achieving 5 or more GCSEs at A*-C grades including English and Maths. Councillor Hawkins also informed the Council that the Government had uplifted the funding for the Building Schools for the Future Programme to £300 million; and that Tower Hamlets had been shortlisted for Beacon Status for tackling child poverty.

(iv) Bancroft Library - Councillor Lutfur Rahman

Councillor Lutfur Rahman, Leader of the Council, announced that following consultation and consideration of expert advice in relation to the Local History Library and archive, it had been decided that the Bancroft Library would not be sold to Queen Mary College but would be retained by the Council for the Library and Archive. Councillor Peter Golds welcomed the Leader's announcement on this matter.

(v) **Assistant Chief Executive**

The Leader of the Council welcomed Mr Lutfur Ali, recently appointed to the post of Assistant Chief Executive, to the meeting.

5. TO RECEIVE ANY DEPUTATIONS OR PETITIONS

DEPUTATIONS

5.1.1 Leaseholder Services

At the invitation of the Mayor, Mr. Andrew Coles addressed the meeting about leaseholder services and charges.

After Mr Coles had addressed the meeting, Councillor Tim Archer **MOVED** and Councillor Peter Golds **SECONDED** – “That under Rule 14.1.3 (to change the order of business in the agenda), agenda item 11.3 (motion on leaseholder services) be moved forward to follow immediately the deputation from the Tower Hamlets Leaseholders Association.”

The procedural motion to change the order of business was put to the vote and was **agreed** with no Member voting against.

Mr. Coles then responded to questions from Members of the Council.

Councillor Marc Francis, Lead Member for Housing and Development, then responded to the matters raised by the deputation.

RESOLVED

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

Change to order of business

11.3 Motion submitted by Councillor Tim Archer regarding Leaseholder Services

Councillor Tim Archer **MOVED** and Councillor Peter Golds, **SECONDED** the motion as set out at agenda item 11.3.

Councillor Marc Francis **MOVED** and Councillor Lutfur Rahman **SECONDED** an amendment to the motion as follows:-

‘Delete from “*This Council notes*” To “*... firm of auditors.*” and replace with the following text

“This Council supports the principle of leaseholders only being charged for services they actually receive.

It further notes the need to drive up the performance of Arms Length Management under Tower Hamlets Homes to be confident of achieving a two-star rating from the Audit Commission when it is inspected;

It also notes the continuing dissatisfaction of some leaseholders with the overall service they receive, particularly in respect of:

- Information and consultation on both major works and annual service charges
- The overall level of both major works and annual charges, particularly the management and administration element
- The value for money that these charges represent and the quality of services that leaseholders are asked to pay for

This Council welcomes the constructive role Tower Hamlets Leaseholders Association has played in representing the interests of individual leaseholders in dispute with LB Tower Hamlets and in helping to shape council policy.

Furthermore, this council welcomes the following recent developments:

- The decision to issue a £50 rebate on the administration charge for 2006/07, and repeat this £50 rebate in the 2007/08 "actuals"
- The Scrutiny Review of Leasehold Services, including its key recommendation of the need for greater transparency and accountability in the calculation and apportionment of charges
- The Leasehold Valuation Tribunal's judgements on Lister House, the 2006/07 "estimates" and the Aurora House test case
- The early signs of improvement in the day-to-day caretaking, management and maintenance since the establishment Tower Hamlets Homes.

Nevertheless, believes that further measures are needed to ensure sustained improvements in performance, greater value for money and improve satisfaction amongst leaseholders. And therefore resolves that Cabinet:

- Commission an independent audit of the processes used by Tower Hamlets Homes to determine the leasehold service charge "actuals" for 2007/08 to ensure these are accurately calculated in accordance with best practice
- Instruct the Lead Councillor for Housing and Development to urgently draw up the remit for this audit following consultation with Tower Hamlets Leaseholders Association, Opposition Parties and other representative bodies
- Ensures that this review is carried out in accordance with the Leasehold Reform, Housing and Urban Regeneration Act 1993 in respect of management audits
- Require this audit to be completed in time to inform the 2009/10 "estimates" and the 2008/09 "actuals".'

The Service Head, Democratic Services informed the Council that the matters set out in the amendment were Executive Functions under the provisions of the Local Government Act 2000 and that should the Council wish to agree the amendment, the sentence immediately before the final bullet points should be amended to read 'And therefore resolves to request the Cabinet to:-'

After discussion, the amendment was put to the vote and was **agreed** with no Member voting against.

The substantive motion as amended was then put to the vote and was **agreed** with no Member voting against. Accordingly it was:-

RESOLVED

This Council supports the principle of leaseholders only being charged for services they actually receive.

It further notes the need to drive up the performance of Arms Length Management under Tower Hamlets Homes to be confident of achieving a two-star rating from the Audit Commission when it is inspected;

It also notes the continuing dissatisfaction of some leaseholders with the overall service they receive, particularly in respect of:

- Information and consultation on both major works and annual service charges
- The overall level of both major works and annual charges, particularly the management and administration element
- The value for money that these charges represent and the quality of services that leaseholders are asked to pay for

This Council welcomes the constructive role Tower Hamlets Leaseholders Association has played in representing the interests of individual leaseholders in dispute with LB Tower Hamlets and in helping to shape council policy.

Furthermore, this council welcomes the following recent developments:

- The decision to issue a £50 rebate on the administration charge for 2006/07, and repeat this £50 rebate in the 2007/08 "actuals"
- The Scrutiny Review of Leasehold Services, including its key recommendation of the need for greater transparency and accountability in the calculation and apportionment of charges
- The Leasehold Valuation Tribunal's judgements on Lister House, the 2006/07 "estimates" and the Aurora House test case
- The early signs of improvement in the day-to-day caretaking, management and maintenance since the establishment Tower Hamlets Homes.

Nevertheless, believes that further measures are needed to ensure sustained improvements in performance, greater value for money and improve

satisfaction amongst leaseholders. And therefore resolves to request the Cabinet to:

- Commission an independent audit of the processes used by Tower Hamlets Homes to determine the leasehold service charge “actuals” for 2007/08 to ensure these are accurately calculated in accordance with best practice
- Instruct the Lead Councillor for Housing and Development to urgently draw up the remit for this audit following consultation with Tower Hamlets Leaseholders Association, Opposition Parties and other representative bodies
- Ensures that this review is carried out in accordance with the Leasehold Reform, Housing and Urban Regeneration Act 1993 in respect of management audits
- Require this audit to be completed in time to inform the 2009/10 “estimates” and the 2008/09 “actuals”.

At this point (8.36 p.m.) the meeting was adjourned to enable a number of members of the public to leave the gallery.

The meeting resumed at 8.48 p.m. and the Service Head, Democratic Services informed Members that the revised projected end time for the meeting was now 10.45 p.m.

PETITIONS

5.2.1 Muslim graveyard

At the invitation of the Mayor, Mr. Rabbi Ashfak Hussain addressed the meeting in support of the petition concerning a Muslim graveyard. He reiterated the points raised in the written petition and asked when the burial space would be provided.

Mr. Hussain responded to questions by Members of the Council.

Councillor Ohid Ahmed, Lead Member for Regeneration, Localisation and Community Partnerships responded to the matters raised in Mr. Hussain’s petition.

During Councillor Ohid Ahmed’s response, Councillor Ahmed Hussain sought to move to a vote on the petition. The Service Head, Democratic Services advised that the procedure rules did not provide for the Council to vote on a petition.

Councillor Ahmed Hussain then **MOVED** and Councillor Peter Golds **SECONDED** – “That under procedural rule 14.1.14, rule 13.1 be suspended to enable an urgent motion to be put on the matters set out in the petition 5.2.1.”

The procedural motion was put to the vote and was **defeated**.

RESOLVED

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

5.2.2 Banning of a book from marketing in Tower Hamlets and lobbying for a UK-wide ban

At the invitation of the Mayor, Mr. Rabbi Ashfak Hussain addressed the meeting in support of the petition, which called for the book 'Kalapanir Hatchani – Biletey Bangaleer Itihash' to be not shelved in any Idea Store or bookshop in the borough and for the Council to lobby the Government for the book to be removed from circulation in the UK.

Mr. Hussain responded to questions by Members.

Councillor Ohid Ahmed, Lead Member for Regeneration, Localisation and Community Partnerships responded to the matters raised in Mr. Hussain's petition.

RESOLVED

That the petition be referred to the Assistant Chief Executive for a written response on any outstanding matters within 28 days.

5.2.3 The Tower Hamlets Sickle Cell and Thalassaemia Centre in St. Margaret's House

At the invitation of the Mayor, Mr. Tony Uwadiale addressed the meeting in support of the petition. A user of the Centre also addressed the meeting about the importance of the support that it gave to sickle cell sufferers.

Mr. Uwadiale responded to questions by Members of the Council.

Councillor Dr. Anwara Ali, Lead Member, Health and Wellbeing, responded to the matters raised in Mr. Uwadiale's petition.

RESOLVED

That the petition be referred to the Corporate Director, Adult Health and Wellbeing for a written response on any outstanding matters within 28 days.

Change to the order of Business**Urgent Motion – Island Homes**

Councillor Peter Golds **MOVED** and Councillor Timothy Archer **SECONDED** “That under procedural rule 14.1.14, rule 13.1 be suspended to enable an urgent motion on Island Homes to be considered at the meeting.”

The procedural motion was put to the vote and was unanimously **agreed**.

Councillor Timothy Archer then **MOVED** and Councillor Peter Golds **SECONDED**, “That under Procedural Rule 14.1.3 the order of business be varied to enable the urgent motion in respect of Island Homes to be discussed as the next item of business.”

The procedural motion was put to the vote and was unanimously **agreed**.

Councillor Stephanie Eaton, Councillor Shahed Ali, Councillor Mohammed Shahed Ali and Councillor Oliur Rahmen each declared a personal interest in the urgent motion as leaseholders/tenants respectively of Toynbee/Island Homes. Councillor Shirley Houghton also declared a personal interest in the urgent motion as a Member of the Barkantine Management Board.

Councillor Peter Golds **MOVED** and Councillor Timothy Archer **SECONDED** the urgent motion as follows:-

“1. This Council notes:

(a) that on 5th December 2005, four Council estates on the Isle of Dogs transferred over to Toynbee Island Homes, a new Housing Association created for the purpose of this transfer, under the Council's "Housing Choice" policy;

(b) that the terms of the transfer were set out by the Council in an offer document, and included:

i) a promise that Toynbee Island Homes Housing Association (later renamed "Island Homes") would be resident-led and have a majority of residents on the Board;

ii) a promise that management agreements would be signed between Island Homes and the resident organisations on each of the four estates which would govern service delivery on each estate;

iii) a promise that services would be delivered locally by three offices based in the Island Homes estates;

(c) that the terms of transfer as set out in the Council's offer document were the basis on which tenants voted in favour of transfer, on the basis of which the transfer went ahead, and the basis on which leaseholders, in an indicative vote, indicated their wish to see the transfer go ahead.

2. This Council further notes:
 - (a) the deputation from Island Homes residents to this Council at its meeting on 25th June which described how ONE Housing Group took over the role of "parent body" of Island Homes and in that role sacked the Board of Island Homes in April 2008 and unilaterally appointed an Interim Board which instituted changes in governance and service delivery which the Board of Island Homes had declined to implement itself;
 - (b) that the Lead Member for Housing and Regeneration, in replying to that deputation, stated that the Council was committed to seeing that the terms of the offer document, and in particular the condition that Island Homes Housing Association be resident-led with a majority of residents on the Board, were restored.
3. This Council further notes that the Lead Member for Housing and Regeneration attended a meeting of Island Homes residents on 30th September and repeated that commitment he gave before the meeting of the Council. He reported that despite representations he had made to ONE Housing Group to restore the conditions promised in the offer document, ONE Housing Group had not bowed to his representations and had not agreed to do this. He heard the fears of Island Homes residents that unless progress was made very quickly, the Interim Board appointed by ONE Housing Group would make such far-reaching changes that it would be extremely difficult to restore the conditions promised by this Council in the offer document.
4. This Council further notes that during the period of office of the Interim Board of Island Homes, three senior members of staff who transferred over from the Council have been suspended without substantive disciplinary charge by ONE Housing Group and one such member of staff has left for employment elsewhere, and that these officers have over a century of unblemished and lauded service for the Council and are extremely popular with residents.
5. This Council notes that on Friday, 10th October UNISON was invited to meet ONE Housing Group to hear that ONE Housing Group has announced the start of a 28 day consultation period with trade unions in respect of its plans to integrate services at a Customer Contact Centre at Mile End which would become the main means for residents to contact Island Homes. This would involve closing all but one office on the Island Homes estates. It will also involve staff moving, changing jobs and potential redundancies. ONE Housing Group has not announced any plans to consult residents about these plans which would further breach the promises made by this Council in the offer document. These plans would be virtually impossible to undo if the conditions in the offer document are to be restored.
6. This Council believes that:

- (a) the promises set out in the offer document should be upheld;
- (b) if this Council cannot manage to keep its promises, it will have let down the residents on the Isle of Dogs who believed the Council would keep its promises and voted for their estates to be transferred on that basis;
- (c) if the promises in the offer document are not upheld, the Housing Choice programme undertaken by this Council will be revealed to have been a nonsense.

7. This Council requests:

- (a) the Lead Member for Housing and Regeneration to undertake at this meeting to make representations on behalf of this Council to ONE Housing Group, requesting that they do not go ahead with establishing a call centre and that they put any plans for major change on hold while a solution which restores the conditions in the offer documents is worked out by the relevant parties, namely the Council, ONE Housing Group, the residents and the staff;
- (b) the Leader to use his best endeavours to ensure that ONE Housing Group do not pursue their plans and that such a satisfactory conclusion is reached;
- (c) the Cabinet to take reports on the progress of this matter at each meeting;
- (d) the Cabinet to consider all strategies necessary to achieve this outcome, including:
 - i) legal action;
 - ii) making urgent representations to relevant bodies such as the Minister and the housing Corporation to obtain their assistance in achieving the desired outcome;
 - iii) publicising our grave displeasure over the conduct of ONE Housing in the local, regional, national and professional/specialist press.
- (e) the Leader to report on progress on the above in a weekly written bulletin to all Members of this Council until a satisfactory outcome has been achieved.”

An amendment was then **MOVED** by Councillor Marc Francis and **SECONDED** by Councillor Lutfur Rahman as follows:-

‘To delete from “(7) This Council requests ...” to “... a satisfactory outcome has been achieved.” and replace with the following text

7. This Council requests:

- (a) the Lead Member for Housing and Development to take all appropriate measures to ensure that the promises made to Island Homes residents by Toynbee Housing Association via the Offer Document are fulfilled, including those relating to service delivery as well as governance by considering:
 - (i) making formal written representations to ONE Housing Group;
 - (ii) pursuing legal action to enforce the transfer agreement;
 - (iii) making representations to the Housing Corporation, the Department for Communities and Local Government;
 - (iv) drawing this matter to the attention of the newly-appointed Housing Minister, Rt Hon Margaret Beckett MP;
- (b) the Lead Member to report back to councillors within one month of the passing of this resolution on the progress of this matter.”

Following discussion, Councillor Joshua Peck **MOVED** and Councillor Sirajul Islam **SECONDED**, “That in accordance with Procedure Rule 14.1.10, the question be now put.”

The procedural motion was put to the vote and was **agreed**.

The amendment moved by Councilor Marc Francis and seconded by Councillor Lutfur Rahman was then put to the vote and was **agreed** with no Member voting against.

The substantive motion as amended was then put to the vote and was **agreed** with no Member voting against. Accordingly it was:-

RESOLVED

1. This Council notes:
 - (a) that on 5th December 2005, four Council estates on the Isle of Dogs transferred over to Toynbee Island Homes, a new Housing Association created for the purpose of this transfer, under the Council's "Housing Choice" policy;
 - (b) that the terms of the transfer were set out by the Council in an offer document, and included:
 - i) a promise that Toynbee Island Homes Housing Association (later renamed "Island Homes") would be resident-led and have a majority of residents on the Board;

- ii) a promise that management agreements would be signed between Island Homes and the resident organisations on each of the four estates which would govern service delivery on each estate;
 - iii) a promise that services would be delivered locally by three offices based in the Island Homes estates;
- (c) that the terms of transfer as set out in the Council's offer document were the basis on which tenants voted in favour of transfer, on the basis of which the transfer went ahead, and the basis on which leaseholders, in an indicative vote, indicated their wish to see the transfer go ahead.
2. This Council further notes:
- (a) the deputation from Island Homes residents to this Council at its meeting on 25th June which described how ONE Housing Group took over the role of "parent body" of Island Homes and in that role sacked the Board of Island Homes in April 2008 and unilaterally appointed an Interim Board which instituted changes in governance and service delivery which the Board of Island Homes had declined to implement itself;
 - (b) that the Lead Member for Housing and Regeneration, in replying to that deputation, stated that the Council was committed to seeing that the terms of the offer document, and in particular the condition that Island Homes Housing Association be resident-led with a majority of residents on the Board, were restored.
3. This Council further notes that the Lead Member for Housing and Regeneration attended a meeting of Island Homes residents on 30th September and repeated that commitment he gave before the meeting of the Council. He reported that despite representations he had made to ONE Housing Group to restore the conditions promised in the offer document, ONE Housing Group had not bowed to his representations and had not agreed to do this. He heard the fears of Island Homes residents that unless progress was made very quickly, the Interim Board appointed by ONE Housing Group would make such far-reaching changes that it would be extremely difficult to restore the conditions promised by this Council in the offer document.
4. This Council further notes that during the period of office of the Interim Board of Island Homes, three senior members of staff who transferred over from the Council have been suspended without substantive disciplinary charge by ONE Housing Group and one such member of staff has left for employment elsewhere, and that these officers have over a century of unblemished and lauded service for the Council and are extremely popular with residents.
5. This Council notes that on Friday, 10th October UNISON was invited to meet ONE Housing Group to hear that ONE Housing Group has announced the start of a 28 day consultation period with trade unions in respect of its plans to integrate services at a Customer Contact Centre at

Mile End which would become the main means for residents to contact Island Homes. This would involve closing all but one office on the Island Homes estates. It will also involve staff moving, changing jobs and potential redundancies. ONE Housing Group has not announced any plans to consult residents about these plans which would further breach the promises made by this Council in the offer document. These plans would be virtually impossible to undo if the conditions in the offer document are to be restored.

6. This Council believes that:
 - (a) the promises set out in the offer document should be upheld;
 - (b) if this Council cannot manage to keep its promises, it will have let down the residents on the Isle of Dogs who believed the Council would keep its promises and voted for their estates to be transferred on that basis;
 - (c) if the promises in the offer document are not upheld, the Housing Choice programme undertaken by this Council will be revealed to have been a nonsense.
7. This Council requests:
 - (a) the Lead Member for Housing and Development to take all appropriate measures to ensure that the promises made to Island Homes residents by Toynbee Housing Association via the Offer Document are fulfilled, including those relating to service delivery as well as governance by considering:
 - (i) making formal written representations to ONE Housing Group;
 - (ii) pursuing legal action to enforce the transfer agreement;
 - (iii) making representations to the Housing Corporation, the Department for Communities and Local Government;
 - (iv) drawing this matter to the attention of the newly-appointed Housing Minister, Rt Hon Margaret Beckett MP;
 - (b) the Lead Member to report back to councillors within one month of the passing of this resolution on the progress of this matter.

6. TO RECEIVE QUESTIONS FROM MEMBERS OF THE PUBLIC

No public questions were received.

7. TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL

Twenty seven questions were submitted by Councillors for response by members of the Cabinet as listed in agenda item 7. The questions, together

in each case with the response of the relevant Lead Member and a summary of any supplementary question and response, are set out below.

Councillor Ahmed Hussain **MOVED** and Councillor Peter Golds **SECONDED**, “That under Procedural Rule 14.1.14, rule 11.3 be suspended to allow an urgent question to be put as follows:- ‘Can the Leader let us know why is the Council helping Poplar HARCA to continually bully us the residents of Burdett and implementing policies that are not consulted with or in favour of the local residents’.”

The procedural motion was put to the vote and was **defeated**.

7.1 Question from Councillor Ahmed Omer to the Lead Member for Children’s Services, Councillor Clair Hawkins

Can the Lead Member for Children’s Services tell us whether there will be any much-needed investment in Youth Services in the borough?

Response of the Lead Member:

An additional £1Million funding has been agreed to uplift the annual revenue stream of the youth contracted services which will bring significant benefit to all young people across the borough. This funding will provide an opportunity for more young people to be engaged in structured, positive activities across all LAP areas. This will bring the following benefits;

- an increase in provision in each LAP including week-end provision with at least one centre open to 12.00 midnight on Saturday and 10.30pm on week nights
- engagement with the Duke of Edinburgh Award offering at least one Award Club in each LAP,
- additional skills and expertise so that all remaining unqualified staff become qualified youth workers and all staff take up specialist curriculum training such as Duke of Edinburgh, drugs education, or sex and relationships education
- an increase in the proportion of accredited outcomes by 20% on the current targets, to include at least 15 Duke of Edinburgh bronze award level achievers in each LAP
- outreach work with targeted under-represented groups, particularly young people with disabilities and girls, to ensure a 10% annual uplift on the existing contract target for the number of young people engaged in activities leading to accredited outcomes

- work with parents to market and advertise activities in every centre, to attract a wider range of young people and the development of parent-led and parent-supported activity.
- In addition to this unprecedented increase in revenue support resources have also been allocated to improve the centres. The Osmani Centre in Spitalfields will be rebuilt and we have submitted a bid to secure government funding to create a world class centre at the Haileybury site.

