

LONDON BOROUGH OF TOWER HAMLETS

MINUTES 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**

Members Present:

Mayor Lutfur Rahman	Councillor Anwar Khan
Councillor Helal Abbas	Councillor Rania Khan
Councillor Khaled Uddin Ahmed	Councillor Shiria Khatun
Councillor Kabir Ahmed	Councillor Anna Lynch
Councillor Ohid Ahmed	Councillor Harun Miah
Councillor Rajib Ahmed	Councillor Md. Maium Miah
Councillor Shahed Ali	Councillor Mohammed Abdul Mukit MBE
Councillor Tim Archer	Councillor Lesley Pavitt
Councillor Alibor Choudhury	Councillor Joshua Peck
Councillor Zara Davis	Councillor Zenith Rahman
Councillor Stephanie Eaton	Councillor Oliur Rahman
Councillor David Edgar	Councillor Rachael Saunders
Councillor Marc Francis	Councillor David Snowdon
Councillor Judith Gardiner	Councillor Gloria Thienel
Councillor Carlo Gibbs	Councillor Bill Turner
Councillor Peter Golds	Councillor Helal Uddin
Councillor Carli Harper-Penman	Councillor Kosru Uddin
Councillor Ann Jackson	Councillor Abdal Ullah
Councillor Denise Jones	Councillor Motin Uz-Zaman
Councillor Dr. Emma Jones	Councillor Amy Whitelock
Councillor Aminur Khan	

The meeting opened at 7.35 p.m.

The Chair of Council, Councillor Motin Uz-Zaman in the Chair

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.

RESOLVED

That the apologies be noted.

2. DECLARATIONS OF INTEREST

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

Councillor	Item	Type of interest	Reason
Kabir Ahmed	11.3	Personal	I am a member of the Strategic Development Committee
Kabir Ahmed	12.1	Personal	Rich Mix Centre is in my ward and I hold surgeries there
Rofique Ahmed	11.2	Personal	Ward Councillor and resident
Rofique Ahmed	12.1	Personal	Ward Councillor and resident
Shahed Ali	11.3	Personal	I am a member of the Strategic Development Committee
David Edgar	11.3	Personal	I am a member of the Strategic Development Committee
Judith Gardiner	12.3	Personal	I am a resident of a tower block on the edge of Victoria Park
Carlo Gibbs	12.3	Personal	I am a Ward Councillor that contains a border with Victoria Park and I live in close proximity to the park
Carli Harper-Penman	11.3	Personal	I am the Chair of the Strategic Development Committee
Carli Harper-Penman	12.3	Personal	I am Ward Councillor for Bow East and I also live near to Victoria Park
Denise Jones	8.3	Personal	Non executive member of the PCT
Denise Jones	12.1	Personal	Trustee of Rich Mix Board
Rania Khan	5.2	Personal	Member of N.U.T
Shiria Khatun	12.4	Personal	I work for a project that is funded by the PCT
Anna Lynch	5.3 & 12.4	Personal	I am employed by Barts & the London NHS Trust
Oliur Rahman	5.2	Personal	Member of PCS Union which works with TH Joint Trade Unions
Rachael Saunders	12.1	Personal	On Rich Mix Board as Council representative

Rachael Saunders	11.4	Personal	I am a PCT Board member
Bill Turner	11.3	Personal	I am a member of the Strategic Development Committee
Abdal Ullah	5.3 & 12.4	Personal	I am a non-executive of the Barts & London BHS trust
Motin Uz-Zaman	5.3 & 12.4	Personal	I work for the Barts/London Hospital
Amy Whitelock	12.3	Personal	I live next to Victoria Park

3. MINUTES

Councillor Lesley Pavitt noted that the minutes indicated the Lead Member for Housing would be reporting back on progress in relation to Island Homes at this meeting. The Chair of Council advised Members that Mayor Rahman would be making reference to this matter during his report.

RESOLVED

That the minutes of the ordinary Council meeting held on 27th 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 were made at this meeting.

5. TO RECEIVE ANY PETITIONS

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

At the invitation of the Chair of Council, Ms. Eileen Short addressed the meeting on behalf of the petitioners and replied to questions from Members of the Council.

Mayor Lutfur Rahman then responded to the petition. He said that during the two years he was Leader, housing was one of the administration's key priorities. He was appalled at the changes being pushed through by the coalition government and felt that with unprecedented cuts, rents rising and the economy still very fragile, residents had enough to worry about without the Government taking away their right to a permanent roof over their heads. The Mayor stated that he would be happy to meet with the petitioners and he and the Cabinet Member for Housing would be looking at ways to work together

with members and residents to protect the community over the coming months and years.

