

**LONDON BOROUGH OF TOWER HAMLETS**

**DECISIONS OF THE COUNCIL**

**HELD AT 7.30 P.M. ON WEDNESDAY, 8 DECEMBER 2010**

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

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Rofique Ahmed, Shelina Aktar, Abdul Asad, Craig Aston, Lutfu Begum, Mizanur Chaudhury, Shafiqul Haque, Sirajul Islam, Rabina Khan and Ahmed Omer and for lateness from Councillor Harun Miah

**2. DECLARATIONS OF INTEREST**

Please see minutes.

**3. MINUTES**

That the minutes of the ordinary Council meeting held on 27<sup>th</sup> October 2010 be confirmed as a correct record of the proceedings and the Chair of Council be authorised to sign them accordingly.

**4. TO RECEIVE ANNOUNCEMENTS (IF ANY) FROM THE CHAIR OF  
COUNCIL OR THE CHIEF EXECUTIVE**

No announcements made at this meeting.

**5. TO RECEIVE ANY PETITIONS**

**5.1 Petition from Tower Hamlets Federation of Tenants and Residents  
Associations re: secure tenancies and other housing issues**

Ms. Eileen Short addressed the meeting on behalf of the petitioners and responded to questions from Members. The Mayor then responded to the issues raised.

**DECISION**

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

(Action by: Aman Dalvi, Corporate Director, Development and Renewal)

## **5.2 Petition from Tower Hamlets Joint Trade Unions re: cuts in public spending**

Mr. John McLoughlin addressed the meeting on behalf of the petitioners and responded to questions from Members. Councillor Alibor Choudhury, Cabinet Member for Resources, then responded to the issues raised.

### **DECISION**

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

(Action by: Chris Naylor, Corporate Director, Resources)

### **Additional Motion proposed by Councillor Rachael Saunders regarding cuts to public services**

Councillor Rachael Saunders moved and Councillor Helal Abbas seconded the suspension of Procedure Rule 13.1 to enable the above motion to be considered without the notice required in the Constitution. The procedural motion was put to the vote and was agreed.

Councillor Rachael Saunders then moved and Councillor Helal Abbas seconded under Procedure Rule 14.1.3 that the order of business be varied to allow the additional motion to be considered as next business. The procedural motion was put to the vote and was agreed.

### **Motion re: Cuts to public services**

Councillor Rachael Saunders moved, and Councillor Helal Abbas seconded a tabled motion.

Councillor Alibor Choudhury moved and Councillor Oliur Rahman seconded an amendment that was defeated.

The original motion was agreed, after a recorded vote, as follows:

### **DECISION**

#### **This Council Notes:**

- The petition from Tower Hamlets Joint Trade Unions regarding cuts in public spending
- The disproportionate burden of cuts faced by Tower Hamlets
- The historic link between trade unions and the Labour Party, currently demonstrated in the Tower Hamlets Trade Union Liaison Organisation.
- That Jim Fitzpatrick MP and Rushanara Ali MP are fighting these cuts every day in Parliament, alongside Labour colleagues.

**This Council believes**

- That the Conservative- Liberal Government is cutting further and faster than is necessary, and is targeting the poorest and most vulnerable to take the burden.

**This Council resolves**

- To work with all groups across our community to oppose cuts and defend the most vulnerable.
- To support peaceful campaigning and activism to seek to defend our services and defeat the cuts, including supporting the TUC demonstration on the 26<sup>th</sup> March 2011

(Action by: Chris Naylor, Corporate Director, Resources)

**5.3 Petition re: Bed closures and job losses at Barts and the London Hospital**

Ms. Jackie Turner addressed the meeting on behalf of the petitioners and responded to questions from Members. The Mayor then responded to the issues raised.

**DECISION**

That the petition stand referred to the Acting Corporate Director, Adults Health & Wellbeing for a written response on any outstanding matters within 28 days.

(Action by: Helen Taylor, Acting Corporate Director, Adult Health & Wellbeing)

**6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC****6.1 Question from Mrs. Joanne Sandell re: Child Performance Certificates**

The above question and an oral supplementary question were put and were responded to by the Mayor

(Action by: Isobel Cattermole, Corporate Director, Children's Services)

**7. ELECTED MAYOR'S REPORT**

The Mayor made his report to the Council meeting. The Leader of the Majority Group and the Leader of the Minority Group each responded briefly to the Mayor's report.