Summary of supplementary question from Councillor Ahmed Omer

Can the Lead Member tell me the proposed level of investment in Bow and the LAP 5 area?

Summary of Lead Member's response

LAP 5 has been allocated an uplift of nearly £80k per year. Hitherto Bow has not had many youth centres and I am pleased that this money will deliver for the young people of the area. Priorities will include late night and weekend opening, the Duke of Edinburgh scheme, work with Somali groups, parental involvement, outreach services and building on the programme at Caxton Hall.

7.2 Question from Councillor Tim Archer to the Lead Member for Resources and Performance, Councillor Joshua Peck

Would the Lead Member please confirm what the current position is regarding securing the future of Poplar Baths?

Response of the Lead Member

A proposal has been submitted by the Tower Hamlets Environment Trust (THET) in conjunction with Swan Housing to renovate Poplar Baths to include a pool with redevelopment of the remainder of the site as enabling development.

The Council has commissioned a study of the proposals and is currently pulling together the Borough's leisure strategy. Progress on Poplar Baths is contingent on completion of these.

Summary of supplementary question from Councillor Tim Archer

Steering Group members feel that the Council is blocking this scheme. Can the Lead Member tell me what he has done to help progress it as promised in his e-mail of 19 months ago and what will he do now to commit to making it happen?

Summary of Lead Member's response

There is no overnight solution to this matter. The easiest way to secure a swift resolution would have been to sell the building but we have chosen instead to work with local people to develop a scheme which can deliver its renovation and re-opening as a pool. The nature of the building means that this is a difficult and potentially costly heritage project but we are committed to working with the residents and a paper will come to Cabinet in the next few months, in the context of the Council's leisure strategy. I am confident that there is a need for a pool in Poplar.

7.3 Question from Councillor Abjol Miah to the Leader of the Council, Councillor Lutfur Rahman

Would the Council Leader agree that the report from End Child Poverty, an umbrella organisation including some 130 children's charities, that Tower Hamlets continues to have the highest proportion of children living in poverty of any borough in London or council in the country, more than 42,000 children in total, is a scandal and shows that the government's proposals to halve the number of children in poverty have failed in Tower Hamlets, despite the relative success acknowledged by End Child Poverty in educational achievement in the borough, that child poverty is closely correlated to lack of work and dependence on benefits, that the growth of jobs in Canary Wharf has had no apparent effect on this unemployment and low incomes and that the council needs to completely reconsider its anti-poverty strategy in the face of this failure?

Response of the Leader of the Council

The levels of child poverty in Tower Hamlets are unacceptable. This is why it has been identified as a priority in our Local Area Agreement, with challenging targets set for reducing the number of children living in benefit dependent households.

We are currently writing a child poverty strategy with local partners, including the voluntary sector, which aims to address the causes of poverty, as well as mitigating its effects on children and young people. As part of this work we are looking at what we can do differently and in addition to our existing work, to meet our ambitious targets.

It is also true that adult unemployment is closely correlated to child poverty. Tower Hamlets has seen significant growth in jobs in recent years, with an increase of 56% between 1998 and 2006 compared to 6.2% in London as a whole. The majority of this growth is in the financial services sector, based in Canary Wharf. Public administration, education and health is the second largest growth sector. Despite this growth, unemployment persists at one of the highest levels in the Country. Our priority therefore is to ensure that local residents are able

to take advantage of the growth in employment opportunities. We have already had some success, working in partnership with other agencies and local employers, in getting people into jobs. Our Employment Strategy, launched earlier this year, recognises that whilst successful, programmes to date have been relatively small scale. Through the strategy, we are therefore improving co-ordination of and increasing investment in these initiatives.

We are also taking steps to increase skills in the adult population, for example addressing low levels of English language skills by increasing provision of English as a Second Language (ESOL) courses. In addition we are doing targeted work with unemployed parents to help with issues such as childcare so that they are able to return to work.

As well as actions to reduce the levels of poverty, we are also working to mitigate its effects on children and young people. Too often, living in poverty can act as a barrier to educational attainment and opportunities to participate in positive activities outside school. Our ambition for pupils in the borough's schools remains high and we continue to see year on year improvement in attainment at GCSE level as a result of our work in this area. We are also focussing our attention on participation in higher education, again backed up with targets in our LAA, through our 'aim higher' programme which encourage children from low income families to continue into higher education. To ensure that young people from low income families are fully able to participate in positive activities outside school, we have launched our ground-breaking Choice and Opportunities Online (COO-I) scheme which gives 13-19 year olds who are eligible for free school meals or have special educational needs a monthly bursary to spend on activities such as gym membership, arts classes and sports training.

Summary of supplementary question from Councillor Abjol Miah

Does the Leader agree that the levels of child poverty in Britain currently are shocking and the figures for Tower Hamlets a poor reflection on the Borough and, particularly in the light of the billions of pounds paid to bail out the banking industry, should the Council demand that the Government provide additional resources to address this problem?

Summary of Leader of the Council's response

I welcome the ambitious targets set by the Labour Government and this Labour Council is committed to investing in the children of the borough and ensuring that they all have equal opportunities and equal life chances.

7.4 Question from Councillor Stephanie Eaton to the Lead Member for Cleaner, Safer, Greener, Councillor Abdal Ullah

What is the Council's target for meeting National Indicator NI35 (Building resistance to violent extremism), what financial resources are being put into meeting this target by the Borough and how is performance against this target being assessed?

Response of the Lead Member

NI35 (Building resilience to violent extremism) measures our performance in delivering the national Prevent Strategy which has the following objectives:

- Undermine extremist ideology and support mainstream voices
- Disrupt those who promote violent extremism, and strengthen vulnerable institutions
- Support individuals who are vulnerable to recruitment by violent extremists
- Increase the capacity of communities to challenge and resist violent extremists
- Effectively address grievances

Funding

During 2007-08 Tower Hamlets was awarded £99,200 as part of the Pathfinder year for Preventing Violent Extremism (PVE). In February 2008 the Home Secretary and the Communities Secretary announced additional PVE related funding to support the delivery of the Prevent Strategy. This included funding for an additional 300 police officers and a grant of £45 million to be made to local authorities between 2008 -11. Allocated on the size of local Muslim populations Tower Hamlets received £1.3 million to fund activities, with an allocation of £365,000 for 2008/09. Additional funds were also allocated to the Youth Justice Board for England and Wales (YJB) and our Youth Offending Team has received £ 15 0,000 to "reach young people at risk of becoming involved in violent extremism" over two years.

Performance management: National Indicator 35

The Council has chosen to include the national indicator which measures Authority's performance on 'Building Resilience to Extremism' within the 2008-11 Local Area Agreement. This is measured by self-assessment across four domains:

- Understanding of and engagement with Muslim communities
- Knowledge and understanding of the Preventing Violent Extremism agenda
- Effective development of an action plan to build the resilience of communities and support vulnerable individuals

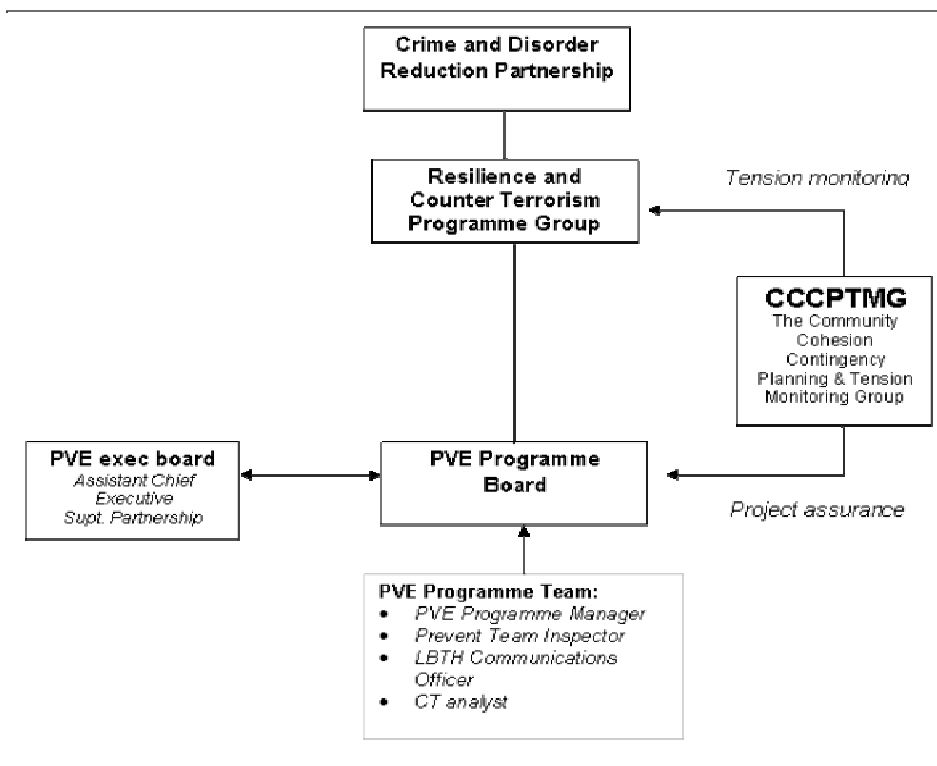
Effective oversight, delivery and evaluation of projects and actions

Using the self-assessment framework detailed below, we have set ourselves the following targets:

- 2008/09: 16/20;
- 2009/10: 18/20;
- 2010/11: 20/20

Project governance and delivery

Delivering Prevent sits within the remit of the Community Plan Delivery Group for ‘A Safe and Supportive Community’, the Crime and Disorder Reduction Partnership. The organisational structure is set out below:



The Resilience and Counter Terrorism Group, chaired by the Police Superintendent for Operations, has responsibility for delivering the Protect, Pursue and Prepare elements of CONTEST work including the delivery of the NI36 and NI37 (Protection Against Terrorist Attack and Awareness of Civil Protection arrangements in the local area respectively). Membership of this group includes officers from the police, community safety and RSLs.

The PVE Programme Board, chaired by the Council, operates as a distinct board with responsibility for delivering the Prevent work and delivering NI35. Membership includes additionally officers from Children’s Services.

The Community Cohesion Contingency Planning and Tension Monitoring Group (CCCPTMG), chaired by the Lead Member for Safer, Cleaner, Greener acts both as an operational tension monitoring group and as the Project Assurance Board for the PVE Programme (this includes independent monitoring of projects' performance and provides a mechanism to ensure that all stakeholder needs and expectations are being met and managed). Membership includes representatives from the Interfaith Forum, the London Muslim Centre, the Council of Mosques and the third sector.

N.I. 35 – BUILDING COMMUNITIES RESILIENT TO VIOLENT EXTREMISM

ASSESSMENT FRAMEWORK

Understanding of, and engagement with, Muslim communities.

Target for 2008/09

Regular and reliable mechanisms which include all communities and underrepresented groups such as women and youth in an ongoing dialogue. That dialogue influences and informs policy. Sophisticated and segmented understanding of Muslim communities, the structures within them, and the cultures which make them up.

Target for 2010/11

A self sustaining, dynamic and community driven engagement which takes place on a number of different levels and in a number of different ways, with innovative approaches to communication and engagement of all groups. Sophisticated understanding of local Muslim communities is used to drive policy development and engagement.

Knowledge and understanding of the drivers and causes of violent extremism and the Prevent objectives

Target for 2008/09

Strong understanding of the Prevent objectives and the drivers of violent extremism, as well as of the interfaces with related policy areas. Full use of local, national and international research, guidance and expertise on the agenda, including good information sharing between partners. Good understanding of local circumstances and drivers.

Target for 2010/11

Sophisticated understanding of the Prevent objectives and the drivers of violent extremism. Full use of local, national and international research, guidance and expertise on the agenda to build a wide-ranging and sophisticated evidence base. Clearly strong information interchanges between local partners across delivery organisations and strands of activity. Strong understanding of local circumstances and drivers.

Development of a risk-based preventing violent extremism action plan, in support of delivery of the Prevent objectives

Target for 2008/09

Risk based and strategically focused action plan with clear links to the knowledge and understanding of the drivers of violent extremism, the 'Prevent' strategy and to extensive consultation with communities. Clear buy-in from senior officers and strategic partners. Necessary actions, capabilities, policies and projects clearly identified. Strong focus on multi-agency partnership working, including synergies with CDRPs and other bodies. Broad range of activity delivering all strands of the 'Prevent' strategy, including through a range of mainstream services.

Target for 2010/11

Risk based and strategically focused action plan with strong links to the knowledge and understanding of the drivers of violent extremism, the 'Prevent' strategy and to extensive consultation with communities and local partner agencies. Agenda effectively 'mainstreamed' through consideration of existing service delivery and policies, alongside the development of specific actions, projects and capabilities. Awareness of agenda throughout partner organisations. Full range of activities across all strands of the 'Prevent' strategy. Innovative actions, projects and capabilities clearly identified. Strong evidence of multi-agency approach to deliver across a broad range of partners and agencies, including synergies with CDRPs and other bodies.

Effective oversight, delivery and evaluation of projects and actions.

Target for 2008/09

Proven monitoring mechanisms in place which help ensure regular delivery of projects within timescale, to the required standard and budget constraints. Oversight group with range of skills and representing appropriate range of interests. Formal evaluation using appropriate methodology which has some impact on the development of future projects. Strong audit arrangements and risk management in place.

Target for 2010/11

Strong tried and tested monitoring mechanisms which allow highlighting and resolution of issues, track progress and ensure consistent delivery of projects and actions within timescale, to the required standard and budget constraints. Oversight group with appropriate skills and seniority in place and actively involved in monitoring. Professional and extensive evaluation of project against agreed objectives, which has real impact on development of future projects. Strong audit arrangements and sophisticated risk management in place.

Summary of supplementary question from Councillor Stephanie Eaton

What specific actions will the Lead Member take, for example to stop the Hizb ut-Tahrir organisation from holding events in the Borough?

Summary of Lead Member's response

The Government has not banned Hizb ut-Tahrir. We should not close the door on debate but rather counter any extremist views through argument and ensure that there is a platform for the majority who would wish to put the alternative view.

7.5 Question from Councillor Fazlul Haque to the Lead Member for Cleaner, Safer, Greener, Councillor Abdal Ullah

Can the Lead Member for Cleaner, Safer, Greener tell us if there are any plans to increase the number of Police officers in the borough over the next two years?

Response of the Lead Member

I can confirm that the Cabinet have agreed to commit £600K to fight crime. This will result in a minimum of an additional 17 Police Officers for the borough. It is anticipated that these officers will be on our streets from April next year.

Summary of supplementary question from Councillor Fazlul Haque

I welcome the additional investment in police officers and the many other initiatives that the Cabinet has brought forward for the benefit of local people. What will the management arrangements be for the additional police resources and to whom will they be accountable?

Summary of Lead Member's response

I work in close partnership with the Police and other agencies through the Crime and Disorder Reduction Partnership to ensure effective delivery and accountability of services. We all have a responsibility to contribute to community safety and I would draw the questioner's attention to the first ever Community Safety Awards to be launched in Tower Hamlets. These will commend people who help the authorities to make the borough a safer place. Nominations close on 30th November and the awards event will take place on 27 January 2009.

7.6 Question from Councillor Dr. Emma Jones to the Lead Member for Cleaner, Safer, Greener, Councillor Abdal Ullah

Would the Lead Member inform us as to what the council is doing to ensure that a fuller use is made of the river as part of the public transport network?

Response of the Lead Member

As Members will be aware the Council recently launched its sustainable transport strategy "Making Connections" which includes a commitment to work with British Waterways and Transport for London to promote sustainable water transport. The Council actively engages with London River Services, through the Council's Public Transport Consultative Forum and the Canary Wharf Transport Forum, to publicise their services and to work with them to improve access. A small amount of funding has been allocated by TfL to Thames Gateway London Partnership for improving access to river piers, and officers are investigating the provision of signage to piers on the Isle of Dogs.

The Council has also contributed earlier this year to the London Development Agency's Study of River Piers which is intended to inform the forthcoming review of the Mayor for London's Transport Strategy.

Summary of supplementary question from Councillor Dr. Emma Jones

What is the Lead Member doing to alleviate the travel problems currently experienced by residents in Wapping?

Summary of Lead Member's response

The refurbishment of the East London Line will provide vastly improved links between Wapping and other parts of London both north and south of the river. We will continue to contribute to the Mayor of London's transport strategy and work in partnership with Transport for London to address the needs of local residents.

7.7 Question from Councillor Fozol Miah to the Leader Member for Housing and Development, Councillor Marc Francis

Could the Lead Member identify the number of Council rented and RSL properties which have not had heat insulating refurbishment including double glazing since 1997 and therefore how many Council-rented and RSL properties remain heating inefficient and expensive for their tenants and could he confirm when it is planned they will get this vital refurbishment and what other plans the Council is intending to bring forward to address the growing problem of fuel poverty in this borough?

Response of the Lead Member
Insulation

Improvement activity before and after 1997 that has affected thermal performance of the remaining Council stock is as follows:-

	Pre 1997	Post 1997	Remaining
Cavity Wall Insulation (CWI)	1,843	1,233	4,161
Double Glazing	6,630	1,565	4,876
Roof Insulation	3,012	1,591	3,672

Prior to 2001, government grant was available to low income social housing tenants through the Home Energy Efficiency Scheme (HEES) and significant work programmes were co-ordinated by the Council with insulation firms to deliver insulation measures to around 3,500 homes annually at its peak. Withdrawal of this grant from the social housing sector in 2001 particularly disadvantaged Tower Hamlets.

The Council has also used the government's Energy Efficiency Commitment (EEC) programme (now the Carbon Emission Reduction Target programme – CERT) since 1997 to fund block energy measures such as cavity wall and loft insulation, combined heat and power system connections, modernising inefficient heating plant, eliminating early pump firing to conserve gas at communal boiler plant, draughtsealing, and heat recovery ventilation.

In the current year there are plans to use CERT funding to insulate 200 cavity-walled properties which currently have scaffolding erected for other works.

Loft insulation is intended for a further 278 properties, once access to their communal lofts can be provided. To establish the remaining priorities for loft insulation a thermal survey is intended to prepare an extensive CERT loft insulation programme for installation during 2009/10.

Heating

Heating improvements made to the remaining Council stock, pre- and post-1997:-

	Communal Heating	Individual Combination Boiler	Individual Conventional Boiler	Totals
Pre 1997	1,782	72	4,936	6790
Post 1997	650	951	5,144	6745

The Council also delivered the Barkantine CHP Energy Services scheme, which has been providing low carbon, low cost heat and power to around 500 residents since 2000 – their newly negotiated tariff for 2008/09 is 4.714p/kWh for heat and 9.7p/kWh for electricity, both inclusive of VAT.

Planned investment schemes to maintain heat supply from remaining communal systems and to upgrade old individual heating systems/controls have been agreed within the Tower Hamlets Homes investment programme. Aside from this, boilers, controls and tank insulation are upgraded to current Building Regulations at the point of individual breakdown.

Tenants' Heating Costs

Communal systems are more efficient than using individual boilers, providing the plant, pipework and controls are well managed. The energy supply for these are included in the Council's energy tender and over the past few years our strategy has achieved lower pricing than was available from larger consortia, keeping the fuel re-charge to residents as low as possible. RSLs are able to join the Council's energy supply contracts if they wish.

Since April 2008, all THH void properties have their energy supply nominated to HELPCo (part of the Greater London Energy Efficiency Network) and the incoming tenants are put on an affordable tariff that includes provision of monthly consumption reports to help the householder budget their fuel use and provides small conservation measures such as radiator panels and CFLs. (Tenants can subsequently change to any other energy Supplier in the marketplace by giving 28 days notice). The HELPCo tariff and energy service is available to existing tenants.

Energy advice is available to all residents and provides help with budgeting, selecting tariffs, reading meters, bill debt, how to get greater benefit from their fuel spend and how to access grants. Any necessary property improvements that can't be grant funded are referred to THH's Technical Services team and other landlords as appropriate.

For the past ten years the Council have offered Zero interest finance for energy measures, enabling anyone resident in the borough to divert cost savings gained from installing insulation or high efficiency/renewable heating systems to fund energy loan repayments.

Fuel Poverty

The new National Indicator for fuel poverty (NI187a) indicates the proportion of low-income households living in properties with SAP¹s less than 35, it also measures those living in properties with SAPs greater than 65 (NI187a) who are assumed to be in affordable to heat homes.

In June 2008 the Council identified 39 homes in its own stock where low income households occupy homes with SAPs of less than 35. There are 405 such homes in the RSL sector.

	SAP Less than 80	SAP Less than 65	SAP Less than 35
Council	8,226	4,939	39
RSL	11,686	6,635	405
Private	3,882	1,744	344
Totals	23,794	13,318	788

Tower Hamlets Homes are presently considering how to respond to this relatively low number of tenants in severe fuel poverty this includes consideration of whether a window renewal scheme could be brought forward in the THH investment programme to deal with one particularly hard-to-heat block where 4 of the 39 low-SAP properties are located.