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 Petition from Tower Hamlets Joint Trade Unions regarding cuts in public spending

At the invitation of the Chair of Council, Mr. John McLoughlin addressed the meeting on behalf of the petitioners and replied to questions from Members of the Council.

Councillor Alibor Choudhury, Cabinet Member for Resources then responded to the petition. He thanked Mr. McLoughlin for bringing the petition to the meeting and members of Unison, Unite and GMB for meeting with him and the Mayor recently. Councillor Choudhury stated that the cuts would be a major blow to the Council's budget with a reduction in grants of 38% but that some Conservative councils would be getting a 30% increase. He would work with the Trade Unions and others who were willing to join him to protect services.

RESOLVED

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

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

At this point Councillor Rachael Saunders **MOVED** and Councillor Helal Abbas **SECONDED** - "That Procedure Rule 13.1 be suspended to enable the following motion to be considered without the notice required in the Constitution:-

'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 26th March 2011’.”

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

Change to order of business

Councillor Rachael Saunders then **MOVED** and Councillor Helal Abbas **SECONDED** – “That under Procedure Rule 14.1.3 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**, the tabled motion as set out above.

Following debate, Councillor Alibor Choudhury **MOVED** and Councillor Oliur Rahman **SECONDED** an **amendment** as follows:-

“Under ‘This Council Notes’, add:- ‘That Lutfur Rahman, the independent Mayor of Tower Hamlets is working hard to soften the blow of the Con-Dem cuts for the people of the borough’; and

Under ‘This Council Resolves’, add:- ‘To ask the Mayor to write to central Government outlining the impact that these cuts will have on the most vulnerable and urge it to do more to protect services for those who need them most’.”

Following further debate, the amendment was put to the vote and was **defeated**.

The Chair then put the original motion to the vote and at this point ten Members rose from their seats to request a recorded vote. A recorded vote was therefore held on the motion moved by Councillor Rachael Saunders and Councillors gave their votes as follows:-

For the motion: (32)

Councillor Helal Abbas
Councillor Kabir Ahmed
Councillor Khaled Uddin Ahmed
Councillor Ohid Ahmed
Councillor Rajib Ahmed
Councillor Shahed Ali
Councillor Alibor Choudhury
Councillor David Edgar
Councillor Marc Francis
Councillor Judith Gardiner
Councillor Carlo Gibbs
Councillor Carli Harper-Penman
Councillor Ann Jackson
Councillor Denise Jones
Councillor Aminur Khan
Councillor Anwar Khan
Councillor Rania Khan
Councillor Shiria Khatun
Councillor Anna Lynch
Councillor Harun Miah
Councillor Mohammed Abdul Mukit
Councillor Lesley Pavitt
Councillor Joshua Peck
Councillor Oliur Rahman
Councillor Zenith Rahman
Councillor Rachael Saunders
Councillor Bill Turner
Councillor Helal Uddin
Councillor Kosru Uddin
Councillor Abdal Ullah
Councillor Amy Whitelock
Councillor Motin Uz-Zaman

Against the motion: (7)

Councillor Peter Golds
Councillor Timothy Archer
Councillor Zara Davis
Councillor Dr. Emma Jones
Councillor Maium Miah
Councillor David Snowdon
Councillor Gloria Thienel

Abstained: (1)

Councillor Stephanie Eaton

The motion was therefore **carried**. Accordingly it was:-

RESOLVED**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 26th March 2011

5.3 Petition from Ms Jackie Turner and others regarding bed closures and job losses at Barts and the London Hospital

At the invitation of the Chair of Council, Ms. Jackie Turner addressed the meeting on behalf of the petitioners and replied to questions from Members of the Council.

The Mayor then responded to the petition. He thanked Ms. Turner for her presentation and said that the facilities of Barts and the London Hospital were an important resource for residents and the community of Tower Hamlets. The Mayor stated that he would write to the Chair of the Board personally outlining his concerns and would also ask his colleagues that were on the Board to oppose any closures.

RESOLVED

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

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

“Will the Mayor explain why Tower Hamlets Council takes 10 days to process an application for a Child Performance Certificate when most other Boroughs in London take seven days or less?”

Response of the Mayor

First of all, I think it is fantastic that our young people are taking up opportunities to perform. Helping young people reach their potential is one of my top priorities.

The legislation for the issuing of child performance licenses requires that an application is received at least 21 days before the date of performance. However, the Council is normally able to issue licenses within 10 days of receipt.