**8. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL**

- 8.1 Question from Councillor Carlo Gibbs to the Deputy Mayor, Councillor Ohid Ahmed, re: Tower Hamlets Enforcement Officers and the Whitechapel Drinking Control Zone
- 8.2 Question from Councillor Tim Archer to the Cabinet Member for Resources, Councillor Alibor Choudhury, re: the Council's Senior Management Team and prudent and effective cost control
- 8.3 Question from Councillor Amy Whitelock to the Mayor, Lutfur Rahman, re: funding and eligibility criteria for Decent Homes funding
- 8.4 Question from Councillor Peter Golds to the Mayor, Lutfur Rahman, re: staffing proposals in the Mayor's Office
- 8.5 Question from Councillor Rachael Saunders to the Mayor, Lutfur Rahman, re: the Mayor's correspondence and meetings with the PCT
- 8.6 Question from Councillor Zara Davis to the Deputy Mayor, Councillor Ohid Ahmed, re: East End Life
- 8.7 Question from Councillor Anna Lynch to the Mayor, Lutfur Rahman, re: the costs of setting up the Mayor's Office

**Motion: Referral to Overview and Scrutiny Committee**

At this point, Cllr Bill Turner moved and Councillor Tim Archer seconded that under Procedure Rule 14.1.4 the matters raised in Councillor Lynch's question be referred to the Overview & Scrutiny Committee at their next meeting.

The motion was put to the vote and was agreed.

**DECISION**

That the matters raised in Councillor Lynch's question be referred to the next meeting of the Overview and Scrutiny Committee.

(Action by: John S. Williams, Service Head, Democratic Services)

- 8.9 Question from Councillor Khales Uddin Ahmed to the Mayor, Lutfur Rahman, re: representation of local councillors on the board of Swan Housing Association. (No supplementary question was asked).
- 8.10 Question from Councillor Dr. Emma Jones to the Mayor, Lutfur Rahman, re: resources to deal with snow this winter

8.11 Question from Councillor Bill Turner to the Cabinet Member for Children's Services, Councillor Oliur Rahman, re: Personal Care Contract for disabled children in the borough

The above questions and in each case (except where indicated) a supplementary question, were put and responded to by the Mayor or relevant Cabinet Member.

Question 8.8 was not put as the questioner was not present.

Questions 8.12 to 8.22 were not put as the time allowed for this agenda item had expired. Written responses will be provided to each question.

### **Motion: Referral to Overview and Scrutiny Committee**

In response to a question from a Member, the Chief Executive confirmed that Members' Enquiries are confidential communications between the Member raising an enquiry and the relevant Council directorate. In view of concerns expressed by some Councillors regarding a possible breach of this confidentiality, the Chief Executive undertook to look into the matters raised and report back to Councillors.

At this point, Cllr Peter Golds moved and Councillor Joshua Peck seconded under Procedure Rule 14.1.4 that following the Chief Executive's report, the issue of confidentiality of Members' Enquiries be referred to the Overview & Scrutiny Committee.

The motion was put to the vote and was agreed.

### **DECISION**

That following the Chief Executive's investigation and report on the matter, the issue of confidentiality of Members' Enquiries be referred to the Overview and Scrutiny Committee.

(Action by: Kevan Collins, Chief Executive and John S. Williams, Service Head, Democratic Services)

## **9. REPORTS FROM THE EXECUTIVE AND THE COUNCIL'S COMMITTEES**

### **9.1 Licensing Policy Review**

#### **DECISION**

That the Statement of Licensing Policy be adopted and published as set out in Appendix B to the report.

(Action by: Stephen Halsey, Corporate Director, Communities, Localities and Culture)

**10. TO RECEIVE REPORTS AND QUESTIONS ON JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS (IF ANY)**

There was no business under this heading.

**11. OTHER BUSINESS**

**11.1 Mid-year review report on 2010/11 Treasury Management and Investment Strategy**

**DECISION**

That the report be noted.

(Action by: Chris Naylor, Corporate Director, Resources)

**11.2 Bancroft Local History Library and Archive**

**DECISION**

That the report be noted.

(Action by: Stephen Halsey, Corporate Director, Communities, Localities and Culture)

**11.3 Strategic Development Committee: Appointment of Member**

**DECISION**

That Councillor Stephanie Eaton be appointed to serve as an “ungrouped” member on the Strategic Development Committee for the remainder of the Municipal Year 2010/11 or until a successor is appointed, if sooner.