A Fuel Poverty alleviation strategy and action plan will be produced as part of the strategic review of the improvement requirements of stock managed by Tower Hamlets Homes

The results were discussed with the RSLs in July and advice is now awaited from individual RSLs as to how/when the 405 low SAP homes in their sector will be improved.

The 344 private sector low SAP properties are being surveyed by Warm Zone, the sub-regional response to fuel poverty and unfit homes in the private sector. By mid-December all 344 of these homes will

¹ Standard Assessment Procedure: a domestic energy rating system used for compliance with Building Regulations

have been surveyed and referred for Warm Front grants and/or sub-regional home improvement funds, and will also receive a benefit check to ensure income maximisation. (The ELRP assists vulnerable households, but does not fund double glazing as a measure, due to its high installation cost which produces unrealistic pay-back periods).

The Council have actively marketed energy advice and fuel poverty assistance programmes since 1997 and for Energy Efficiency Week 2008 a number of publicity adverts covering energy advice service availability across all tenures have been placed in East End Life to increase awareness of fuel poverty. A series of energy promotions are also taking place that week:-

Monday 20 October	09:30 - 12:30 The Foyer, Mullberry Place. 13:30 - 16:30 The Idea Store, Canary Wharf
Tuesday 21 October	10:00 - 17:00 The Idea Store, Whitechapel
Wednesday 22 October	09:30 - 12:30 The Idea Store, Chrisp Street 13:30 - 16:30 Sainsbury's, Whitechapel
Thursday 23 October	10:00 - 17:00 The Idea Store, Bow
Friday 24 October	10:00 - 17:00 Asda, Isle of Dogs

Summary of supplementary question from Councillor Fozol Miah

Is the Lead Member aware that many local residents in fuel poverty live in Council or RSL properties and that during a severe winter some residents could die as a result. What plans does he have to press the Government to make available funding to address this?

Summary of Lead Member's response

Many homes in Tower Hamlets have a low SAP rating and the Council is working to help landlords and owners to access grants for fuel efficiency via the Warm Front scheme. Ten years ago the Labour Government introduced the winter heating allowance. We have actively campaigned for and welcome the increases in this allowance which have greatly benefited all households with a person of pensionable age.

In accordance with Rule 12.10 (expiry of time limit), questions 7.8 to 7.27 were not put. Written responses would be forwarded to the questioners.

8. REPORTS FROM THE EXECUTIVE AND THE COUNCIL'S COMMITTEES**8.1 Report of the Cabinet Meeting of 10th September 2008****Crime and Drugs Reduction Partnership Plan 2008-2011**

The meeting considered the report of the Cabinet meeting on 10th September 2008 in relation to the above item.

Councillor Abdal Ullah, Lead Member for Safer, Greener, Cleaner introduced the report and commented in particular on the work that had been undertaken on reducing drug problems in the borough.

Councillor Abdal Ullah **MOVED** and Councillor Lutfur Rahman **SECONDED** the recommendations as set out in the report.

After discussion Councillor Peck **MOVED** and Councillor Sirajul Islam **SECONDED** "That the question be now put."

The procedural motion was put to the vote and was **agreed** with no Member voting against.

The recommendations as moved by Councillor Adbal Ullah and seconded by Councillor Lutfur Rahman were then put to the vote and were **agreed**. Accordingly it was:-

RESOLVED

That the Crime and Drugs Reduction Partnership Plan 2008-11, attached at Appendix 1 to the report (CAB 041/089) be approved.

9. TO RECEIVE REPORTS AND QUESTIONS ON JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**9.1 Joint Arrangements**

There was no business under this heading to be considered.

9.2 External Organisations

There was no business under this heading to be considered.

10. OTHER BUSINESS**10.1 Review of proportionality and appointments to committees and panels of the Council**

Councillor Lutfur Rahman **MOVED** and Councillor Sirajul Islam **SECONDED** the recommendations as set out in the report.

After discussion, Councillor Joshua Peck **MOVED** and Councillor Sirajul Islam **SECONDED** an amendment as follow:- "That recommendation 2.3 as set out in the report be deleted."

After further discussion the amendment moved by Councillor Peck and seconded by Councillor Islam was put to the vote and was **agreed**.

The substantive recommendations as amended were then put to the vote and were **agreed**. Accordingly it was:-

RESOLVED

1. That the review of proportionality at paragraph 3 in the report be noted and the Council agree the allocation of seats on committees and panels established for the remainder of the Municipal Year 2008/09 as set out in paragraph 4 of the report.
2. That Members and deputies be appointed to serve on the committees and panels affected by this change in accordance with the nominations from the political groups to be notified to the Assistant Chief Executive.

11. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

Motions 11.1, 11.2 and 11.4 to 11.10 as listed below were not considered due to lack of time, the meeting having closed following item 10.1 above in accordance with Council Procedure Rule 9 (Duration of meeting) and motion 11.3 having been considered earlier in the meeting.

- 11.1 Motion submitted by Councillor Abjol Miah regarding Utilities Charges.**
- 11.2 Motion submitted by Councillor Stephanie Eaton regarding Community Cohesion and ID Cards**
- 11.4 Motion submitted by Councillor Alex Heslop regarding support for the Co-operative and Social Enterprise Sector**
- 11.5 Motion submitted by Councillor Dulal Uddin regarding the Recession**
- 11.6 Motion submitted by Councillor Ahmed Hussain regarding Webcasting Council committee meetings**
- 11.7 Motion submitted by Councillor Rania Khan regarding Ghurka Rights**
- 11.8 Motion submitted by Councillor Harun Miah regarding Child Poverty**

11.9 Motion submitted by Councillor Mohammed Abdul Munim regarding Policing

11.10 Motion submitted by Councillor Mamun Rashid regarding Tarling Estate

The meeting ended at 10.45 p.m.

Chair,
Council

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COUNCIL MEETING

WEDNESDAY 17th DECEMBER 2008

DEPUTATIONS AND PETITIONS

AGENDA ITEM NO. 5

**REPORT OF THE SERVICE HEAD,
DEMOCRATIC SERVICES**

SUMMARY

1. The Council's constitution provides that a maximum of three deputations and three petitions are received at any meeting. These are taken in the order of receipt. This report sets out the deputations and petitions submitted by members of the public for presentation at Council on 17th December 2008.
2. Members will note that the report includes the maximum three petitions for the meeting. At the time of agenda despatch no deputation requests had been received. The final deadline for requests is noon on Thursday 11th December and any further deputations received before that date will be circulated to Members prior to the meeting.
3. In each case the members of the deputation/petitioners may address the meeting for no more than five minutes. Members may then question the deputation/petitioners for a further five minutes. The relevant Lead Member or Chair of Committee may then respond to the deputation or petition for up to three minutes.
4. Any outstanding issues will be referred to the relevant Corporate Director for attention who will respond to those outstanding issues in writing within 28 days.
5. Members should confine their contributions to questions and answers and not make statements or attempt to debate.

5.1 DEPUTATIONS

At the time of agenda despatch, no requests for a deputation to the Council Meeting had been received.

5.2 PETITIONS

Three petitions have been received as set out below:-

5.2.1 Petition from Pat O’Riordan and others regarding land south of Rainhill Way

“We the undersigned object to the flagrant disregard shown by Swan Housing Group to the Secretary of State’s decision to return the land south of Rainhill Way back to its original condition. We object to Tower Hamlets Planning Department turning a blind eye to this. We demand that Swan Housing return the land to open green space and give binding assurances that the land will remain so permanently for the enjoyment of all our children and indeed our children’s children.”

5.2.2 Petition from the Khoodeelaar! Campaign regarding Crossrail

“We the undersigned electors, residents, traders and work and community and socially-related daily and regular visitors of the area known as the London Borough of Tower Hamlets support this formal petition organised by the Khoodeelaar! Campaign as per the constitutional rights of the community – against the planned Crossrail holes and other implied and foreseeable attacks on the East End of London – to the ‘local’ Tower Hamlets Borough Council for that Council’s formal decision-making at and via the scheduled ‘meeting of the full council’ on 17 December 2008. We support ALL the written and other communicated questions, queries, demands and representations as made to Tower Hamlets Council by KHOODEELAAR! And we support the latest updated contents and implications and demands of the same campaign as made to all the relevant employees, officers and members of the said Tower Hamlets Council between January 2004 and now, November 2008. We oppose the Crossrail holes. We oppose the Tower Hamlets Council’s role in backing the Crossrail holes plan and other planned attacks and policies. We call on Tower hamlets Council to drop their backing of the poverty-creating, discrimination- perpetuating, uneconomic Crossrail hole plot, plan and scheme.”

5.2.3 Petition from London Muslim Heritage Centre (LMHC) and others regarding a Mosque and community centre at 73 Bishops Way, E2.

“We the undersigned support the London Muslim Heritage Centre’s (LMHC) initiative to establish a Mosque and community centre at 73 Bishops Way (former St James LHO), London E2. We understand there are ongoing negotiations with the Council over the potential acquisition of this building and we the undersigned support the organisation’s approach.

We would also like to take this opportunity to thank the LMHC for obtaining these premises for temporary usage during the month of Ramadan from the LBTH. This has been tremendously helpful for the local Muslim Community of this area, especially for the elderly, women and young people to utilize this local facility during the blessed month of Ramadan.”

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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 17TH DECEMBER 2008

**QUESTIONS SUBMITTED BY
MEMBERS OF THE PUBLIC**

AGENDA ITEM NO. 6

**REPORT OF THE SERVICE HEAD,
DEMOCRATIC SERVICES**

SUMMARY

1. Set out overleaf are the questions submitted by members of the public, for response by the appropriate Lead Member at Council on 17th December 2008.
2. The Council's Constitution provides a maximum time limit of thirty minutes for this item.
3. A questioner who has put a question in person may also put one brief supplementary question without notice to the Member who has replied to his or her original question. A supplementary question must arise directly out of the original or the reply. Supplementary questions and Members' responses to written and supplementary questions are each limited to two minutes.
4. Any question which cannot be dealt with during the thirty minutes allocated for public questions, either because of lack of time or because of non-attendance of the questioner or the Member to whom it was put, will be dealt with by way of a written answer.
5. Unless the Mayor decides otherwise, no discussion will take place on any question, but any Member of the Council may move, without discussion, that the matter raised by a question be referred for consideration to the Cabinet or the appropriate Committee or Sub-Committee.

QUESTION

One question has been submitted as set out below:-

1. Question from Ms. Johanna Kaschke to the Lead Member for Cleaner, Safer, Greener, Councillor Abdal Ullah

“When I recently enquired about funding I was told that the Council does not support Neighbourhood Watch Schemes. I believe that Neighbourhood Watch Schemes provide an essential communications tool between the community and the Police and help both sides to work toward a reduction in crime. Not even 17 extra Police officers can function efficiently without the co-operation of residents, where Neighbourhood Watch Schemes play a necessary role to further relations with the Police. Why doesn't the Council support Neighbourhood Watch Schemes?”

LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 17th DECEMBER 2008

**QUESTIONS SUBMITTED BY
MEMBERS OF THE COUNCIL**

AGENDA ITEM NO. 7

**REPORT OF THE SERVICE HEAD,
DEMOCRATIC SERVICES**

SUMMARY

1. Set out overleaf are the questions submitted by Members of the Council for response by Members of the Executive at the Council meeting on Wednesday 17th December 2008.
2. Questions are limited to one per Member per meeting, plus one supplementary question unless the Member has indicated that only a written reply is required and in these circumstances a supplementary question is not permitted.
3. Oral responses are time limited to two minutes. Supplementary questions and responses are also time limited to two minutes each.
4. There is a time limit of thirty minutes for consideration of Members' questions with no extension of time allowed and any question not answered within this time will be dealt with by way of a written response. The Mayor will decide the time allocated to each question.
5. Members must confine their contributions to questions and answers and not make statements or attempt to debate.

QUESTIONS

27 questions have been received from Members of the Council as follows:-

7.1 Question from Councillor Rachael Saunders to the Lead Member for Cleaner, Safer, Greener, Councillor Abdal Ullah

What measures is the Lead Member taking to deal with anti-social behaviour in Mile End East ward?

7.2 Question from Councillor Tim Archer to the Lead Member for Housing and Development, Councillor Marc Francis

Will the Lead Member outline the recruitment strategy and approach to recruiting senior officers for the Tower Hamlets ALMO - Tower Hamlets Homes?

7.3 Question from Councillor Abjol Miah to the Leader of the Council, Councillor Lutfur Rahman

Would the Leader of the Council agree that it is a scandal that the Games Plan, a 250 page report on the likely economic and sporting effects of the Olympics commissioned by the government and produced and signed off by Tony Blair in 2002, has remained largely secret until now, that its assessment that there would be no economic or sporting benefits from the Olympics is very worrying, that the fact that £550 million of lottery money which would have gone to grassroots sport has been siphoned off to pay for the two week Olympic event is a matter of grave concern as this is now adversely affecting grassroots sport in Tower Hamlets and would he seek an urgent meeting with Tessa Jowell, the Olympics Minister, about these matters, following up a series of meetings that George Galloway has arranged with her and her office?

7.4 Question from Councillor Stephanie Eaton to the Lead Member for Cleaner, Safer, Greener, Councillor Abdal Ullah

Could the Lead Member comment on the recent increase in the number of people in the Borough stopped and searched under Section 60 of the Criminal Justice and Public Order Act (1994) which are permitted only where an officer believes that serious violence may take place or that persons are carrying dangerous instruments or offensive weapons without good reason?

7.5 Question from Councillor Rania Khan to the Lead Member for Health and Wellbeing, Councillor Anwara Ali

How many people have taken advantage of the telecare scheme since charges for use were abolished in September 2008?

7.6 Question from Councillor David Snowdon to the Lead Member for Resources and Performance, Councillor Joshua Peck

Could the Lead Member please outline what steps are taken to ensure that pay rates agreed with contractors and temporary staff through individual negotiations – as per his written answer to my question at the last Council meeting – represent good value for money?

7.7 Question from Councillor Harun Miah to the Leader of the Council, Councillor Lutfur Rahman

Would the Leader of the Council agree that many of our pensioners in Tower Hamlets are facing severe economic difficulties at the moment as a result of inflation rising far above the Retail Price Index for most pensioners, particularly in the area of utilities bills but also on food and other essentials, that the Age Concern analysis of the pre-Budget Report from Alistair Darling claims that some £5 billion in tax credits and benefits are going unclaimed by pensioners, that the Winter Fuel Allowance now covers far too small a proportion of fuel costs to pensioners, and would he agree to write to all pensioners in the borough identifying for them the tax credits, benefits and other assistance they can seek from the Council and the government and other agencies and would he agree to ensuring that East End Life and other papers in the borough carry information for pensioners about tax credits, benefits and other help they may obtain prominently in those papers and would he agree to ensure there is an emergency helpline for pensioners to provide them with verbal advice should they need it and would he agree to write to the Government urging them to bring forward vital investment in heat insulation and energy efficient heating systems for council and social housing in the borough?

7.8 Question from Councillor Tim O’Flaherty to the Lead Member for Health and Wellbeing, Councillor Anwara Ali

Recent figures reveal a wide variance in the amount spent by London Primary Care Trusts on chemotherapy drugs between 2007 and 2008. Hammersmith & Fulham PCT spent the lowest of any London trust at £282.77 per patient, compared to Greenwich, the highest spending trust, which spent £434.53. The national average of £390 per patient compares with £294.60 spent per patient in Tower Hamlets. Can the Lead Member explain why Tower Hamlets PCT spends less on chemotherapy drugs than nearly all other London PCTs and why it is substantially below the national average; and can she explain the

likely impact on patient care of lower than average spending on essential chemotherapy medicines?

7.9 Question from Councillor Carli Harper-Penman to the Lead Member for Resources and Performance, Councillor Joshua Peck

A recent article in the Evening Standard reveals that Councillors in London take home over £28 million in allowances. Does the Lead Member for Resources and Performance feel that if an entire group of Councillors were to fail to attend statutory and quasi-judicial Council meetings for over eight months that this could be considered a waste of public money and an abuse of the position of elected Councillor?

7.10 Question from Councillor Ahmed Hussain to the Lead Member for Health and Wellbeing, Councillor Anwara Ali

Can the Lead Member let us know why the St. Paul's Way surgery is charging residents £67 for travel and other vaccines, when other surgeries are providing this for free, including her own surgery?

7.11 Question from Councillor Fozol Miah to the Leader of the Council, Councillor Lutfur Rahman

Is the Leader of the Council aware of the great concern in the curry industry about the new points-based immigration system and the likely impact this will have on recruiting chefs and other workers to curry restaurants and would he agree that the last thing the curry industry needs now in the face of this mother of all recessions is a shortage of staff inhibiting the ability of the industry to provide the service customers will expect from them and does he have any plans to meet with the representatives of the curry industry in Tower Hamlets to discuss these matters and to make representations to the government accordingly?

7.12 Question from Councillor Azizur Rahman Khan to the Lead Member for Children's Services, Councillor Clair Hawkins

Could the Lead Member advise how many schools in the Borough have been fined for permanently excluding pupils, and the total amount of the fines imposed on schools who have permanently excluded pupils? Does she accept that imposing financial penalties in this way makes it more likely that head teachers will resort to temporary exclusion where a permanent exclusion is the appropriate action for the school to take?

7.13 Question from Councillor Fazlul Haque to the Leader of the Council, Councillor Lutfur Rahman

What is being done to address the problem of the proliferation of strip clubs in the borough?

7.14 Question from Councillor Peter Golds to the Lead Member for Children's Services, Councillor Clair Hawkins

How many children, known to the Borough's Children's Services Department, have died since May 2006, and if so what measures have been put in place to tighten procedures to ensure that any identified failings by public bodies do not re-occur?

7.15 Question from Councillor Dulal Uddin to the Lead Member for Housing and Development, Councillor Marc Francis

Would the Lead Member give a report on the progress he has made in appointing an independent auditor to assess the basis for leaseholder charges in this borough and would he agree that in the current economic climate there should be a review of all major works charges to leaseholders to ensure there is a charging regime they can afford as many leaseholders will not now easily be able to add major works charges to their mortgages or raise large-scale finance in other ways and that we must ensure that leaseholder charges in general do not force leaseholders out of their homes?

7.16 Question from Councillor Abdul Matin to the Lead Member for Employment and Skills, Councillor Alibor Choudhury

What action will the Lead Member take in response to the Equality & Human Rights Commission report published on 27 November 'Insight: work fit for all - disability, health and the experience of negative treatment in the British workplace', which found that disabled staff and those with long term illnesses faced higher levels of violence, injury, bullying and humiliation, with 11.5% of workers in these categories likely to experience physical violence at work, compared with 5.5% of other employees?

7.17 Question from Councillor Abdul Asad to the Lead Member for Children's Services, Councillor Clair Hawkins

Could the Lead Member give an update on the progress of the Building Schools for the Future programme and also say whether she feels that encouraging more independent schools to become voluntary aided schools within the state sector would go some way towards addressing the need for more high quality school places in the borough?

7.18 Question from Councillor Philip Briscoe to the Lead Member for Housing and Development, Councillor Marc Francis

Can the Lead Member set out the Council policy on the off-site provision of affordable housing, including details of distance limits and minimum percentage requirements, and provide a list of all approved schemes within the borough that have included an off-site element, including the percentage of affordable provided?

7.19 Question from Councillor Mohammed Abdul Munim to the Lead Member for Housing and Development, Councillor Marc Francis

Would the Lead Member confirm whether any commercial or housing developments in the borough have been put on hold or cancelled as a result of the credit crunch and could he confirm what action he has taken to find out from housing associations and other developers in the borough what their current financial position is and what effects the credit crunch may be having on their business plans and could he confirm that he will take the results of a review of development projects in the borough to the relevant government ministers in order to seek assistance to ensure that developments that are of benefit to the majority of the population in Tower Hamlets will proceed if they are threatened by the credit crunch and will he agree to report back to Councillors on this matter as a matter of urgency?

7.20 Question from Councillor Shahed Ali to the Lead Member for Employment and Skills, Councillor Alibor Choudhury

Can the Lead Member supply an update on the allocation of Working Neighbourhoods Fund money?

7.21 Question from Councillor Dr. Emma Jones to the Lead Member for Cleaner, Safer, Greener, Councillor Abdal Ullah

What are the Council doing to stop unlicensed traders around the Tower of London?

7.22 Question from Councillor Mamun Rashid to the Lead Member for Cleaner, Safer, Greener, Councillor Abdal Ullah

Would the Lead Member for Cleaner, Safer, Greener confirm that the highest ranking Muslim police officer in Tower Hamlets is at the rank of constable and that there are no ethnic minority, never mind Muslim, police officers in senior management in the Tower Hamlets police, and that the fact the Met Police in Tower Hamlets are so unrepresentative of the diverse communities here is likely to inhibit confidence in the police amongst some of Tower Hamlets

diverse communities and thereby limit police effectiveness and has the Lead Member seen the research carried out by Demos showing the systematic under-representation of the members of the Muslim community in the police and has he seen the criticisms made by the National Association of Muslim Police about the lack of Muslim officers in, for example, counter-terrorism where there are only 27 Muslim officers out of 2,300 and would he agree to convene an urgent meeting with representatives of the Metropolitan Police Authority and Tower Hamlets Police to discuss the issues of the lack of Muslim and ethnic minority officers at all levels of the police establishment in Tower Hamlets and particularly at senior management level?

7.23 Question from Councillor Bill Turner to the Leader of the Council, Councillor Lutfur Rahman

The economic crisis is having an impact on residents across all areas – particularly jobs and housing. Can the Leader of the Council give us some idea of the approaches being taken to help our residents through these difficult times?

7.24 Question from Councillor Rupert Eckhardt to the Lead Member for Resources & Performance, Councillor Joshua Peck

In view of the new government legislation to allow local authorities to levy any additional business rate of up to 2p in the £1 on top of business rates, what current plans does the Council have for raising additional tax on our hard pressed local businesses?

7.25 Question from Councillor Oliur Rahman to the Lead Member for Housing and Development, Councillor Marc Francis

What is being done in Tower Hamlets and at a national level to protect those who are unable to keep up with mortgage payments due to the current economic crisis?

7.26 Question from Councillor Shirley Houghton to the Deputy Leader of the Council, Councillor Sirajul Islam

Could the Deputy Leader please provide a full list of all members of the Licensing Committee and Sub-Committees who have received training for 2008/9 indicating separately for each member, the date they actually undertook their training.

**7.27 Question from Councillor Ann Jackson to the Lead
Member for Cleaner, Safer, Greener, Councillor Abdal Ullah**

Can the Lead Member outline how much Tower Hamlets has improved its recycling rates in the past year?

LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 17th DECEMBER 2008

RESPONSE TO SCRUTINY REVIEW ON THE LICENSING OF STRIP CLUBS

AGENDA ITEM 8.1

REPORT OF THE SERVICE HEAD, DEMOCRATIC SERVICES

1. SUMMARY

- 1.1 On 20th June 2007 the Council considered a motion moved by Councillor Denise Jones and seconded by Councillor Abjol Miah regarding the licensing of strip clubs. Following debate of this motion and a number of amendments the Council resolved (inter alia) to ask the Overview and Scrutiny Committee to investigate the impact of such clubs and trends in new applications on the local community, inviting experts, residents, community and faith groups to submit evidence, and seeking legal and professional advice and support. The Council's resolution is set out in full overleaf.
- 1.2 The Scrutiny Working Group on the Licensing of Strip Clubs was established in November 2007 and submitted a detailed report to the Overview and Scrutiny Committee on 1st April 2008 including 14 recommendations.
- 1.3 A detailed action plan has now been developed to address the recommendations of the Scrutiny Working Group and this was approved by the Cabinet on 5th November 2008.
- 1.4 As the Scrutiny Working Group on this matter arose in the first instance from a Council resolution, the Cabinet report together with the action plan (Appendix A and the report of the Scrutiny Working Group (Appendix B) are now reported back to the Council for information.

2. RECOMMENDATION

- 2.1 That the Council note the report of the Scrutiny Working Group on the Licensing of Strip Clubs and the action plan approved by the Cabinet on 5th November 2008.

3. RESOLUTION OF THE COUNCIL ON 20TH JUNE 2007

This Council Notes:

1. All Licensing objectives have to be judged against the following objectives:
 - Prevention of crime and disorder
 - Public safety
 - Prevention of nuisance
 - Prevention of harm to Children
2. London Boroughs, under local legislation, can regulate sexual encounter establishments (sex shops and sex cinemas) and under a previous resolution the Council have decided not to allow any of these premises to operate in the Borough.
3. The new Licensing regime limits councils' powers over striptease

This Council Resolves:

1. To ask Overview and Scrutiny Committee to investigate the impact of such clubs, and trends in new applications, on the local community, employees and users, inviting experts, residents', community and faith groups to submit evidence, and seeking legal and professional advice and support.
2. To use the results of this review to inform the Council's approach to safeguarding the rights of women and protection of children as well as the wider community.
3. That the Council investigate ways in which existing powers under licensing law can be used to exercise greater control over strip clubs and to seek information from the local authorities named above in undertaking this review.
4. That a report on the outcomes of these two studies be presented to the Cabinet and to Licensing Committee for consideration.
5. That the report be disseminated in co-operation with campaigners and community groups including a seminar and briefings.
6. To publicise regular guidance for residents on their rights and powers in regard to planning, licensing and other regulatory regimes governing such venues.
7. That the report consider the speed and effectiveness of investigations into alleged breaches of licensing regulations, and the enforcement of licensing regulations when breaches are revealed.
8. That the report contains recommendations concerning the allocation of costs for the enforcement of breaches of licensing regulations.

Committee: Cabinet	Date: 5 th November 2008	Classification: Unrestricted	Report No. CAB 062/089	Agenda Item No.
Report of: Lutfur Ali, Assistant Chief Executive		Title: Response to Scrutiny Working Group: Licensing of Strip Clubs		
Originating Officer(s): Afazul Hoque, Acting Scrutiny Policy Manager		Wards affected: All		

1. Summary

- 1.1 This report outlines the action plan in response to the review recommendations of the Overview and Scrutiny Committee Working Group on the Licensing of Strip Clubs.

2. Recommendations

Cabinet is recommended to: -

- 2.1 Approve the Action Plan attached at Appendix A in response to the recommendations from the Overview and Scrutiny Committee Working Group on the Licensing of Strip Clubs.
- 2.2 Consider the report of the Overview and Scrutiny Committee Working Group on the Licensing of Strip Clubs attached at Appendix B.

3. Background

- 3.1 The Working Group was established in November 2007 to investigate the Council's approach to the Licensing of Strip Clubs. The review arose from a Full Council motion which had cross-party support, and also resulted from keen public sentiment.
- 3.2 The Working Group first discussed the issue with LBTH Legal, Licensing and Police officers. Following from this, visits were made to several other London authorities to discover whether their approaches were similar or different, and see if lessons could be taken back. A resident roundtable session was held to get their input and suggestions. Throughout the course of the review, examples, case studies and best practice from across the country was assimilated and considered.
- 3.3 The Review report with recommendations was agreed at Overview and Scrutiny Committee on 1st April 2008 and is attached at Appendix B. A detailed Action Plan setting out the responses to the recommendations of the relevant officers is attached at Appendix A.
- 3.4 Since the publication of the Scrutiny report the Department of Culture, Media and Sport has been undertaking consultation on control of lap dancing establishments. The Council's response to the consultation has primarily been based on this review and has outlined the Council's support for all forms of striptease to be placed under the category of "sexual encounter establishments" under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. This is outlined in recommendation 13 of this review. The scrutiny report along with the action plan has also been submitted as part of the Council's response.

4. Comments of the Chief Financial Officer

- 4.1 The financial implications emanating from the recommendations within the action plan have been included where relevant, within the response/comments column. There are no additional financial implications arising.

5. Concurrent Report of the Assistant Chief Executive (Legal)

- 4.1 Legal Services gave a presentation to the Working Group and has also been asked to advice on implementation of a number of recommendations. These are outlined below:

Recommendation 5

From a legal perspective, there is no problem with this. All the Council is doing is writing to companies responsible for advertisement hoardings, e.g. Clear Channel UK Limited, and asking them not to post hoardings within Tower Hamlets that advertise striptease clubs. They do not have to comply and, unless the Council can do so when giving advertisement consent, which is a matter for Planning, then the Council cannot enforce that they do so.

Recommendation 8

The Council can do this. What the Council cannot do, however, is make a "policy" statement that seeks to tie the hands of the Licensing Sub-Committee by saying that the Council will refuse any application for premises wishing to have striptease. A statement that merely states the Council does not want these premises in Tower Hamlets does not tie the hands of a Licensing Sub-Committee and if a Sub-

Committee was to hear a contested application then it will still be able to consider the application on the merits of the application.

Recommendation 9

Paragraph 8.52 of the Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 provides that it is open to licensing authorities to notify residents in the vicinity of premises by circular of premises making an application. You will note that this is carefully worded. It uses the term notify and not consult and this is because the provision of such information must be done in a neutral way so that this cannot be seen as 'soliciting' representations. Therefore detailed information as to how to object cannot be provided. The use of terms such as "consultation" must be avoided and terms such "notification" used instead as this maintains the neutral impression.

That being said, paragraph 9.13 of the Guidance does provide that licensing authorities should consider providing advice on their websites about how any interested party can make representations to them. As this paragraph is part of a section of paragraphs dealing with "Relevant, Vexatious and Frivolous Representations", it follows that the information on the website can include advice on how to ensure that a representation is relevant. The Council may well wish to therefore include on its website specific advice on how to ensure that an objection to a premises seeking to have striptease is relevant. It may also be possible to include on any circular the web address for this part of the Council's website.

Recommendation 10

Again, the term "consultation" should be avoided and the neutral term "notification" used instead. There is no reason why the Council cannot choose a tiered notification area dependant upon the type of application provided that there is a proportionate justification for so doing. It is suggested, however, that this be considered in the context of looking at notification distances for all types of Premises Licence and not just striptease. This may mean, for example, that an application for Premises Licence in respect of a restaurant with a maximum capacity of thirty (30) persons to allow the retail sale of alcohol with meals up to 11.00 p.m. would not require the same area of consultation as say a night club seeking for licensable activities to end at 3.00 a.m.

Recommendation 11

This is, in essence, cumulative impact and paragraphs 13.24 to 13.39 of the Guidance refer to this. It requires the Council to set up a "special policy" within its Statement of Licensing Policy. There must be an evidential basis for the decision and all that this "special policy" will do is to create a rebuttable presumption that applications for new Premises Licence, variations etc. that are likely to add to the existing cumulative impact will normally be refused. Such "special policy" cannot be absolute, however, and should allow for the circumstances of an application to be considered on its own merits.

Having regard to the number of premises which are specifically licensed for 'striptease' and having regard to the fact that those premises are not all located in a particular location then, having regard to the Guidance, this will be a factor against the Council setting up a "special policy" but the full evidential basis for considering whether such a "special policy" can be set will have to be explored before a final decision can be made. All this recommendation is therefore requiring officers to do is to explore whether this is achievable. It does not require the creation of a "special policy" come what may and therefore there are no legal issues arising out of a requirement.

6. One Tower Hamlets Considerations

- 6.1 Equalities issues were a topic of heated discussion throughout the review. Recommendation 12, regarding undertaking an EQIA on the subject, has clear relevance for equal opportunity implications.

7. Sustainable Action for a Greener Environment

- 7.1 There are no direct actions for a greener environment arising from the report.

8. Risk Management Implications

- 8.1 There are no direct risk management implications arising from the Working Group's report or recommendations.

9. Efficiency Statement

- 9.1 There are no direct efficiency issues arising from this report. However, the response to recommendation 1 outlines a change in use of resource which will be identified from existing resources.

LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED) LIST OF BACKGROUND PAPERS USED IN PREPARATION OF THIS REPORT

Background paper	Name and telephone of and address where open to inspection
Scrutiny Review File held in Scrutiny Policy Team	Afazul Hoque 020 7364 4636

Appendices

A: Action Plan and response to Overview and Scrutiny Committee Working Group on Licensing of Strip Clubs

B: Overview and Scrutiny Committee Working Group report: Licensing of Strip Clubs

Response to Scrutiny Working Group Report on the Licensing of Strip Clubs

Recommendation	Response / Comments	Responsibility	Date
<p>R1 That an extra post is created in the Licensing Department, with a remit focusing on the enforcement of licensing conditions applying to strip clubs in the borough. Furthermore, that this officer liaises very closely with the Police to ensure information is properly shared.</p>	<p>The Director for Communities, Localities and Culture has agreed that necessary resources equating to one FTE will be made available to focus on the enforcement of licensing conditions applying to strip clubs and will ensure this resource works closely with Police in terms of information sharing, this will ensure that necessary expertise is developed in this area. The necessary resource will be identified from within existing enforcement structures as part of the generic enforcement review being undertaken within the Directorate. It is also proposed that the outcomes from Recommendation 2,3,4 & 5 are assessed before extra resources are committed</p> <p>Action</p> <ul style="list-style-type: none"> ○ Review Licensing resources, processes and procedures ○ Analyse intelligence and information from outputs from Recommendations 2,3,4&5 ○ Analyse the demands needed for extra striptease activity ○ Identify necessary resource via review of enforcement structures within the Directorate 	<p>Head of Trading Standards / Environmental Health Licensing Services Manager</p>	<ul style="list-style-type: none"> ○ Aug 2008 ○ Oct 2008 ○ Oct 2008 ○ Nov 2008 ○ Nov 2008
<p>R2 That the Council works closely with the Police to makes clear to residents the proper channels for reporting any incidents arising from existing premises. Should</p>	<p>Striptease cannot be highlighted as a particular area for scrutiny. This initiative should include all Licensed premises. The method of publicity and marketing will be through the</p>	<p>Head of Trading Standards / Environmental Health</p>	

Recommendation	Response / Comments	Responsibility	Date
<p>information be published or distributed, this should be done bilingually. Ways to report incidents must include effective ways of capturing any information or evidence residents collect, so that sanctions may then be applied, including the ultimate possibility of a review of the license and it being revoked.</p>	<p>Council web site and East End Life. A programme will be developed with colleagues in Corporate Communications and CLC Strategies and Programmes</p> <p>Action</p> <ul style="list-style-type: none"> ○ Develop and implement a communications plan to raise awareness on how and when stakeholders can raise issues about Licensed premises and how Licences can be reviewed 	<p>Licensing Services Manager Communications CLC Strategy and Programmes</p>	<ul style="list-style-type: none"> ○ Aug 2008
<p>R3 That the Council consider targeting mobile CCTV in the vicinity of premises operating striptease, to provide evidence of the extent of crime and disorder associated with these premises. To this end, the Council should also consider commissioning research to verify claims that there are direct links between strip clubs and crime and disorder (particularly crime of a sexual nature).</p>	<p>Where fixed CCTV exists near striptease premises surveillance is straight forward. If temporary CCTV is required proposals will have to be developed with Community Safety</p> <p>It is suggested that research should take place if extra complaints are received as a result of recommendation 2 initiative and any intelligence that comes from CCTV surveillance.</p> <p>Action</p> <ul style="list-style-type: none"> ○ Prepare a surveillance proposal for Community Safety to consider. ○ Assess resources and develop action plan ○ Review plan based on new intelligence and information received 	<p>Head of Trading Standards / Environmental Health Licensing Services Manager Community Safety</p>	<ul style="list-style-type: none"> ○ Aug 2008 ○ Sept 2008 ○ Oct 2008
<p>R4 That the Council reminds all owners of their obligations under the recently amended Licensing Policy to prevent advertising on and around their premises causing offence to local</p>	<p>All licensed premises that hold striptease have a condition that bans offensive advertising.</p> <p>All premises will be inspected and if offensive advertising exists the premises will be warned and if they persist enforcement action will take place</p>	<p>Head of Trading Standards / Environmental Health Licensing</p>	

Recommendation	Response / Comments	Responsibility	Date
<p>residents. Following this, the officers should investigate what advertising is in place, and if it contravenes the policy, to take appropriate action.</p>	<p>All striptease premises will be reminded of their obligations when their annual fee is due.</p> <p>Action</p> <ul style="list-style-type: none"> ○ Carry out a programme of Inspection of all striptease premises in the Borough to advertising and carry out any remedial enforcement action ○ All striptease premises to be reminded of their advertising obligations when their annual fee is due 	<p>Services Manager</p>	<ul style="list-style-type: none"> ○ July 2008 ○ Ongoing
<p>R5 That the Council should make written representations to owners of billboards and the owners of premises where the billboards are put up to request that they do not put up advertisements for strip clubs. Furthermore, that existing striptease license holders as well as new applicants are asked not to advertise, either within the borough or outside.</p>	<p>All billboard owners will be written to, to ask them not to put up advertisements for strip clubs</p> <p>Existing and new striptease premises will be written to asking not to advertise inside or outside the Borough</p> <p>Comments from Legal Services have been incorporated into the body of the report.</p> <p>Action</p> <ul style="list-style-type: none"> ○ Obtain from Planning details of all bill board owners within the Borough ○ Communicate with all bill board owners asking them not to advertise striptease premises in the Borough ○ All existing striptease premises asking them not to advertise either within or outside the Borough 	<p>Head of Trading Standards / Environmental Health Licensing Services Manager</p>	<ul style="list-style-type: none"> ○ Aug 2008 ○ Sept 2008 ○ Aug 2008
<p>R6 That the Council lobbies the ASA in order to prevent strip clubs from advertising on billboards.</p>	<p>The ASA code will be examined to assess whether striptease billboard advertising comes within there remit. Lobbying will then take place</p> <p>Action</p>	<p>Head of Trading Standards / Environmental Health</p>	

Recommendation	Response / Comments	Responsibility	Date
	<ul style="list-style-type: none"> ○ ASA code examined and assessed ○ ASA lobbied if appropriate 	Licensing Services Manager	<ul style="list-style-type: none"> ○ Aug 2008 ○ Sept 2008
<p>R7 That quarterly meetings are held between officers in Planning and Licensing to discuss any prospective applications that are or will be relevant to both departments. Meetings should also take place as and when potential issues arise. Should these meetings raise question marks over certain premises, applicants should be strongly informed that operating without both a license and planning permission could result in prosecution.</p>	<p>There is a series of meetings is already programmed for senior managers.</p> <p>Meetings every three months would not be responsive enough. Applications for striptease premises are very irregular. It is suggested that meetings between Planning and Licensing take place when applications are received.</p> <p>Action</p> <ul style="list-style-type: none"> ○ Quarterly meetings arranged between senior managers from Licensing and Planning to discuss joint issues which will include any issue relating to striptease premises ○ Licensing Managers to ensure there is a meeting between Licensing and Planning Officers to discuss new applications for premises wishing to hold striptease 	<p>Service Head – Environmental Control</p> <p>Head of Trading Standards / Environmental Health</p> <p>Licensing Services Manager</p> <p>Service Head – Development Decisions</p>	<ul style="list-style-type: none"> ○ Completed ○ June 2008
<p>R8 That the Council makes a clear (bilingual) public statement that it does not want strip clubs in the borough, in order to discourage applications for such premises.</p>	<p>Comments from Legal Services have been incorporated into the body of the report.</p> <p>If a statement is made it should be multilingual.</p> <p>Action</p> <ul style="list-style-type: none"> ○ Engage with relevant stakeholders and determine who and how statement should be made ○ Publish statement 	<p>Head of Trading Standards / Environmental Health</p> <p>Licensing Services Manager</p>	<ul style="list-style-type: none"> ○ Aug 2008 ○ Sept 2008

Recommendation	Response / Comments	Responsibility	Date
<p>R9 That residents within the current 40m radius from any premises that are applying for a striptease license (in keeping with the set limit for consultation for all types of licence applications) are given detailed information of what they need to do should they wish to make representations to object. In particular, it should be made clear that objections must be framed with reference to the four Licensing Objectives, and not under any other arguments.</p>	<p>Comments from Legal Services have been incorporated into the body of the report.</p> <p>In light of the legal advice the activity from this recommendation is linked to Recommendation 2</p> <p>Action</p> <ul style="list-style-type: none"> ○ Develop and implement a communications plan to raise awareness on how and when stakeholders can raise issues about Licensed premises and how Licences can be reviewed 	<p>Head of Trading Standards / Environmental Health Licensing Services Manager</p>	<ul style="list-style-type: none"> ○ Sept 2008
<p>R10 That the Council considers ways in which, for strip clubs, consultation can be undertaken on a wider scale than the current 40m radius.</p>	<p>Comments from Legal Services have been incorporated into the body of the report.</p> <p>Some research is needed to scope the activity related to this recommendation.</p> <p>Action</p> <ul style="list-style-type: none"> ○ Consult further with Legal Services on this issue ○ Benchmark other Councils to see if tiered consultation is being used ○ Prepare recommendations for action 	<p>Head of Trading Standards / Environmental Health Licensing Services Manager</p>	<ul style="list-style-type: none"> ○ Aug 2008 ○ Oct 2008 ○ Nov 2008

Recommendation	Response / Comments	Responsibility	Date
<p>R11 That the possibilities for referral to the 'saturation' policy are explored fully, to examine whether this could be utilised to minimise the number of clubs in the borough.</p>	<p>Comments from Legal Services have been incorporated into the body of the report.</p> <p>Further research on this matter is required and the evidence , information and intelligence from the activities relating to recommendations 2,3,4 &5</p> <p>Action</p> <ul style="list-style-type: none"> ○ Consult further with Legal Services on this issue ○ Benchmark other Councils to see if cumulative impact has been used to limit striptease premises is being used ○ Review evidence , information and intelligence from the activities relating to recommendations 2,3,4 &5 ○ Prepare recommendations for action 	<p>Head of Trading Standards / Environmental Health</p> <p>Licensing Services Manager</p>	<ul style="list-style-type: none"> ○ Aug 2008 ○ Oct 2008 ○ Nov 2008 ○ Jan 2009
<p>R12 That the Council's Equalities Team performs an EQIA on the licensing of strip clubs from the perspective of gender, to establish evidence in support of a more assertive approach to licensing and explore other opportunities for legal challenge (see recommendation 3).</p>	<p>The Diversity and Equality Team have advised:</p> <p>An EQIA would provide an opportunity to explore the impact of strip club licensing procedures and policies on equality target groups. Under the Equality Act 2006 the Council has a duty to be proactive in eliminating discrimination and harassment in relation to gender rather than waiting for individuals to take out harassment cases.</p> <p>A meaningful EQIA process relies on the collection and analysis of accurate data relating to each of the equalities target groups.</p> <p>Further research on the impact of licensed strip clubs on various equality target groups is therefore required. Evidence arising from the activities relating to recommendations 2 and 3 will support this recommendation.</p>	<p>Head of Trading Standards / Environmental Health</p> <p>Diversity and Equality Coordinator</p>	

Recommendation	Response / Comments	Responsibility	Date
	<p><u>Action</u></p> <ul style="list-style-type: none"> ○ A EQIA of strip club licensing be scheduled into the CLC Directorate programme for 2008-09 ○ Review evidence , information and intelligence from the activities relating to recommendations 2 and 3 ○ CLC Licensing Team to undertake an EQIA with the support of the Diversity and Equality Team 		<p>June 2008</p> <p>October 2008</p> <p>March 2009</p>
<p>R13 That the Council seeks to lobby government to change primary legislation (as set out in the Licensing Act 2003) so that strip clubs can be classified as sex encounter establishments.</p>	<p>Recently the Durham MP Victoria Blackman-Woods sought to introduce a Private Members Bill which proposed national legislation to designate strip clubs and lap dancing venues as sexual encounter establishments. It is not likely that this Bill will be enacted but it has led to the Government initiating a consultation process with all local authorities. The Minister responsible has written to local authorities outlining plans to consider limiting the increase of striptease and lap dancing premises and controlling the activities that take place within them. This will include considering whether or not lap dance clubs should be classified as "sex encounter establishments". A response to this consultation will be given and programme of lobbying developed</p> <p><u>Action</u></p> <ul style="list-style-type: none"> ○ Seek views on the current consultation process being carried out by Central Government ○ Respond to the consultation ○ Produce and deliver a programme of action 	<p>Head of Trading Standards / Environmental Health</p> <p>Licensing Services Manager</p>	<p>○ Jul 2008</p> <p>○ Aug 2008</p> <p>○ Sept 2008</p>

Recommendation	Response / Comments	Responsibility	Date
<p>R14 That the Council hosts a pan-London event (with the support of OBJECT) to engage with other communities and get greater levels of support and cooperation in these attempts to lobby government.</p>	<p>This event will link with R13 activity.</p> <p>Action</p> <ul style="list-style-type: none"> ○ With stakeholders produce objectives and scope of event ○ Deliver event 	<p>Head of Trading Standards / Environmental Health</p> <p>Licensing Services Manager</p>	<ul style="list-style-type: none"> ○ Oct 2008 ○ Feb 2009

Overview and Scrutiny Committee Working Group report

Licensing of Strip Clubs

Tower Hamlets Council
April 2008



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The Working Group would like to thank officers at City of London Corporation and Westminster for their time and advice. The group would also like to thank all those residents who made contributions and gave input into the review, especially Sandrine Levêque at OBJECT for her efforts in moving this issue forward on a national level.