(Action by: John S. Williams, Service Head, Democratic Services)

**12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL**

**12.1 Motion proposed by Councillor Denise Jones regarding Bancroft Local History Library & Archive**

Councillor Denise Jones moved, and Councillor Bill Turner seconded, the motion as printed in the agenda.

Councillor Peter Golds moved, and Councillor Tim Archer seconded, a tabled amendment to the motion. This amendment was put to the vote and was defeated.

The original motion was put to the vote and was agreed as follows:-

## **DECISION**

This Council believes that:

- East London has a rich heritage that should be safeguarded and celebrated.
- Bancroft Local History Library & Archive has an important and unique collection of historical archives of East London that is well used and should be developed and preserved for posterity.
- Bancroft Local History Library & Archive is in need of refurbishment and investment.

This Council notes that:

- At the Full Council on 27<sup>th</sup> October 2010 a motion was tabled on Bancroft Local History Library and Archive proposed by Councillor Ohid Ahmed, seconded by Councillor Rabina Khan. One of the resolutions was to: *“support the Mayor in his proposal that all £500,000 of the section 106 from the Peugeot site development should be earmarked to the Bancroft Local History Library and Archive”*
- The facts are incorrect. Officers had already agreed at a PCOP meeting on the 23<sup>rd</sup> September 2010 to allocate £500k S106 money from the Peugeot Garage site on Mile End Road to Bancroft Local History Library. Whilst the support of the Mayor to allocate this money to Bancroft is reassuring, the decision was taken under the previous administration.
- More significantly, a pre application bid for up to £2 million capital funding was submitted to the Heritage Lottery Fund which was supported by Councillor Denise Jones as the former Lead Member for Culture whilst officers are continuing discussions with the HLF regarding the national importance of the Bancroft Road History Library and Archives.

This Council further notes that:

- The motion also contained a statement that *‘The former Lead Member for Culture should not have requested the withdrawal of £350,000 funding from Bancroft in favour of the Rich Mix Centre’*

- Cllr Edgar tabled an amendment to the motion, proposing to delete this reference and clarifying that any implication that the former Lead Member had made such a request was untrue. Cllr Ohid Ahmed refused to accept this amendment and voted against it. The substantive motion was then passed still containing this untrue implication.
- Councillor Denise Jones, the former Lead Member for Culture refuted the implied allegation that she made such a request. She made this point at the meeting under Council Procedure Rule 15.14 '*personal explanation*' but ruled herself out of the discussion because she is a trustee of Rich Mix.
- Following the meeting, at the request of Councillor Denise Jones, the Chief Executive of the Council investigated the implied allegation and found "*that there was no evidence that Councillor Jones requested the withdrawal of £350,000 funding from Bancroft in favour of the Rich Mix Centre.*" This finding was circulated to all Councillors.

This Council believes:

- That any allegation that the former Lead Member for Culture requested the withdrawal of £350,000 funding from Bancroft in favour of the Rich Mix Centre is untrue and should be withdrawn by Councillor Ohid Ahmed.
- That Councillors Ohid Ahmed and Rabina Khan should apologise to Councillor Denise Jones for making a defamatory statement in public and for the damage they have done to her reputation.
- That the fact that the implied allegation was untrue should be formally recorded in the minutes of the Full Council of 8<sup>th</sup> December 2010.

This Council resolves:

- To continue to support the development and refurbishment of the Local History Library and Archives with the allocation of £500k of S106 money from the Peugeot site in Mile End Road, from the Heritage Lottery Fund and from any further funding opportunities.
- To rescind the motion as presented on 27<sup>th</sup> October 2010 to Full Council on the grounds that it contained false information.

(Action by: Stephen Halsey, Corporate Director, Communities, Localities and Culture)



**Motion: Referral to Overview and Scrutiny Committee**

At this point Councillor Tim Archer moved, and Councillor Peter Golds seconded, a motion under Procedure Rule 14.1.4 that the issues set out in Councillor Denise Jones' motion above be referred to the Overview and Scrutiny Committee. This motion was put to the vote and was agreed.

**DECISION**

That the issues set out in Councillor Denise Jones' motion 12.1 'Bancroft Local History Library and Archive' be referred to the Overview and Scrutiny Committee.