Chair's Foreword

In recent years, a vocal and articulate campaign has grown up in Tower Hamlets opposing the licensing of striptease in individual local premises and calling for zero tolerance of this activity in the Borough. This campaign enjoys widespread support in the community and is backed by an overwhelming majority of councillors.

Despite this expression of public and political opinion, a number of individual strip clubs have secured licences from the Council to operate in Tower Hamlets. Officers of the Council clearly feel constrained by the law against objecting to such licences, and members of the Licensing Committee feel obliged to follow that advice.

The debate around this issue came to a head in 2006 and 2007 as a number of licensees re-applied under the new Licensing regulations. Residents' objections failed to stop those applications, and so they petitioned the Council for a change in the licensing policy, enabling a more restrictive approach.

As a result, the four Party Leaders decided to refer the matter to the Overview & Scrutiny Committee, for a detailed investigation. Our Working Group was specifically asked to examine whether the council could adopt a more restrictive policy under the current legal framework and whether it should go down that route.

Our report explains why the Working Group strongly believed that Tower Hamlets should be made a more difficult place to obtain and operate a striptease licence. It then recommends a series of actions which collectively may discourage strip clubs. This more assertive approach would involve a significantly increased financial investment both in officer time and legal representation.

The report also recommends that LBTH back and help facilitate the growing national campaign for reform of the Licensing Act 2003, to enable councils to introduce a "zero tolerance" policy against strip clubs as well as sex encounter establishments. Ministers have so far rejected these changes, but the Working Group believes that concerted political pressure could persuade them to think again.

I am grateful to all those councillors and officers who participated in this Scrutiny Review, and especially to the many members of the public who submitted evidence of the adverse impact of strip clubs on their neighbourhoods. As well as detailed legal issues, our discussions have raised interesting moral and ethical questions. And yet, this report identifies series of practical and realistic measures, which if taken, would ensure that LBTH better represents the very deeply held convictions of many residents.

Cllr Marc Francis
Chair, Overview & Scrutiny Committee

Recommendations

- R1** That an extra post is created in the Licensing Department, with a remit focusing on the enforcement of licensing conditions applying to strip clubs in the borough. Furthermore, that this officer liaises very closely with the Police to ensure information is properly shared.
- R2** That the Council works closely with the Police to makes clear to residents the proper channels for reporting any incidents arising from existing premises. Should information be published or distributed, this should be done bilingually. Ways to report incidents must include effective ways of capturing any information or evidence residents collect, so that sanctions may then be applied, including the ultimate possibility of a review of the license and it being revoked.
- R3** That the Council consider targeting mobile CCTV in the vicinity of premises operating striptease, to provide evidence of the extent of crime and disorder associated with these premises. To this end, the Council should also consider commissioning research to verify claims that there are direct links between strip clubs and crime and disorder (particularly crime of a sexual nature).
- R4** That the Council reminds all owners of their obligations under the recently amended Licensing Policy to prevent advertising on and around their premises causing offence to local residents. Following this, the officers should investigate what advertising is in place, and if it contravenes the policy, to take appropriate action.
- R5** That the Council should make written representations to owners of billboards and the owners of premises where the billboards are put up to request that they do not put up advertisements for strip clubs. Furthermore, that existing striptease license holders as well as new applicants are asked not to advertise, either within the borough or outside.
- R6** That the Council lobbies the ASA in order to prevent strip clubs from advertising on billboards.
- R7** That quarterly meetings are held between officers in Planning and Licensing to discuss any prospective applications that are or will be relevant to both departments. Meetings should also take place as and when potential issues arise. Should these meetings raise question marks over certain premises, applicants should be strongly informed that operating without both a license and planning permission could result in prosecution.
- R8** That the Council makes a clear (bilingual) public statement that it does not want strip clubs in the borough, in order to discourage applications for such premises.
- R9** That residents within the current 40m radius from any premises that are applying for a striptease license (in keeping with the set limit for consultation for all types of license applications) are given detailed information of what they need to do should they wish to make representations to object. In particular, it should be made clear that objections must be framed with reference to the four

Licensing Objectives, and not under any other arguments.

- R10 That the Council considers ways in which, for strip clubs, consultation can be undertaken on a wider scale than the current 40m radius.**
- R11 That the possibilities for referral to the 'saturation' policy are explored fully, to examine whether this could be utilised to minimise the number of clubs in the borough.**
- R12 That the Council's Equalities Team performs an EQIA on the licensing of strip clubs from the perspective of gender, to establish evidence in support of a more assertive approach to licensing and explore other opportunities for legal challenge (see recommendation 3).**
- R13 That the Council seeks to lobby government to change primary legislation (as set out in the Licensing Act 2003) so that strip clubs can be classified as sex encounter establishments.**
- R14 That the Council hosts a pan-London event (with the support of OBJECT) to engage with other communities and get greater levels of support and cooperation in these attempts to lobby government.**

Introduction

1. Strip clubs, and their impact on the community, is an issue of constant debate, both nationally and locally. In Tower Hamlets, it has been an area of particular concern over the last 10-15 years. On 20th June 2007, Full Council, in line with the motion submitted by Councillor Denise Jones, resolved *“to ask Overview & Scrutiny Committee to investigate the impact of [strip] clubs, and trends in new applications, on the local community, inviting experts, residents, community and faith groups to submit evidence, and seeking legal and professional advice and support”*.
2. A Working Group was established in November 2007 to explore the Council’s policy on licensing of strip clubs, in order to get to grips with the issue. The membership of the group was politically balanced and comprised of 7 councillors. The Chair of the Working Group was Councillor Marc Francis, Chair of Overview & Scrutiny.
3. The review had four main objectives:
 - To consider the legal framework for the licensing of strip clubs and what powers local authorities have for the regulation and licensing of strip clubs
 - To investigate the impact of strip clubs on the local community
 - To consider the approach of other local authorities in the regulation and licensing of strip clubs and whether there may be any appropriate changes that Tower Hamlets can adopt.
 - To provide Members with a greater understanding of the intricacies of licensing of strip clubs in the borough, enabling them to fulfil a community leadership role on the issue
4. Although strip clubs engender a great deal of strong opinion, from the start of the review the Working Group’s remit was unambiguous. What had to be considered first was whether Tower Hamlets **could** do anything differently; only when this had been ascertained would it be feasible to discuss whether the Council **should** do anything differently. Questions of morality that often cropped up with reference to the subject matter were not strictly relevant – although it was made clear to the Working Group that final recommendations could include the potential for lobbying to change existing licensing laws.
5. The group agreed the following timetable to undertake work for the review:

Introductory Meeting (December 2007)

- Agree scoping document
- Briefing from LBTH Licensing officers and discussion
- Briefing from LBTH Legal officers and discussion
- Briefing from Police and discussion

Public Meeting (January 2008)

- Roundtable discussion with residents who had replied to an article in East End Life asking for submissions of evidence

Visits (January 2008)

- Visits to other London authorities to ascertain their policies and approaches, and see if lessons could be learned in terms of best practice

Evidence Review Meeting (February 2008)

- Discussion of evidence arising from all three previous sessions, as well as other evidence gathered by policy officers throughout the course of the review

Final Meeting (March 2008)

- Agree draft report and recommendations

6. The Overview and Scrutiny Committee will consider the Working Group's report and its recommendations. Following this, Cabinet will give its response to the report, including an action plan to outline how the recommendations will be implemented.

Background

➤ Historical context

7. That striptease is an issue which has exercised opinion for some time can be appreciated by reference to Overview & Scrutiny's 2001-2002 annual report. It is noted there that "*this area needed close attention, with the proliferation of lap dancing and striptease establishments around the City fringe*".
8. Furthermore, the annual report demonstrates a difference of perspective between members and officers: "*the [Environment and Leisure] Panel believed the City Fringe from Westminster through Camden, Islington, Hackney and Tower Hamlets was blighted by these types of establishments. The Panel considered that the Council should tighten its rules to strictly limit the numbers. Officers thought this unnecessary, as our rules were satisfactory. The Panel remained sceptical and believed that this subject would require further scrutiny*".
9. Officers and residents both confirmed that the issue has been around and a subject for heated discussion for at least 15 years; some officers commented that it was something that appeared on the horizon every few years and seemed destined never to be resolved. The review highlighted a discrepancy between officers' opinions and those of residents/members (see Public View, below). Crudely characterised, the former felt that the authority was doing all it could **within the law**, whereas the latter voiced a suspicion that there were unexplored avenues and options available. It was hoped that the review would help to bring these viewpoints closer together.

➤ Venues

10. Tower Hamlets currently has 7 venues which operate solely for striptease:

- **The Pleasure Lounge (Strip)** - E2
- **Images (Table/Lap Dancing)** - E2
- **Majingoes (Table Top/Lap Dancing)** - E14
- **The Nags Head (Strip)** - E1
- **Secrets (Table/Lap)** - E1
- **Whites Gentleman's Club (Table/Lap)** - E1
- **Oops (Table/Lap)** - E1

There are also three other premises that have striptease as a regulated entertainment on their licence but do not solely, and indeed rarely open for this purpose.

- **E1 Club (LGBT)** - E1
- **White Swan (LGBT)** - E1
- **Club Bronze** - E3

11. This is high compared to the rest of London; only Camden and Westminster have similar numbers of strip clubs. Most boroughs have no such venues, although the

majority of the clubs are concentrated in a spread around Inner London authorities – Hackney, Lambeth, Newham and Greenwich being the other areas with significant numbers.

➤ Legislation and Licensing Policy

12. Under previous legislation, clubs regulated striptease through the granting of Public Entertainment Licenses (as part of the London Government Act 1963). If premises wanted striptease, they had to make a separate and specific request to do so. The Council made clear its position on issues such as advertising, and had policies on where and when it could take place.
13. Current legislation, as per the Licensing Act 2003, is quite different. It covers a wide range of issues but *does not directly deal with striptease*. Under the Licensing Act 2003, striptease is seen as a form of public dancing with music, or similar entertainment, which means it is exempt from other legislation which in London controls what are known as ‘sex encounter establishments’ (sex shops, peep shows, adult cinemas etc.). Thus striptease is only regulated in the same way as any other dancing or musical activity. Any activity which goes beyond striptease is not permitted in Tower Hamlets, as some years ago a limit of zero was set for sex encounter establishments.
14. Under the Licensing Act 2003, local authorities can only refuse to grant striptease licenses if they feel that licensing such activity would go against one or more of the four Licensing Objectives. These are as follows:
 - Prevention of crime and disorder
 - Public safety
 - Prevention of nuisance
 - Prevention of harm to children
15. The Council updated its Licensing Policy (which must occur at least every three years) as of January 2008. The following section on striptease was inserted:

15.3 The licensing authority, when its discretion is engaged, will always consider all applications on their individual merits. However, all applications involving adult entertainment of nudity or semi-nudity are unlikely to be successful where the premise is in the vicinity of:

- residential accommodation;
- schools;
- places of worship;
- other premises where entertainment of a similar nature takes place;
- community centres;
- and youth clubs.

These insertions to our Licensing Policy were developed in consultation with local residents and were felt by officers to be as strong a wording of policy that could be adopted under the current legislation. (It should be noted that all the above points relate mainly to the Licensing Objective ‘prevention of harm to children’).

16. In the foreword to the updated Licensing Policy, under the theme of ‘A better place for living well’, it is stated that:

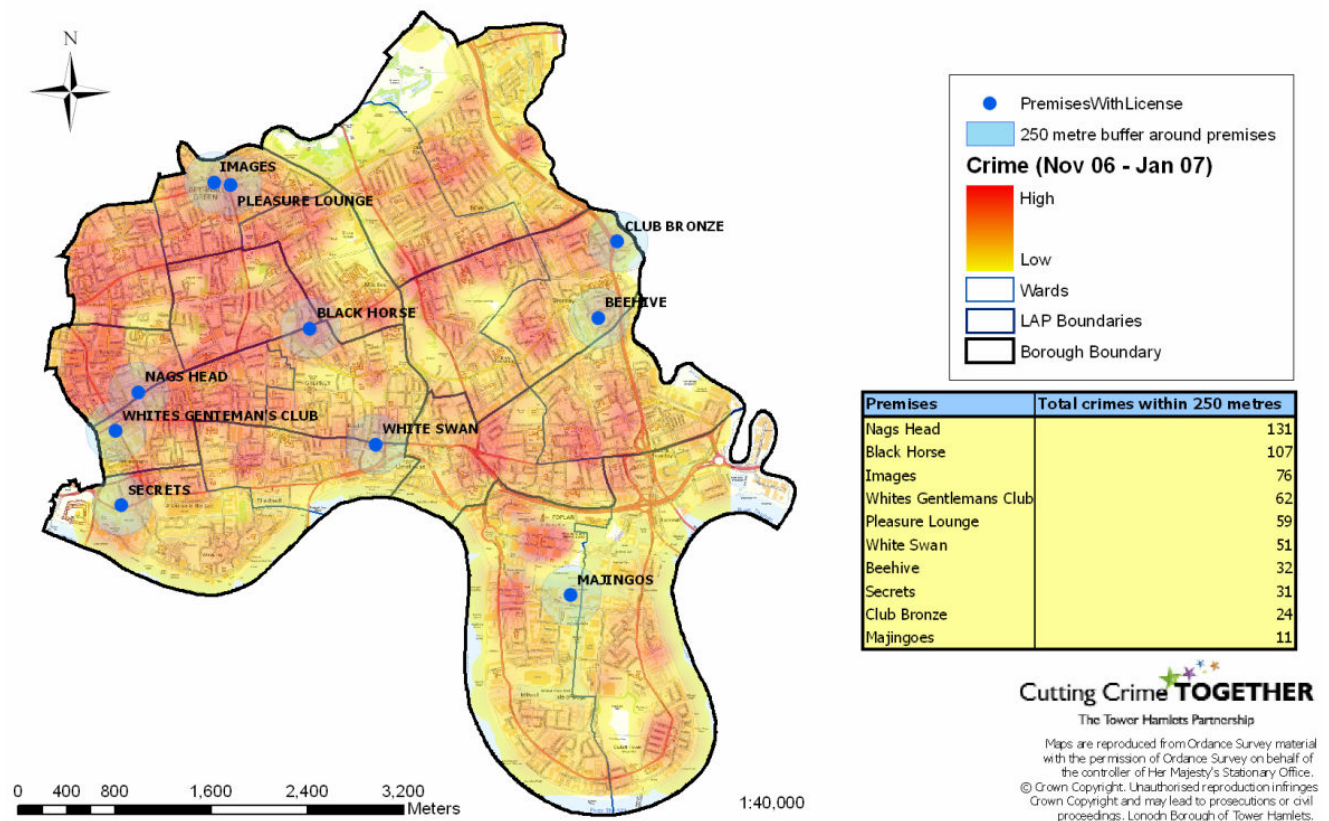
- We will seek to restrict undesirable expansion of adult only entertainment
- We will continue to be open to representations made to us that an area within the Borough has become saturated with licensed premises

These statements and the additions mentioned above indicate that, independent of this review, efforts were being made to address the issue of striptease.

➤ Police View – Strip Clubs and Crime

17. Figure 1 shows the results of research by the LBTH Community Safety Team analysts, completed in February 2007. This hotspot analysis of strip clubs shows that although in general they do not appear to be a problem, some are located in areas that have a high amount of crime, possibly linked to the behaviour associated with the area - such as drinking. Therefore, the risk factors associated with strip clubs probably stem from the alcohol-related behaviour, rather than the venues themselves. Some strip clubs – like numerous other licensed venues – are a source of crime, but it is difficult to associate a *higher* risk to them over other areas.

Figure 1 – Location of premises with license for striptease and all crime (Nov 06-Jan 07)



18. In general, the Police contended that within the last year, none of the premises listed above, when using their striptease clause, have come to their attention – either as a result of complaints from the community, or through crime and disorder incidents. Therefore they do not see these venues as generators of crime and disorder and cause them relatively little concern.

19. Further research, shown in Figure 2, seems to corroborate this view. However, it must be acknowledged that the data cannot be guaranteed to be 100% accurate (due to, for example postcode/address errors, or reclassification of crimes). Data was analysed from April 2006 – February 2007, and April 2007 – February 2008, and shows that some venues are located in areas where certain crimes occur in high numbers. According to the figures, over a period of almost two years there have been very few incidents of crime specifically at their location – although there have been significant numbers of (violent) crime *within the vicinity* of some of the venues.

Figure 2 – Incidence of crime at and around strip clubs, Apr 06-Feb 07 and Apr 07-Feb 08

Venue	Location of incident	Drugs		Sexual Offences	Theft and Handling			Violence Against the Person				Grand Total
		Drug Trafficking	Possession Of Drugs	Rape	Other Theft	Picking Pockets etc	Snatches	ABH	Common Assault	GBH	Harassment	
Nags Head	At Location	0	0	0	1	0	0	1	2	0	1	5
	Within Vicinity	0	9	1	33	18	6	7	2	0	7	83
Black Horse	At Location	0	0	0	2	1	0	1	0	0	1	5
	Within Vicinity	0	3	0	16	1	5	32	3	1	11	72
White Swan	At Location	0	0	0	2	0	0	0	1	0	1	4
	Within Vicinity	0	4	0	7	0	0	2	4	0	0	17
Majingos	At Location	0	0	0	6	0	0	1	0	1	0	8
	Within Vicinity	0	0	0	4	0	0	2	0	1	2	9
Secrets	At Location	0	0	0	0	0	0	0	0	0	0	0
	Within Vicinity	0	0	0	0	2	0	1	2	0	1	6
Images	At Location	0	0	0	0	0	1	1	0	0	0	2
	Within Vicinity	0	1	0	3	0	0	3	4	0	0	11
Pleasure Lounge	At Location	0	0	0	0	0	0	0	0	0	0	0
	Within Vicinity	1	0	0	8	1	0	5	0	1	2	18
Club Bronze	At Location	0	0	0	0	0	0	2	0	0	0	2
	Within Vicinity	1	1	0	5	1	1	2	3	1	0	15
Total		2	18	1	87	24	13	60	21	5	26	260

20. There was considerable scepticism from residents and some members about the Police view. There seemed to be a feeling that the data either did not capture the true nature of reported incidents around such venues, or that many incidents were simply not being reported (due to inadequate mechanisms to do so, or lack of response). A majority of the members of the Working Group – and most residents – felt there was a strong link between strip clubs and crime.
21. The Police’s Licensing Office has a weekly meeting with the LBTH Licensing Authority and officers from the Environmental Heath Noise Team. A function of this group is to share information on complaints relating to licensed venues (**all** licensed venues, not just strip clubs) and to respond accordingly. If complaints are raised regarding activities inside striptease venues that indicate a venue is not complying with the conditions of its licence, officers will be tasked to carry out covert visits. Officers have

not been requested to visit any premises on the borough for the last 18 months. Nor have they had cause to visit through fulfilling their own policing objectives.