(Action by : John S Williams, Service Head, Democratic Services)

**12.2 Motion proposed by Councillor Tim Archer regarding public questions, petitions and deputations at Council**

With the consent of the meeting under Procedure Rule 15.8.1, Councillor Tim Archer altered the text of his motion.

Councillor Tim Archer moved, and Councillor David Snowdon seconded, the revised motion as tabled.

Councillor Joshua Peck moved, and Councillor Helal Abbas seconded, an amendment to the motion as included in the tabled papers. This amendment was put to the vote and was agreed.

The substantive motion as amended was then put to the vote and was agreed as follows:

**DECISION**

This Council Notes:

- That at the Council meeting of October 27<sup>th</sup> changes were made to the Council's constitution regarding Petitions, Deputations and questions from members of the public at future Council meetings.
- That these changes were included in the report of the cross-party Constitutional Working Party.

This Council Believes:

- It is for the Constitutional Working Party to report on changes to the constitution.

This Council Resolves:

- To ask for the Constitutional Working Party to meet and re-consider the recent changes to Petitions, Deputations and questions from members of the public.
- To ask the Constitutional Working Party to bring a report back to a future council meeting on this issue.

(Action by: John S. Williams, Service Head, Democratic Services)

### **12.3 Motion proposed by Councillor Joshua Peck regarding Victoria Park events**

#### **DECISION**

This Council notes:

- That Victoria Park has long been used to host big events, including the annual fireworks display, Paradise Gardens and commercial concerts and that many of these are popular with residents who live around the park and those from further afield;
- That the frequency of events has increased in the last two years and with it the noise, crowds, disruption, rubbish, damage and the amount of time large parts of the park are out of use;
- That as a result, local opposition to events has grown significantly.

This Council believes:

- That events in Victoria Park are both an opportunity for our community to come together and bring new users to the park and should be supported;
- That commercial events in the park are an important revenue stream for the future upkeep of the park after the Lottery-funded restoration;
- That this must be balanced with the needs of local residents

This Council resolves:

- To ask officers to bring forward a policy that:
  - Limits the number of large commercial music events in the park to six each year;
  - Prevents the park being used on consecutive weekends throughout the summer, with at least two weekends free after a weekend of events;

- Brings forward the closing time for events to 10pm;
- Increases the level of security, stewarding and traffic management in the streets surrounding the events;
- Reduces the noise levels permitted at events; and
- Includes a separate policy that addresses the particular needs of the 2012 Live Site during Olympic year, recognising that this is a one-off occasion but also recognising the needs of local residents.

(Action by: Stephen Halsey, Corporate Director, Communities, Localities and Culture)

#### **12.4 Motion proposed by Councillor Rachael Saunders regarding the NHS**

Councillor Tim Archer moved, and Councillor Dr. Emma Jones seconded, a tabled amendment to the motion. This amendment was put to the vote and was defeated.

#### **DECISION**

This Council notes:

1. That in 2006 David Cameron promised “no more pointless and disruptive reorganisations” of the NHS;
2. That Tower Hamlets PCT recently came top of the World Class Commissioning League Table;
3. That the Conservative-Liberal Democrat government recently published a White Paper, “Liberating the NHS”, which proposed the abolition of PCTs and opened the door to private companies offering commission support to GPs. Under these proposals consortia of GPs will control 80% of the total NHS budget;
4. That GPs in Tower Hamlets have stated their support for the good work that the PCT does, and have decided that under the plans in the White Paper they wish to operate a GP consortium on a borough level and to do all they can to preserve the talent and expertise currently in the PCT.

This Council believes:

1. That the proposed NHS reorganisation is unnecessary, costly and not in the interests of the people of Tower Hamlets;

2. That the position that Tower Hamlets GPs have taken is welcome;
3. That any change in NHS organisation in Tower Hamlets must result in more public accountability, not less.

This Council resolves:

1. To oppose Conservative-Liberal Democrat plans to break up the NHS;
2. To use our position as local representatives to work with the groups of GPs, who organise together on geographical boundaries that reflect LAPs, to increase local democratic accountability and engagement;
3. To scrutinise the East London and City Alliance NHS and Tower Hamlets PCT in their responses to the White Paper, and to campaign for increased democratic accountability in any structural changes that are made.

(Action by: Helen Taylor, Acting Corporate Director, Adult Health and Wellbeing)

The meeting ended at 10.50 p.m.