22. The Police have 20 additional conditions for any premises that wish to hold striptease (see Appendix 1), which they adapt to individual premises. It is these conditions against which they check on their inspections (see below). They also demand to see from the applicant a Code of Conduct for performers and dancers.

➤ Public View

23. As noted in the Introduction, an advert was placed in East End Life in November 2007, giving a short background to the review and asking residents for their contributions to the process. The advert generated a lot of interest, with upwards of 100 responses. Out of these, only two respondents felt that the issue was being blown out of proportion; they argued that there was an overly-prescriptive moral component at stake, and in a liberal society we should not necessarily seek to criminalise those activities we find personally unpleasant.
24. The majority of the responses, however, expressed strongly held views on the situation in the borough, and it quickly became clear that there was a large gap between residents and officers on what was being done, and what could be done. Almost all of the residents were stridently against any increase in numbers of strip clubs, and wanted to see a reduction in existing numbers.
25. Many people referred to the impact they felt the venues were having on the character of the borough, with the following excerpts just a few examples: *“my family feel uneasy in walking around streets where strip clubs are based, especially female members”*; *“I have been leered at and felt intimidated when walking past these clubs”*; *“boys...are encouraged from an early age to objectify young women”*.
26. Also talked about was a perceived lack of enforcement and monitoring (*“Right now not enough resources are dedicated to ensure that there is safety and respectful behaviour around such late night hot spots...the council needs to ensure that it is adequately monitoring the licenses it has already given”*). Some of the replies also focused on the practical disturbances that they allege the clubs caused (*“[they] create noise, disruption and indeed danger at night. From late evening until well into the night – after 3am – [they] attract traffic which noisily stops and starts while people are unloaded and then loaded up again, loud conversations and sometimes scuffles in the street”*; *“these clubs attract crime, violence... noise pollution (from night life attention to these clubs) and anti-social behaviour”*).
27. In addition, many contended that there was a link between strip clubs and seedier aspects of the sex industry, and the safety of women in general (*“The spread of these clubs means that this abuse and exploitation of women is normalised and this affects the attitude and outlook of all of us, especially our young people”*; *“Those employed in the clubs are often subject to coercion and abuse, and there is evidence that they are drawn into drug use and prostitution”*). This assertion was supported by evidence presented at the public meeting by Safe Exit¹, a coordinator of services for people involved in prostitution, which argued for a direct link between strip clubs and prostitution. Data from a study they had commissioned also suggested that strip clubs

¹ <http://www.toyambeehall.org.uk/page.asp?section=000100010001000300020002&pagetitle=Safe+Exit>

contribute to the notion that women are just a commodity to be bought.

28. Some residents wanted the Council to take 'more of a lead' on these sorts of issues, push the laws to their limits and "*send out a message about the sort of place we want Tower Hamlets to be*". It was felt that opposition was not arising solely from one section of the community, or from women alone, or from 'prudes' – this was an issue that affects and matters to all people.
29. Most people were in favour of the Council simply rejecting all future applications for licenses, as well as taking a more stringent approach to levels of advertising. Other suggestions for future action involved greater levels of cooperation between the Council's Planning and Licensing functions, more support in reporting issues to the Council/Police, and greater levels of enforcement.

Enforcement/Monitoring

➤ Enforcement within strip clubs

30. In Tower Hamlets, there are over 800 licensed premises, all of which the Council's Licensing officers must visit. Premises are given a risk-rating – high, medium, or low – and are pro-actively visited according to that level. Consequently, officers can only make visits (either covert or overt) to the strip clubs once a year. However, should complaints arise, then officers can instigate more frequent visits. Police officers make monthly visits, (covert, i.e. plain-clothes), with plans to make these visits bi-monthly.
31. Members felt that levels of enforcement were not stringent enough, and that as a consequence issues were being missed. The Group recognised that Licensing officers were under tremendous strain with the numbers of licensed premises within the borough, and so felt that it was appropriate to allocate further resources to this area. However, the Group also understood that issues of cost, and where the extra funding would come from, would have to be carefully considered.
32. Residents also expressed their concern at a perceived lack of enforcement taking place in order to ensure the clubs were complying with the various conditions and standards that the Council and the Police specify. Evidence presented in Julie Bindel's study (*Profitable Exploits: Lap Dancing in the UK*²), and testimony by a former lap dancer, now working as a Fawcett³ volunteer, suggests that breaking of regulations like the 'three foot' rule are widespread. These and other studies argue that the highly competitive nature of the industry (dancers have to pay the clubs to work, and often outnumber potential clients) encourage dancers to break the rules. As a result, to protect them, enforcement needs to take place more frequently.
33. The Group was aware that an intention to provide more frequent enforcement will require extra resources within the Licensing Team, as they are overstretched as it is. One extra officer would have a cost implication of £41k p/a (including on-costs), which the Group felt would be a small price to pay for the increased ability to monitor what is

²http://www.glasgow.gov.uk/en/YourCouncil/PolicyPlanning_Strategy/Corporate/Equalities/Women/Prostitution.htm

³ www.fawcettsociety.org.uk/

happening within the clubs.

Recommendation

- R1 That an extra post is created in the Licensing Department, with a remit focusing on the enforcement of licensing conditions applying to strip clubs in the borough. Furthermore, that this officer liaises very closely with the Police to ensure information is properly shared.

➤ Enforcement outside strip clubs

34. In addition, residents raised concerns over enforcement relating to actions that take place *outside* the venue. Some felt that as the Police station closes at 5pm generally, and most of the incidents take place after this time, it isn't appropriate to call 999 so there are no options for reporting incidents. This has caused some them to be under the impression that the responsibility for enforcement lies with them.
35. As mentioned, at present data suggests that strip clubs are not a prime cause for concern to Police, and as such it might not make sense for them to deploy significant resources for these premises. However, if there are problems occurring, the Council needs to work with the Police to assist residents in gathering evidence and reporting it to them. This would demonstrate a willingness to cooperate and work with the real concerns that are felt.

Recommendation

- R2 That the Council works closely with the Police to makes clear to residents the proper channels for reporting any incidents arising from existing premises. Should information be published or distributed, this should be done bilingually. Ways to report incidents must include effective ways of capturing any information or evidence residents collect, so that sanctions may then be applied, including the ultimate possibility of a review of the license and it being revoked.

36. The Group realised the importance of conclusive evidence in providing justification for any complaints against premises. To this end, they were interested in the use of CCTV to provide independent verification of claims or objections that are being made. However, they also recognised both the prevalence of CCTV around the borough, as well the fact that attempts at permanent surveillance can serve merely to push problems around the corner.
37. A better solution seemed to be found in exploring the use of mobile CCTV to those areas where problems were occurring. Officers advised that such surveillance would need to be overt, rather than covert, if it was not to fall foul of privacy laws. Members felt that using mobile CCTV would enable the Council to spread its resources appropriately and where needed.

Recommendation

R3 That the Council consider targeting mobile CCTV in the vicinity of premises operating striptease, to provide evidence of the extent of crime and disorder associated with these premises. To this end, the Council should also consider commissioning research to verify claims that there are direct links between strip clubs and crime and disorder (particularly crime of a sexual nature).

Advertising

38. Members of the Working Group were keen to gain insight from other authorities regarding adverts and advertising by strip clubs. There are two distinct elements to this issue – advertising that is on or around the venue itself and advertising that takes place away from the venues, elsewhere in the borough.
39. In the City of London, there appears to be little or no advertising. Councillors were interested in how this came to be so. As they do not have any strip clubs operating at present, advertising in the immediate vicinity would not be an issue. To this point, though, officers there pointed out that their Licensing Policy was consistent with most other London authorities in addressing advertising in the immediate vicinity of venues. However, it was also pointed out that advertising elsewhere is covered in separate legislation (the Indecent Displays Act 1981), so Licensing does not get involved.
40. Similarly, in Westminster, officers affirmed that whilst there were conditions attached to advertising on and around premises, there were no policies on adverts located away from the venues. Investigations into other authorities where it was suggested a more rigorous approach had been taken, such as Luton, revealed that this was not the case.

➤ Advertising on and around the premises

41. One aspect of Tower Hamlets' revised Licensing Policy states that premises must ensure "that publicity and advertising does not cause offence to members of the local community". For example, residents living around 'Secrets' in East Smithfield are unhappy about neon lighting that draws attention to the venue. This aspect of the Licensing Policy is intended to refer to sexually explicit advertising, and 'cause offence' is an ambiguous phrase open to contention and argument. However, it would be appropriate to remind existing premises of this clause in the policy, look into what the state is of advertising on and around premises, and take action if appropriate.

Recommendation

R4 That the Council reminds all owners of their obligations under the recently amended Licensing Policy to prevent advertising on and around their premises causing offence to local residents. Following this, the officers should investigate what advertising is in place, and if it contravenes the policy, to take appropriate action.

➤ Advertising away from the premises

42. Recent developments in the borough have seen several large billboards with adverts for a prominent chain of strip clubs; whilst this may not be desirable for some people,

as long as it follows the ASA code of conduct, it is perfectly legal. Local Authorities do not have the right to ban or attach conditions to such advertising.

43. In light of this inability to dictate the content of billboards across the borough, the Group wanted to explore any other ways of addressing this. They discussed the possibility for the Council to ask the owners of the billboards not to use the space to advertise strip clubs. Such an appeal – on the grounds of not wishing to create a certain image of the borough – may or may not succeed, but the Group recognised that it was the only option available.

Recommendation

- R5 That the Council should make written representations to owners of billboards and the owners of premises where the billboards are put up to request that they do not put up advertisements for strip clubs. Furthermore, that existing striptease license holders as well as new applicants are asked not to advertise, either within the borough or outside.
- R6 That the Council lobbies the ASA in order to prevent strip clubs from advertising on billboards.

Links between Planning and Licensing

44. Residents, as well as members of the Working Group, expressed disquiet with the apparent lack of coordination between the Planning and Licensing functions of the Council. Officers, as well as members, pointed out that the two functions are separate in law (under the Licensing Act 2003), and that decisions taken by one department or committee cannot be taken into consideration by the other.
45. However, the Group felt that this should not preclude communication between the two departments, to discuss any applications that might be pertinent to each other. Members felt that planning issues inter-relate highly with licensing ones, whether they are related in law or not. Having a greater level of communication between the two departments could enable efforts to preserve the character of the borough better.
46. There were further issues with premises allegedly exploiting the lack of connectedness between Planning and Licensing by operating with permission from one department but not the other. Members wanted any such premises to be instructed as to their legal responsibilities for both Planning and Licensing, and action taken against those which flouted these responsibilities.

Recommendation

- R7 That quarterly meetings are held between officers in Planning and Licensing to discuss any prospective applications that are or will be relevant to both departments. Meetings should also take place as and when potential issues arise. Should these meetings raise question marks over certain premises, applicants should be strongly informed that operating without **both** a license and planning permission could result in prosecution.

Objections to new applications for licenses

47. The legislation surrounding licensing of strip clubs is complex and not clear to the layperson. As stated above, under current legislation, applications for striptease licenses can only be rejected if it is felt that granting a license would result in one or more of the four Licensing Objectives being broken. Therefore, the only evidence that local authorities (or, if it reaches them on appeal, Magistrate's Courts) may consider relates specifically and directly to those objectives. Two cases – one from Tower Hamlets and another from Durham – provide examples of this. Lessons learned from each helped to inform the Group's recommendations.
48. The Working Group received much correspondence from members of the public, and heard from residents at the public meeting, to the effect that strip clubs were not welcome in the borough. It was also felt that there were other grounds on which the Council should be objecting to applications for licenses. A majority of the Working Group agreed that it was incumbent upon the Council to unambiguously state its desire to prevent the character of the borough being altered for the worse.
49. Residents were in favour of flat-out rejection of all future applications for licenses, and in discussions with other authorities mention was made of the possibility of a council exploring a more 'assertive' policy, in order to make clear to prospective strip clubs that it will not be easy to open up premises within the borough. On the other hand, advice (both from Licensing and Legal officers in a variety of authorities) unanimously was against such an approach, pointing to the potential drawbacks – financial and practical – of such a strategy. In particular, officers stated that it was illegal under the Licensing Act 2003 to have a policy that sought to reject every single application for a striptease license, regardless of circumstance.
50. With the concerns about the expansion of the night-time economy, the Group decided they would like a statement of intent from the Council which clearly outlines its intentions to prevent the borough becoming a magnet for strip clubs, whilst accepting that each case must continue to be considered on its merits. Members suggested undertaking work along similar lines to a Masterplanning exercise in order to provide a basis for this more assertive approach. Members were advised that this was likely to be challenged.

Recommendation

- R8 That the Council makes a clear (bilingual) public statement that it does not want strip clubs in the borough, in order to discourage applications for such premises.

➤ Tower Hamlets - Secrets

51. It was relevant to refer back to the case involving the granting of a license to Secrets in East Smithfields. Although this was under the old (Public Entertainments License) legislation, there are still some useful points to take from it. Initially, the Licensing Panel refused to grant a license to the owners, on such grounds as:
 - *The nature of the establishment and hours sought was not in keeping with the character of the area, which was heavily residential...*

- *It was felt that the Borough already had enough striptease establishments and adding to this number may have a detrimental effect and begin to render the borough a “red light district” with the subsequent deterioration of the local environment.*
- *On balance, the negative impact of this application on the local area outweighed the need of the applicant to run their business*

52. The decision of the Magistrate’s Court, outlined in Appendix 2 (Justices’ Reasons), shows that they did not take into account any of the above reasons; or, if they did, they found no convincing evidence to corroborate the claims. Again, although the legislation is now different, the key point remains – an emphasis on direct evidence to support objections.

➤ Durham – Vimax Leisure

53. A case in late 2007 in Durham provides a useful example of this. Vimax Leisure applied for a license to run striptease for three days a week on an existing nightclub premises they owned. Durham City Council (DCC) awarded the license (the first of its kind in Durham), despite some objections from residents. The decision was then challenged by residents, and when the case went to the Magistrate’s Court on appeal, the magistrates found in favour of the residents’ objections (see Appendix 3), revoked the license and awarded costs against DCC.

54. The circumstances of this case were difficult to unravel, and different depending on which side’s point of view is being considered. DCC’s licensing officers and legal representatives were of the opinion that their original decision was simply based on the law as it stands, and the likelihood that rejecting the application would lead to a challenge and loss in the courts. They also felt that the decision made by the Magistrate’s Court was *not* based solely on the interpretation of law and that it was prejudiced by personal or moral opinion. The objectors and their witnesses pointed out that the Council did not give any evidence at the hearing, and argued that the Council was simply embarrassed by the overturning of the decision.

55. There are caveats to directly applying lessons learned from other instances, but the evidence presented by the objectors and witnesses was framed exclusively with reference to the four Licensing Objectives. In the Reasons of the Justices (see Appendix 3 again), they state clearly that *“we therefore consider that many of the objections were made not on moral grounds but reflected real and practical concerns”*. Further conversations revealed that at the time of DCC’s original decision to grant the license, objectors’ submissions had focused almost exclusively on moral disapproval, which they later admitted was inadequate.

56. In essence then, it appears that DCC may have been correct in their original decision, **based on the evidence that was presented**. However, in the appeal, the residents seemed to be much more organised, focusing their objections and tailoring their evidence to show how the four Licensing Objectives would be compromised. Both these instances show how crucial it is for residents to be informed of the correct procedures: there is a clear need to inform people how to frame their views so that what they say can be considered as viable evidence.

Recommendation

R9 That residents within the current 40m radius from any premises that are applying for a striptease license (in keeping with the set limit for consultation for **all** types of license applications) are given detailed information of what they need to do should they wish to make representations to object. In particular, it should be made clear that objections **must** be framed with reference to the four Licensing Objectives, and not under any other arguments.

57. As mentioned above, the current standard distance for consultation, for all premises applying for a license, is 40m. This was recently agreed and implemented, as of January 2008, following changes to the Council's Licensing Policy. Officers advised that exceptions could not be made (for example in the case of strip clubs) to engage in wider consultation – any changes would have to apply to all premises, which would bring burdensome costs and pressure on resources.
58. The 40m standard distance reflects the legislation, in that all applications for any type of license must be considered on equal grounds and merits. Some members wanted to draw a distinction between different types of premises; however, as they felt that the legislation did not correspond to the reality of how certain premises have more of an affect on residents than others. Officers and other members were very conscious of remaining within the law, so the Group agreed that they would like the Council to explore its options

Recommendation

- R10 That the Council considers ways in which, for strip clubs, consultation can be undertaken on a wider scale than the current 40m radius.
- R11 That the possibilities for referral to the 'saturation' policy are explored fully, to examine whether this could be utilised to minimise the number of clubs in the borough.

Equalities issues

➤ Strip Clubs, other aspects of the sex industry, and violence

59. The Group heard evidence from Safe Exit (see Public View, above) that argued for a link between strip clubs and prostitution (in particular from the study '*It's just like going to the supermarket: Men buying sex in East London*'). The Group also considered other evidence to this end, such as Julie Bindel's study. Arguments put forward by Dr Nicole Westmarland, Lecturer in Criminal Justice at Durham University, sought to link strip clubs to sexual violence, in the form of assaults (i.e. inappropriate touching) by customers on the dancers.
60. The Group sought opinion from other authorities as to the legal strength of such links between strip clubs and more nefarious activities. Both the other London authorities' officers, as well as Tower Hamlets officers, stated that they would **not** recommend to members to turn down applications for licenses based on a link between strip clubs and prostitution, or strip clubs and sexual violence. There would have to be more

robust evidence to show a direct link before such decisions could stand up in court.

➤ Equalities Impact Assessments (EQIAs)

61. However, this does not rule out exploring other aspects of existing legislation, from an equalities perspective, to see what options the Council has. Residents, members, and some of those experts consulted believed that the Gender Equality Duty (GED) affords such an option. The GED places an obligation on public authorities to promote gender equality and eliminate discrimination and harassment, and requires positive action to be taken to ensure that the needs of men and women are being considered equally.
62. Dr Westmarland points out that in the Secretary of State’s guidance to local authorities on discharging their functions under the Licensing Act 2003, the following passage can be found:
- “statements of policy should provide clear indications of how the licensing authority will secure the proper integration of its licensing policy with local crime prevention, planning, tourism, race equality schemes [and presumably now also gender equality schemes], and cultural strategies and any other plans introduced for the management of town centres and the night time economy. **Many of these strategies are not directly related to the promotion of the four objectives, but indirectly impact upon them. Co-ordination and integration of such policies, strategies and initiatives are therefore important.**”* [emphasis added]
63. An EQIA involves looking at the benefits of a policy, to see the way that the policy is interpreted in real life from the perspective of a particular group. In this case, then, it would involve examining the four Licensing Objectives (the benefits) related to the licensing of strip clubs (the policy) from the perspective of women (the group).
64. The Group were keen to investigate ways in which legislation like the GED could be applied in this situation. Performing an EQIA on the licensing of strip clubs would therefore enable Tower Hamlets to examine whether or not the evidence of discrimination, violence, harassment etc. towards women is compelling.

Recommendation

R12 That the Council’s Equalities Team performs an EQIA on the licensing of strip clubs from the perspective of gender, to establish evidence in support of a more assertive approach to licensing and explore other opportunities for legal challenge (see recommendation 3).

Legislation change

65. One key point to come out of the visits to other London authorities was the impression that it was not through policy that these boroughs have fewer strip clubs than Tower Hamlets but through historical accident. Officers at City of London, who have no strip

clubs (despite having a high number of licensed premises), stated that they have had virtually no applications for licenses in the recent past. One officer posited that because Tower Hamlets has had – for whatever reasons – a higher concentration of such venues in the past, this makes it much more difficult to discourage further applications. This assertion is backed up again by reference to Overview & Scrutiny’s 2001-2002 Annual Report, where it is noted that “[o]fficers investigated why the City of London had no establishments offering this type of entertainment. Officers concluded that the City of London had no barrier on these”.

66. Tower Hamlets officers, as well as those in Westminster, City of London, Durham, Glasgow and other authorities who were canvassed all agreed that current legislation leaves councils with very little room for manoeuvre. As previously emphasised, the provisions of the Licensing Act 2003 – where strip clubs were **not** classified as sexual encounter establishments, and are effectively regarded (in law) as primarily dance entertainment – means that objections to them can only be considered in terms of the four Licensing Objectives.
67. As noted earlier, other types of premises associated with the sex industry (sex shops, peep shows, adult cinemas etc.) are classified as ‘sex encounter establishments’. Local authorities can set a limit on the number of sex encounter establishments in the borough, and can even specify particular numbers in different areas. Westminster has a set number of 18 (all of which are sex shops); Tower Hamlets has chosen to set its number at zero. In principle, if strip clubs were classified as sex encounter establishments, authorities would have a much freer rein in deciding whether or not to permit them to operate within their localities.
68. In practice, though, the distinction between (striptease) dance and ‘sexual encounter’ is ambiguous. There appears to be a grey area between the two; certainly from the layman’s perspective, the difference seems obvious, but this is not the case in law. Efforts could have been made to prevent dance drifting into what is effectively a peep show, with the Council looking to investigate how the legislation can be best framed to achieve this outcome. The majority of the Working Group agreed, by vote, that lobbying for legislation change would be the best option though.
69. Throughout the course of the review, OBJECT⁴ – a human rights campaign group – in a separate piece of work, have been campaigning to challenge existing legislation on strip clubs. Towards the end of this review, they made enquiries within Parliament and set up an MP Roundtable meeting (chaired by Baroness Joyce Gould) to discuss possible avenues to effect this legislation change. Contact was maintained with OBJECT by Scrutiny officers and the Working Group, meaning that both pieces of work could be coordinated. OBJECT have suggested that Tower Hamlets convene a London-wide event to encourage authorities to lobby government to change the primary legislation, allowing strip clubs to be classified as sex encounter establishments. OBJECT will provide assistance and advice for this event, with Tower Hamlets acting as host and prominent member of the lobbying group. The majority of the Working Group agreed, by vote, that this would be a good first step in trying to effect legislation change, and a signal of the Council’s intent in addressing this issue on a long-term basis.

Recommendations

⁴ <http://www.object.org.uk/>

- R13 That the Council seeks to lobby government to change primary legislation (as set out in the Licensing Act 2003) so that strip clubs can be classified as sex encounter establishments.
- R14 That the Council hosts a pan-London event (with the support of OBJECT) to engage with other communities and get greater levels of support and cooperation in these attempts to lobby government.

Conclusions

70. The Working Group welcomed the opportunity to examine, in depth, the various issues that arose out of this review. They recognised that there was a discrepancy between what residents feel and believe, and what officers held to be true. Members found out that the proliferation of strip clubs in Tower Hamlets seems more to do with historical accident than policy.
71. Members acknowledged that current legislation seemed to be highly restrictive in terms of allowing local authorities to fulfil the wishes of its residents. Therefore a vital (long-term) goal, reflected in the recommendations, is to campaign for legislation change.
72. The Group also strongly believed that the restrictions referred to above should not prevent them from recommending action where possible. Members share residents' concerns about the developing nature and character of the borough, and how policy in this area plays such an important role in determining what that nature is. Pushing existing legislation to its fullest through EQIAs, and making sure residents are aware of how they should frame their objections so they carry the greatest weight, will go some way towards creating an atmosphere where such premises are not allowed to flourish. The initiatives on advertising will go towards this too.
73. Members wanted to find ways to alleviate residents' fears about crime and safety both inside and outside the venues, with enforcement issues seen as key at all stages of the review. The recommendations reflect the need to give more protection to dancers by ensuring regulations are enforced, as well as assistance to residents in dealing with incidents when they arise.

Appendix 1 – Police Conditions for Striptease Licenses

1. All references to striptease in these conditions shall be deemed to apply to all forms of striptease or nudity by male or female performers.
2. At least one Personal Licence Holder shall remain on the premises at all times during licensed hours when the premises are open and trading.
3. At least two SIA registered Door Supervisors will remain on the premises at all times during licensed hours when the premises are open and trading in addition to two members of management.
4. The Designated Premises Supervisor (DPS) will ensure that at least one member of staff with specific obligation to ensure compliance with the performers/dancers code of conduct, will be present at all times when the premises are open and trading.
5. CCTV with time and date recording facility to be installed and maintained at the club in accordance with the advice of a Metropolitan Police Crime Prevention Officer. Recording media to be retained for at least 30 days and to be readily available for inspection by the Police or other statutory authority. At least two people will be trained to operate the recording equipment and be competent in its operation. At least one trained person shall be on premises at all times when the club is open and trading.
6. A Code of Conduct for Performers/Dancers to be lodged with the Police and Licensing Authority. All Performers/Dancers must sign the code of conduct as agreed by the Police in their proper name acknowledging they have read and understood, and are prepared to abide by the said Code of Conduct and copies so signed should be retained by the DPS and be readily available for inspection by the Police and Licensing Authority. Any breach of the agreed code of conduct shall constitute a breach of condition.
7. Details of all work permits and/or immigration status relating to persons working at the Club shall be retained by the DPS and be readily available for inspection by Police or Immigration Officer.
8. Menus and drinks' price-lists shall be clearly displayed in the foyer, reception and bar in such a position and size as to be easily read by customers. This price list should show all consumable items and any minimum tariff including charges or fees applicable to hostesses. The menus and drinks price-lists will also be on all tables.
9. A permanent written record will be maintained in the form of a refusals book kept at the club. This record will be signed by the DPS/Manager on a daily basis and record the details of any customer who refuses to pay his/her bill giving details of the customer's name, contact details and a detailed copy of the bill. This is to be available to the Police and/or Licensing Authority on demand.
10. A record will be kept at the club of the real names, addresses, stage names of all the hostesses/dancers, which will be readily available to any Police Officer and/or the Licensing Authority.
11. A notice outlining a Code of Conduct for the customer shall be positioned in the foyer, reception and bar area. It shall be of an adequate size and in such a position where it can be easily read and understood by the customer.
12. All hostess activity shall be conducted openly and at no time shall hostesses entertain customers in areas of the premises that are screened or curtained off from the view of the DPS (or other person acting with equivalent authority).
13. An incident book will be maintained at the premises. Upon request, it will be readily available for inspection by the police or other Licensing Authority.
14. There shall be no soliciting for custom by means of persons on the highway or any payment made to them by or on behalf of the DPS.
15. Whilst striptease is taking place no person under the age of 18 shall be allowed on any part of the premises and a notice shall be displayed in clear terms at each entrance that:-

NO PERSON UNDER 18 TO BE PERMITTED

16. On any day when the premises are open for entertainment not involving striptease, prior to striptease becoming available, a notice shall be prominently displayed in a conspicuous position in the foyer of the premises. This should be displayed at least one hour before striptease performances are due to start, advising customers when those performances are to commence.
17. The striptease entertainment shall be given only by paid performers/entertainers who are engaged exclusively for that purpose.
18. There shall be no physical participation by the audience and no contact between the performer/dancer and any of the audience during performances. There shall be no physical contact between the performers/Dancers.
19. There shall be no striptease performance to customers seated at the bar, or to standing customers. Performers/Dancers shall only perform on the designated stages, designated podiums or to seated customers at a table.
20. On each of the designated stages, there shall be no more than two performers at any one time.
21. In the VIP area, there shall be no more than four Performers/Dancers at any one time.
22. Any performance will be restricted to dancing and the removal of clothes, there must not be any other form of sexual activity.
23. All striptease shall take place in an area which is not visible from the street or overlooking buildings.
24. The Performers/Dancers shall be provided with a changing room which must be separate and apart from public facilities.
25. There shall be no sexually explicit external advertising likely to cause offence as to the nature of the activity being held at the premises.

Secrets (St. Catherine's) Limited -v- LBTH

Justices' Reasons

We have been hearing an application for a Public Entertainments Licence for the ground floor of premises at 43 to 45 East Smithfield. We are aware that this application was previously refused by the Council on the basis of the Council's own rules.

We have been hearing the matter afresh today and are not taking cognisance of decisions made in other places.

We note that there were no objections to the application by any of the statutory authorities. The Council's witness, Mr Perrins, told us that the police had suggested certain conditions to be attached to the licence, which they thought would be appropriate.

Technically, we are dealing with objections from local residents, which come down to matters of impact on the environment of noise, disturbance, security and litter. Given the evidence of the good operating practices presented by Messrs. Waite and Less in respect of their other premises, which was not challenged by any evidence to the contrary, we believe that they will be able to control disturbance and litter.

We have not been presented with any evidence to substantiate the proposition that a club of this nature would threaten the safety of women or children on the estates in the locality.

Turning to the matter of the impact of noise outside the premises. We heard that the club would be on a busy main road with a continual hum of traffic 24 hours a day. It has been maintained that clients would arrive and depart by private car or taxi. We have been told that the red route is not operational after 7:00pm. Our opinion is that, given that the arrivals and departures of clients would be staggered, the extra traffic would not have a significant impact over and above the present traffic noise.

Fears have been expressed about parking and slamming doors and we feel that this is likely to be outside the premises in East Smithfield rather than in Thomas More Street and therefore not likely to be a significant nuisance to residents.

Therefore we feel that the granting of this licence will not adversely affect the residents' right to the quiet enjoyment of their properties.

We allow the appeal and grant a Public Entertainments Licence with striptease waiver operational Mondays to Saturdays until 2:00am and Sundays until 11:00pm for the duration of one year and subject to such conditions as have been agreed on pages 54, 55 and 56 of the bundle of evidence prepared by the local authority. We make no order for costs.

APPENDIX

The decision was made by the Licensing Panel after considering the applicants need to pursue his business with the potential environmental impact on the local community. In striking a balance therefore the Panel determined to grant the application only with a variation as follows:-

1. The nature of the establishment and hours sought was not in keeping with the character of the area, which was heavily residential and housed a World Heritage site that attracts vast numbers of tourists each year. Furthermore, that the area may be regarded as of “Special Scientific Interest”.
2. It was felt that the Borough already had enough striptease establishments and adding to this number may have a detrimental effect and begin to render the borough a “red light district” with the subsequent deterioration of the local environment.
3. The levels of noise nuisance caused to local residents by access and egress of customers would be significant, and made worse by mini-cabs parking in Thomas More Square and then picking up at the premises.

The applicant did not appear to have a satisfactory proposal to deal with this problem.

4. On balance, the negative impact of this application on the local area outweighed the need of the applicant to run their business.

Appendix 3 – Magistrate’s verdict in Durham case

IN THE NORTH DURHAM MAGISTRATES COURT

IN THE MATTER OF AN APPEAL UNDER SCHEDULE 5 OF THE LICENSING ACT 2003 AGAINST A DECISION OF DURHAM CITY COUNCIL

BETWEEN

VIMAC LEISURE LIMITED

AND

DURHAM CITY COUNCIL

AND

KIRSTY THOMAS

AND

Dr. D. and Mrs. A. EVANS

REASONS OF THE JUSTICES

Whilst sitting in a court house in the North of County Durham we are in fact a bench from the South Durham Licensing Appeals Panel.

We have been asked to consider two appeals arising from the same decision of the Durham City Licensing Committee made on the 8th August 2007, in respect of premises known as The Loft, North Road in Durham City.

It was agreed as between the parties that we should hear firstly from the appellant company, Vimax Leisure Limited, operators of the Loft and original applicants; and indeed for purposes of clarity they have been known simply as the applicant throughout the current hearing.

Secondly, we heard from the appellants Ms. Thomas; Dr. and Mrs. Evans and witnesses on their behalf, collectively referred to, again for clarity as ‘the objectors’.

The City Council, through Mr. Langdon, whilst being respondents to the appeal have chosen not to make any specific representations.

In brief terms the applicant is aggrieved at the fact that the regulated entertainment sought, in this case table or pole dancing was limited by the Licensing Authority to Thursday, Friday and Saturday nights and further aggrieved by the prohibition on the circulation of promotional material.

The objectors in simple terms are of the view that the regulated entertainment should not have been allowed and argue that there have been contraventions of local policy as well as that given under section 182 of the Licensing Act 2003.

During this hearing we have heard from;

1. Jason Greenwood on behalf of Vimec
2. Kirsty Thomas
3. David Wood
4. Rev. Dr. Bash
5. Anne Evans
6. Dr Westmarland
7. Dr Martin
8. Esther Ashby
9. Emma Carter
10. Dr Boughton
11. Roberta Blackman-Woods

We also have had the benefit of the three bundles of documents prepared by each appellant and the City Council.

In arriving at our decision today we have had regard to;

1. the provisions of the Licensing Act 2003 (the Act), in particular the licensing objectives set out in section 4(2) with each carrying equal weight,
2. the guidance under section 182 of the Act,
3. The City of Durham Statement of Licensing Policy dated December 2004.

We will now address each of the four licensing objectives weighing the points made in evidence and by the advocates and consider whether the imposition of conditions that could address any relevant concerns.

Crime and Disorder

We accept and note with approval that statistics show that crime has fallen in Durham City but that;

1. they do not specify the location of diminution of crime,
2. crime and disorder could temporarily be displaced to Walkergate,
3. that as well as attracting business back to North Road Vimec could also bring back with it more crime and disorder,
4. we have been made aware of considerable evidence of recent problems on North Road from letters of objection and oral evidence. They have raised a host of significant issues with regard to protection of children and nuisance as well as crime and disorder itself.

From Emma Carter we heard of four incidents of late, from Dr Martin a long history of town and gown assaults on students and from Dr Bash of assaults on his friend.

5. We find that adding numbers of young men into this already volatile environment who are both influenced by alcohol and no doubt to varying degrees of sexual stimulation will aggravate rather than promote the objective.
6. Local Authority policy 11 states that the policy should not aggravate existing problems but on balance we think that lap dancing at the loft will do just that.
7. We are directed in 2.1 of the guidance to look to the police as the main source of advice concerning crime and disorder. However we cannot ignore the recent and compelling evidence of the above witnesses as to crime and disorder on North Road and have already found that the proposed activity is likely to aggravate matters.
8. We give substantial weight to the feelings of local people with relevant concerns and have taken the local circumstances into consideration.
9. We do not believe that the imposition of any additional conditions would address the concerns that we have.
10. On a balance of probability there is a serious risk of exacerbating problems of crime and disorder.

Public Safety

1. We accept that despite the inadequacies of the operating schedule, which is agreed to being "not brilliantly worded", it could be remedied. Any responsible operator could produce a manual which would address all shortcomings and contingencies, e.g. capacity, security and the safety and welfare of the dancers, but there are real risks if a management is found wanting.
2. Part of our responsibility, however, is not just to in-house personnel but to the public at large.
3. Further conditions could allay some of our concerns but not all of them, e.g. the touching of dancers.

Prevention of Public Nuisance

Policy 8 of the Licensing Authority states that its policy should "strike a fair balance between the benefits of the community and the risk of disturbance to local residents".

1. We feel that Durham is unique as an education and cultural centre but that it is a small compact City Centre where residential property is in close proximity to commercial and entertainment sites.
2. North Road is the main thoroughfare for local people and visitors arriving by bus and train. We accept that by day and night the area adopts different characteristics but that members of the public will inevitably be confronted by patrons during operational hours.
3. We have considered whether in the words of the Guidance the public nuisance is "disproportionate and unreasonable" and there is compelling evidence to support the view that lap dancing at the Loft would aggravate existing problems.
4. This is supported by written and oral evidence from local people who make use of North Road on a regular basis. Ms Thomas and the families of Prof Woods and Dr. Bash all avoid North Road and the University authorities indirectly advise their students to avoid this area. Emma Carter gave evidence of verbal and physical attacks on students and provided in however limited a form, some data on how many students, female in particular felt intimidated when walking in North Road.
5. A lap dancing club would aggravate the problem and the real fears of particularly young females being in close proximity of a concentration of clientele that would be attracted to the entertainment proposed.
6. No further conditions that we could impose would address these serious concerns, e.g. the further restriction of operational hours.

Protection of Children from Harm

Local Authority Policy 14 discourages applications for licences which involve a sex related element near schools, places of worship, hospitals, youth clubs or other premises where significant numbers of children are likely to attend.

1. With respect to the close proximity to the above of the proposed location of the lap dancing club, it could hardly be worse sited.
2. From Kirsty Thomas we learnt of childrens activities in the Shakespeare Centre, from Dr. Boughton of vulnerable hospital patients, from Dr. Martin of neighbouring schools and from Prof. Woods and Anne Evans of the hundreds of children who pass by on a daily basis, and from Dr. Bash and Kirsty Thomas of neighbouring places of worship. Here also the close proximity of bus and railway stations are very significant.
3. We accept that during the day children and young people passing by will simply be presented by a closed and locked door stating 'The Loft'. However during operational hours we find that children will be using the Shakespeare Centre and no doubt will congregate at the bus station and be again confronted

by a concentration of patrons attracted to this type of entertainment, thereby putting at risk the moral, psychological and even physical wellbeing of children and young people.

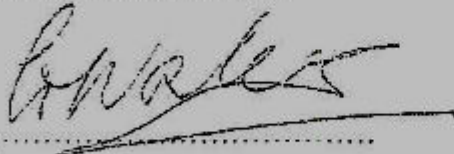
4. We accept that we could partly address this and possibly minimise risk by further restricting operational hours of regulated entertainment to for example 10.00 p.m.. This would not, however, address other concerns we have highlighted.

The Licensing Act 2003 came into force on the 24th November 2005 and immediately began to give local people a bigger voice in licensing decisions. Consultation with local people and focusing on the particular entertainment proposed in this specific location has therefore been fundamental to our decision making but we underline the fact that we have not been influenced by the sheer weight of number of people responding, but rather the relevance and weight of their arguments.

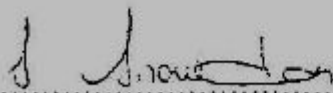
We therefore consider that many of the objections were made not on moral grounds but reflected real and practical concerns.

Accordingly we dismiss Vimac's appeal and allow the objectors appeal and refuse the application for a new premises licence in respect of the Loft whose operation would no doubt revert to its existing premises licence.

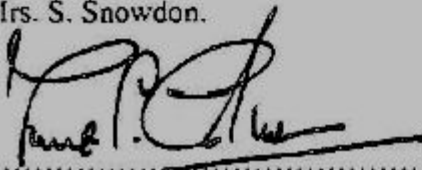
DATED this 10th December 2007



Mr G. Wales.



Mrs. S. Snowdon.



Mr P.S. Galloway.

Scrutiny in Tower Hamlets

To find out more about Scrutiny in Tower Hamlets

Please contact:

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Web: towerhamlets.gov.uk/scrutiny

LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 17th DECEMBER 2008

REVIEW OF PROPORTIONALITY AND ALLOCATION OF PLACES ON COMMITTEES AND PANELS

AGENDA ITEM 10.1

REPORT OF THE SERVICE HEAD, DEMOCRATIC SERVICES

1. SUMMARY

- 1.1 A change in the political composition of the Council occurred on 20 November 2008 when Councillor Rachael Saunders was elected in a by-election to serve as Councillor for Mile End East ward.
- 1.2 The Council must therefore review the allocation of places on Committees and other bodies covered by the proportionality requirements in the Local Government and Housing Act 1989 ('the 1989 Act').
- 1.3 The rules regarding proportionality are set out at paragraph 3 overleaf, together with the current political composition of the Council. No change is required to the allocation of places on Committees or Panels of the Council on this occasion.

2. RECOMMENDATIONS

- 2.1 That the Council note:-
 - (a) the review of proportionality at paragraph 3 overleaf; and
 - (b) that no change is required to the allocation of seats on committees and panels made at the last Council Meeting and set out at paragraph 4 to this report.

3. REVIEW OF PROPORTIONALITY

3.1 Section 15(i) of the 1989 Act requires the Council as soon as practicable after a change in the political composition to carry out a review to determine the allocation to the political groups of seats on the committees/panels of the Council. The principles which must be adopted are:

- (i) that all seats are not allocated to the same political group;
- (ii) that the majority of seats go to the political group with the majority on the Council;
- (iii) that subject to (i) and (ii) the number of seats on the total of all the ordinary committees/panels of the authority allocated to each group bears the same proportion to the proportion on the full Council; and
- (iv) that subject to the above three principles, the number of seats on each ordinary committee/panel of the authority allocated to each political group bears the same proportion to the proportion on the full Council.

3.2 Neither the Cabinet and its executive sub-groups; nor the Standards Committee are covered by the requirement for proportionality.

3.3 Following the by-election in Mile End East ward on 20th November the political composition of the Council is as follows:

Group	seats	%
Labour	33	64.71
Conservative	8	15.69
Respect	6	11.76
Liberal Democrat	4	7.84
Total	51	100.00

4. ALLOCATION OF PLACES ON COMMITTEES

4.1 The committees and panels established by the Council for the municipal year 2008/09 are listed in the table below, together with the current allocation of places to the respective political groups, arising from the last review of proportionality at the Council meeting on 15th October 2008.

4.2 A further review is now required because at the time of the last review there was a vacancy on the Council which has now been filled. However, the change in proportionality above is relatively small and officers can confirm that the allocations below still meet the requirements of the 1989 Act in relation to the current political composition of the Council. There is therefore no need for any further change at this time.

Committee	Total	Labour	Conser- vative	Respect	Liberal Democrat
Development	9	6	1	1	1
Strategic Development	9	6	1	1	1
General Purposes	7	4	1	1	1
Human Resources	7	5	1	1	-
Appeals	9	6	1	1	1
Pensions Committee	7	5	1	1	-
Audit Committee	7	4	1	1	1
Overview & Scrutiny (plus 5 co-optees)	11	7	2	1	1
Health Scrutiny Panel	7	4	1	1	1
Licensing	15	9	3	2	1

5. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

5.1 The legal position is set out in the main body of the report.

6. COMMENTS OF THE CHIEF FINANCIAL OFFICER

6.1 There are no financial implications arising from this report.

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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 17th DECEMBER 2008

**MOTIONS SUBMITTED BY
MEMBERS OF THE COUNCIL**

AGENDA ITEM NO. 11

**REPORT OF THE SERVICE HEAD,
DEMOCRATIC SERVICES**

SUMMARY

1. Twelve motions have been submitted by Members of the Council under Council Procedure Rule 13 for the Council meeting on Wednesday 17th December 2008.
2. In accordance with the protocol agreed by the Council on 21st May 2008, the order in which the motions are listed is by turns, one from each group, continuing in rotation until all motions submitted are included. The rotation starts with any group(s) not reached at the previous meeting.
3. Motions must be about matters for which the Council has a responsibility or which affect the Borough. A motion may not be moved which is substantially the same as a motion which has been put at a meeting of the Council in the previous six months unless notice of motion is given signed by at least twenty Members.
4. There is no specific duration set for this agenda item and consideration of the attached motions may continue until the time limit for the meeting is reached. The guillotine procedure at Council Procedure Rule 9.2 does not apply to motions on notice and any of the attached motions which have not been put to the vote when the time limit for the meeting is reached will be deemed to have fallen. A motion which is not put to the vote at the current meeting may be resubmitted for the next meeting but is not automatically carried forward.

MOTIONS

Set out overleaf are the motions that have been submitted.

11.1 Motion submitted by Councillor Abjol Miah regarding parking

Proposed: Councillor Abjol Miah

Seconded: Councillor Harun Miah

1) This Council notes:

a) that the council received almost £5 million from motorists in Penalty Charge Notices and tow aways for the tax year 2007/2008;

b) that for many families car use is essential both for their transport and for the acquisition of vital provisions including the bulk-buying of foodstuffs;

c) that residents parking permit charging is discriminating against large family car owners;

d) that car ownership in the borough remains relatively low;

e) that so-called "parking free" new developments particularly discriminate against those dependent for their transport on car use;

f) that there is very widespread anger over the application of parking enforcement rules in an unreasonable way, causing huge and unaffordable cost particularly to those less well-off;

g) that many people believe that the parking enforcement policy has little to do with reasonable parking and traffic control and everything to do with raising money for the Council through a regressive stealth tax on car owners; and

h) that parking policy is inhibiting visitors to the borough using the markets of Tower Hamlets and therefore adversely affecting business in the borough

2) This Council calls on the Cabinet to carry out an urgent and thorough review of parking policy which will:

a) introduce some common sense and flexibility into parking enforcement so that it is no longer ticket and tow away first, ask questions after;

b) review parking permit charges so that they do not discriminate against large family car owners, whilst at the same time they do reflect pro-economy, anti-gas guzzling car ownership;

c) review parking access to the principal markets in Tower Hamlets and seek to make more parking available during the hours of those markets; and

d) seek to get changes in Government policy so that Section 106 restrictions on parking permissions around new developments no longer discriminate against those dependent on car use.

11.2 Motion submitted by Councillor Stephanie Eaton regarding community cohesion and ID Cards

Proposed: Councillor Stephanie Eaton

Seconded: Councillor Azizur Rahman Khan

This Council notes:

1. That Parliament has created identity card legislation.
2. This legislation will have an impact on all residents within Tower Hamlets.

This Council believes:

1. That the proposed scheme will impose substantial and disproportionate costs on the Council.
2. That the cost of ID cards would be better spent on employing crime prevention measures such as more police officers, and target hardening.
3. ID cards have the potential to have a negative impact on social cohesion and notes the concerns of the Metropolitan Police Service to that effect:

'The scheme could become compulsory prematurely for those disadvantaged members of society, because they would have to have an ID Card in order to access Social Security Benefits, etc. It should also be noted that many of the visible ethnic minorities are over-represented in this socio-economically deprived group. We have severe reservations that the scheme could add to tensions at a time when the police service is investing greatly in gaining confidence across all communities'.

This Council will:

1. Make it a policy of the Council to ensure that national identity cards would not be required to access council services or benefits unless specifically required to do so by Act of Parliament.
2. Take no part in any pilot scheme or feasibility work in relation to the introduction of the national identity cards.
3. Only co-operate with the national identity card scheme where to do otherwise would be unlawful.
4. Affiliate to the NO2ID campaign whose supporters already include MPs and Peers of all parties, Borough, County and District Councils, and unions (including UNISON, the largest union in the UK with 1.3 million members).

11.3 Motion submitted by Councillor Clair Hawkins regarding ending child poverty in Tower Hamlets

Proposed: Councillor Clair Hawkins

Seconded: Councillor Lutfur Rahman

This Council notes:

- That research by the End Child Poverty campaign shows that there are 42,000 children living in poverty in Tower Hamlets;
- That child poverty doubled during 18 years of Tory misrule from 1979 to 1997;
- The historic commitment by the Labour Government to halve Child Poverty by 2010 and the fact that the goal of ending child poverty by 2020 was enshrined in law in the Queen's Speech this month;
- The raft of measures announced in November's pre-budget report that will help to lessen the burden on the most vulnerable people in society as the recession takes hold;
- Regret at the failure of the Conservative Party to support many legislative measures that are necessary to end child poverty by 2020;
- That the End Child Poverty campaign has praised Tower Hamlets achievements in education;
- The Council's commitment and actions to date to address child poverty have been recognised by being short-listed for a Beacon award for Preventing and Tackling Child Poverty;
- Reducing Child Poverty is a priority in the Tower Hamlets Local Area Agreement with suitably challenging and ambitious targets; and
- That the causes of child poverty are many and complex and that eradicating child poverty will require strong partnership working with central government, the Mayor of London, the third sector and other partners.

This Council believes:

- That preventing and tackling child poverty must continue to be a Council priority;
- That this Council continues to support the ongoing work to develop an integrated child poverty strategy;
- That eradicating child poverty will only be achieved through multi-agency partnership working;

- That the current Scrutiny review into child poverty will inform the work around our strategy; and
- That Child Poverty must be a theme that runs through the new three year Children and Young People's Plan

This Council resolves:

- To sign up to and deliver on the London Child Poverty Pledge
- To accelerate the development of its Child Poverty Strategy to prevent and tackle child poverty with key partners working to address four priority areas:
 - (i) removing barriers to work which includes offering parents childcare options that allow them to go to work, and also supporting them in their search for employment;
 - (ii) developing pathways to work, through investment in long term training options in the basic skills that lead to employment;
 - (iii) breaking the cycle of poverty, which includes the council's continued focus on improving education, improving careers advice and guidance and preventing young people from becoming NEETs (Not in Education, Employment or Training); and
 - (iv) mitigating the effects of poverty, including making sure local young people have access to cultural, leisure and sporting activities and developing extended services.

11.4 Motion submitted by Councillor Ahmed Hussain regarding the future of homeowners and the local economy in Tower Hamlets

Proposed: Councillor Ahmed Hussain
Seconded: Councillor Tim Archer

This Council notes:

The current credit crunch that has hit the country has left the residents of this borough in a very vulnerable financial position that could well have grave consequences for hard pressed families. The government has predicted that there will be more job losses and property repossessions before the economy gets any better and this is bound to hit an area like Tower Hamlets harder than more affluent parts of the country. It is an unfortunate consequence of this that the children of this borough, who already live in higher than average poverty, will be harder hit.

The presence of Canary Wharf and the subsequent presence of a large number of financial institutions is an added dimension that most parts of the country will not

have to deal with. Many of the workers on the Canary Wharf estate are residents of Tower Hamlets and any slow down in the economic growth of this key area will affect all sections of our community. This council should be committed to ensuring all our residents are not affected by this crisis and therefore:

The Council notes:

- That at least 25% of the boroughs homeowners will be effected by this down turn and may face repossessions of their homes this year alone;
- That the residents of Tower Hamlets should be protected as far as is possible from the worst affects of this economic downturn;
- That many of the poorest families in this Borough will be affected to a proportionally greater degree then residents of other London Boroughs; and
- That the council's elected Members and officers have the duty to ensure that the electorate are safeguarded and financially helped within the limit of the resources available to the authority.

This Council believes:

- That it exists to help and assist the residents of Tower Hamlets in all aspects of their lives;
- That it understand the financial stability and well being of its residents are key in creating a prosperous and just society; and
- That in order to safeguard and help the residents of Tower Hamlets it would intervene as and when necessary to provide assistance for hard pressed families.

This Council calls on those responsible to ensure:

- All services provided by the Council take into account the worsening financial situation of our residents;
- That Children's Services does all that it can to ensure children are protected from the worst aspects of this situation;
- That the current Council Tax will be capped at its current rate for the fiscal year 2009/10 and 2010/11;
- That the service charges will be capped to the current rate for the fiscal year 2009/10 and 2010/11;
- That the council will influence all the RSL's to cap their service charges; and
- That the Council call on the Government to clarify their latest mortgage assistance proposals so that as many of our residents can benefit as possible.

11.5 Motion submitted by Councillor Dulal Uddin regarding pensioners

Proposed: Councillor Dulal Uddin

Seconded: Councillor Abjol Miah

1) This council notes:

- a) the recent Age Concern assessment of the pre-Budget report;
- b) that pensioner poverty grew from 1.8 million to 2.1 million in the financial year 2006-2007 and is very likely to have seriously worsened since then;
- c) that this some £5 billion annually of tax credits and benefits to pensioners are going unclaimed with 1.8 million pensioners failing to claim tax credit;
- d) that 5.4 million households are now living in fuel poverty;
- e) the number of pensioners in fuel poverty has doubled to 2.75 million households since 2004;
- f) that when the Winter Fuel Payment was introduced it covered more than one third of fuel costs but now covers less than one fifth;
- g) that one in ten of the poorest pensioners are being forced into debt by the rising cost of living for pensioners;
- h) that many of our poorest people and pensioners in particularly are being penalised by higher pay as you use charges;
- j) that two thirds of pensioners are now cutting back on fuel use to heat their homes;
- k) that Britain has the worst rate of cold-related deaths in the whole of Europe; and
- l) that Tower Hamlets has many pensioners who are extremely vulnerable for these reasons over the next few months, particularly as a severe winter is forecast.

2) This Council believes:

- a) that urgent action must be taken by the Government to address the problems of pensioner poverty and the related problems of fuel poverty;
- b) that this Council must take whatever action is available to it to identify and assist pensioners in Tower Hamlets facing poverty and fuel poverty; and
- c) that this reinforces the urgent necessity for the Government to bring forward investment plans to refurbish social and council housing in the

borough which needs proper heat insulation and more economical heating systems.

3) This Council calls on the Cabinet and Council officers to address the problem of pensioner poverty as a matter of extreme urgency and to use East End Life and other newspapers and publicity outlets in Tower Hamlets, including writing to all pensioners, to alert them to the tax credits and other benefits and assistance that they may not be aware of and may not be accessing.

11.6 Motion submitted by Councillor Lutfur Rahman regarding the London Living Wage

Proposed: Councillor Lutfur Rahman

Seconded: Councillor Carli Harper-Penman

This Council:

- supports the establishment of the London Living Wage, set at a level calculated by the Living Wage Unit to avoid poverty wages being paid in the capital;
- abhors the fact that around 400,000 Londoners continue to fall into a 'working poverty trap' because their families are paid less than required to fund the basic costs of living in London;
- calls on the Leader to review Tower Hamlets Council's procurement, contract and best value policies to ensure that, as far as possible within UK and EU law, the London Living Wage, at the level set by the GLA's Living Wage Unit, is the minimum paid by Tower Hamlets Council and by its contractors and that all temporary workers employed by the council are paid at least £7.45 an hour by their agency;
- calls on the Leader to seek commitments from Tower Hamlets' partners in the Local Strategic Partnership to pay no less than the London Living Wage; and
- calls on the Leader to ensure that the Council's commitment to the London Living Wage is clearly displayed on Council headed paper, the Council website and other appropriate locations.

11.7 Motion submitted by Councillor Fozol Miah regarding the Olympics

Proposed: Councillor Fozol Miah

Seconded: Councillor Abjol Miah

1) This Council notes with alarm:

a) that a 250-page government report, The Game Plan, published secretly in 2002 and signed off by none other than Tony Blair, and which has only just now come to light, found little evidence that the Olympics would produce any economic benefit or encourage more people to participate in sport;

b) that UK Sport has a £79 million funding shortfall in its £300 million budget as a result of lack of sponsors because of the credit crunch;

c) that the costs of the Olympics originally estimated to be £2.4 billion has ballooned over a very short time to be now estimated at £9.3 billion;

d) that nearly £550 million has been diverted to the Olympics from grassroots sports organisations and that this is now very adversely affecting grassroots sports organisations in Tower Hamlets;

e) that the National Campaign for the Arts estimates a loss of £300 million through the diversion of lottery funds to the Olympics; and

f) that funding for Olympics sports prior to the Olympics is being based on previous success rather than potential.

2) This Council believes there has to be an urgent review of the whole Olympics strategy which will include:

a) how to restore funding to grassroots sports currently being starved of lottery funding;

b) how to cut the costs of the Olympics to the London and Tower Hamlets taxpayer, given the lack of likely economic and sporting benefits long-term from the Olympics; and

c) how to convert what has been in the past an Olympics for the corporate sponsors into a people's Olympics in which there will both be planning gain in the provision of homes and sporting facilities, particularly for those less well-off in East London and promotion of grassroots participative sports.

11.8 Motion submitted by Councillor Alex Heslop regarding support for the co-operative and social enterprise sector

Proposed: Councillor Alex Heslop

Seconded: Councillor Denise Jones

This Council recognises that there is a diverse and healthy co-operative sector in Tower Hamlets with a combined turnover of approximately £50 million and also appreciates the important role that co-operatives and other social enterprises can play in community and economic regeneration initiatives. Although there are many successful co-operative enterprises operating in Tower Hamlets such as Tower Hamlets Community Credit Union, Tower Hamlets CDA and Greenwich Leisure (effectively a workers co-op), as well as several food co-ops and housing co-operatives, there is not a single Council officer with a specific remit or indeed expertise for working with the co-operative & social enterprise sectors.

This Council resolves to do the following:

- Allocate responsibility for supporting the co-operative & social enterprise sectors to the Lead Member for Regeneration as well as a designated Council officer who will promote and support new mutual models for the provision of community services, including housing, pre-school childcare, residential and home care, recycling and leisure. Made possible through service reviews, externalising, or re-contracting services and procurement procedures.
- Organise an annual event to celebrate International Co-operatives Day in partnership with the local Co-operative Movement; this could also involve the Tower Hamlets Partnership and its Creating and Sharing Prosperity Community Plan Action Group.
- Develop procurement strategies that make a direct link between the Community Plan and other strategic objectives and contract specifications ensuring that community benefits can be fully integrated into the procurement process.
- Work with the Co-operative Sector and London Development Agency to improve access to finance and support for socially and mutually owned businesses.
- Work with staff and unions on a partnership basis in the creation of new cooperative services

11.9 Motion submitted by Councillor Mohammed Abdul Munim regarding postal votes

Proposed: Councillor Mohammed Abdul Munim

Seconded: Councillor Abjol Miah

1) This Council notes:

- a) the postal vote on demand system has been subject to very serious fraud since its introduction;
- b) that both Labour and Tory councillors have been convicted of election fraud using postal votes on demand over the last three years;
- c) that, despite attempts by the government to tighten up the system, the current system was condemned by Judge Richard Mawrey QC as “lethal to the democratic process” as recently as March 2008;
- d) that the Electoral Commission and Unlock Democracy amongst others have called for individual voter registration to combat postal vote fraud;
- e) that individual voter registration will not address the fundamental flaw in the postal vote on demand system which is that it effectively abolishes the secrecy of the ballot established in 1872;
- f) that the postal vote on demand system particularly affects women voters who may be intimidated into voting for candidates and parties they don't wish to vote for;
- g) that there is no evidence that the postal vote on demand system has raised the overall level of turnout in local or parliamentary elections and that issues of access to voting can be addressed by extending the hours of voting, spreading voting over two days and/or having balloting take place at weekends;
- h) that abolishing postal votes on demand would not affect the continued access to postal votes for those too unwell or unable for reasons of location to vote in person at a polling station;
- j) that the leaders of all four major parties, Labour, Conservative, Liberal Democrat and Respect on Birmingham City Council, the largest local authority in the country, have signed a letter to Gordon Brown calling for the postal vote on demand system to be abolished; and
- k) that the leaders of three of the four parties, the Respect, Conservative and Liberal Democrat parties, represented on Tower Hamlets Council have agreed to support the call for an end to postal votes on demand.

2) This Council deplores:

a) the continued role that the postal vote on demand system plays in determining the outcome of elections in Tower Hamlets;

b) the fact the Leader of Tower Hamlets Council has refused to support the call for an end to the postal vote on demand system;

3) This Council believes the integrity of the electoral system will not be restored unless and until the postal vote on demand system is abolished.

4) This Council calls on the Government to abolish the postal vote on demand system at the earliest opportunity.

11.10 Motion submitted by Councillor Salim Ullah condemning homophobia and prejudice

Proposed: Councillor Salim Ullah

Seconded: Councillor Sirajul Islam

This Council:

- Condemns the recent attack on a man in Shoreditch, which the police are treating as homophobic;
- Recognises that homophobia is a major issue in Tower Hamlets, as in the rest of London and the UK;
- Recognises that other prejudices and hatred can lead to violence and intimidation;
- Restates its opposition to prejudice, and its commitment to campaigning for equality, specifically to campaigning for equality for groups that often suffer discrimination, such as women, ethnic minorities, disabled people and lesbian, gay, bisexual and transgender people; and
- Supports legislation passed by the Labour government prohibiting religious hatred, and continues to assert the importance of respecting the beliefs of those of all faiths and none.

This Council resolves to:

- Adopt a zero tolerance approach to all forms of hate crime;
- Encourage the Local MPs and GLA member to work with the Council to compile information on crimes that relate to prejudice and discrimination, such as:

- a) hate crimes that relate to all equality strands including age - violence, name calling, insults, threats of attack and other hate crimes; and
 - b) other crimes that relate to discrimination and inequality, such as domestic violence;
- Encourage the Local MPs and GLA member to work with the Council to gather information on evidence of discrimination that does not relate to crime, such as pay gaps promulgated by local employers, or evidence of harassment, name calling or other such incidents that may not be reported to the police but are still important in understanding issues around discrimination and prejudice;
 - Ensure that all Council funded bodies uphold the values of tolerance and mutual respect amongst our whole community, including respecting different values and ways of life;
 - Review work going on locally that addresses discrimination and community cohesion, and to use the public sector equality duties to ensure that all public bodies are fully delivering on their obligations and help these organisations to develop and implement equality policies if they have not already done so; and
 - Campaign to raise awareness of the issue of hate crime, in particular homophobic hate crime.

11.11 Motion submitted by Councillor Harun Miah regarding Council Tax and services

Proposed: Councillor Harun Miah
Seconded: Councillor Abjol Miah

1) This Council notes:

- a) the extremely severe recession we are now facing;
- b) that Tower Hamlets is likely to be particularly badly affected because of the meltdown in jobs in the financial sector;
- c) that there will be an increased demand for vital Council services during the recession.

2) This Council believes:

- a) that it would be entirely wrong to raise Council Tax, Council rents and service charges during the recession;
- b) that it would be entirely wrong to cut services during the recession;
- c) that it would be entirely wrong to cut jobs during the recession;

d) that it would be entirely wrong to cut in real terms the salaries of Council staff during the recession; and

e) that any shortfall in income against expenditure resulting from freezing or lowering Council taxes and other charges, increasing services and maintaining the employment and living standards of Council employees should be made up by increased Government grant.

3) This Council calls on the Government to increase the grant to local government in line with the above.

11.12 Motion submitted by Councillor Mamun Rashid regarding police representation

Proposed: Councillor Mamun Rashid

Seconded: Councillor Abjol Miah

1) This Council notes:

a) the recent survey by Demos which showed that there are only 0.6% Muslim police officers nationally, against a census 2001 figure for the national population of 3% which has since grown;

b) that Superintendent Dal Babu, a highly respected police officer formerly stationed in Tower Hamlets and a spokesperson for the National Association of Muslim Police, has criticised the fact that there are only 27 out of 2,300 police officers involved in counter-terrorism and few officers at senior level;

c) that there are no Muslim police officers in senior management positions in Tower Hamlets police;

d) that there may be no Muslim police officers over the rank of constable in Tower Hamlets; and

e) that there is widespread concern amongst ethnic minority Police Community Support Officers that they as a group are less likely to be made up to full police officers.

2) This Council believes:

a) that there is still institutional racism within the police, despite efforts post-Macpherson to address these issues;

b) that effective policing, including in the area of counter-terrorism, crucially depends on the communities which are being policed having confidence in the police force;

c) that confidence in the police force is undermined when its make-up is not representative of the community it polices;

d) that the extremely unrepresentative nature of the police here in Tower Hamlets will continue to inhibit confidence in the police and therefore inhibit their effectiveness;

e) that a too rapid turnover of both PCSOs and full police officers in the 17 Safer Neighbourhood Teams inhibits their effectiveness; and

f) that Safer Neighbourhood Teams have to be available to the communities they are policing when people in those communities most need police assistance.

3) This Council calls on the Lead Member for Cleaner, Safer, Greener and the Leader of the Council to convene an urgent meeting with representatives of the Metropolitan Police Authority and senior management in Tower Hamlets Police to discuss:

a) how to address the problem of the unrepresentative nature of the police in Tower Hamlets;

b) how to secure greater continuity in Safer Neighbourhood Teams; and

c) how to ensure Safer Neighbourhood Teams are available to the communities they police when they are most needed.

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