I will ask Officers on your behalf to look again at the process and see if there is any way it can be made quicker without compromising on the welfare of our young people.

Summary of supplementary question from Mrs. Sandell:

Most production companies cannot give you 10 days and other boroughs issue the certificates faster, which puts our young performers at a disadvantage.

Summary of the Mayor's response:

I will definitely look at this again in consultation with the officers.

7. ELECTED MAYOR'S REPORT

The Mayor made his report to the Council meeting. He referred to the cuts that the Government had imposed on Councils. The Mayor pledged his support to frontline services and stated that he had met with the Trade Unions to try and avoid compulsory redundancies. The Mayor reported that his draft budget proposals would be published on 22nd December.

The Mayor also reported back on discussions with Island Homes in accordance with the undertaking given at the last Council meeting. Following that meeting he had instructed officers to provide him with a full report on the issues that residents had been raising for some years. The Corporate Director, Development and Renewal had spoken to the Chief Executive of One Housing Group to express the Mayor's concern that undertakings around board membership had not been kept and to advise that if this matter was not resolved speedily the Mayor would seek to apply sanctions. The Mayor would

himself be meeting senior representatives of One Housing Group in mid January.

Finally, the Mayor informed the Council that, contrary to what had been stated by a Councillor earlier in the meeting, he had not made and then broken any arrangement to meet with the local MPs on a particular day and the Mayor expressed disappointment that the MPs had felt it necessary to issue a misleading press release on this matter.

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

Proposed additional motion

At this point, Councillor Ohid Ahmed **MOVED** and Councillor Alibor Choudhury **SECONDED** – "That Procedure Rule 13.1 be suspended to enable the following motion to be considered without the notice required by the Constitution:-

'That the Council expresses its support for the elected Mayor and will work with the elected Mayor in the best interests of the community for the remainder of his term of office.'

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

8. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL

8.1 Question from Councillor Carlo Gibbs

"Can the Deputy Mayor give me an update on the effectiveness of the Tower Hamlets Enforcement Officers since the pilot programme began, particularly with regard to their policing of the Drinking Control Zone in Whitechapel, and whether the Mayor has considered extending the control zone to cover the whole borough?"

Response of the Deputy Mayor, Councillor Ohid Ahmed:

As you will know, Community Safety is one of my top priorities and I take the security of residents very seriously. The Tower Hamlets Enforcement Officers (THEOs) were launched in November 2009 and have been in operation for about a year. They were originally accredited by the Metropolitan Police for a probationary period of 1 year and that has now been extended by a further 3 due to their performance. The Home Office has also singled out THEOs for praise in a recent case study.

With specific reference to Drinking Control Zones, there have been 768 alcohol seizures and 5 persistent problem drinkers have been issued

with ASBOs. More importantly, the presence of THEOs has freed Police resources to deal with other problems.

The idea of extending Drinking Control Zones has been considered by previous administrations and feedback from officers indicates that persistent street drinkers are now aware of where they can stand without being able to be moved on with the existing legislation. I am more than happy to meet with Councillors to discuss the pros and cons of this approach.

Summary of supplementary question from Councillor Carlo Gibbs:

We disagree on the general effectiveness of the THEOs but they are effective in Drinking Control Zones. However, displacement occurs in the Whitechapel area and also as a result of neighbouring boroughs' initiatives. Would the Deputy Mayor look carefully at extending the Drinking Control Zones and giving the THEOs more scope to tackle street drinkers?

Summary of the Deputy Mayor's response:

I will be very happy to meet with you to discuss this issue. I am sure that the THEO service provides good value for money.

8.2 Question from Councillor Tim Archer

"Will the Lead Member for Resources outline what the council's Senior Management Team is doing in these times of austerity to lead by example when it comes to prudent spending and effective cost control?"

Response of the Cabinet Member, Resources, Councillor Alibor Choudhury

The Mayor intends to drive the savings process to protect frontline services. Corporate Management Team is completely focused on managing our savings agenda so that our key priorities of protecting service outcomes and protecting frontline service jobs are delivered through these testing weeks and months.

As I reported to Cabinet last week, Management team have focused their attention first on delivering savings within the management and administration functions of the Council itself. Over the next three years we will deliver £20 million of savings from reducing management layers in the council, deleting vacant posts, reducing our reliance agency staff and consolidating functions and removing duplication. Last week I also announced our intention to vacate Anchorage House in 2013. This will deliver a huge saving to Council but will require a significant change to the way in which our staff work including the most senior managers in the Council.

Corporate Management team recognise, however, that it is vital that we work hard with our workforce so that they are treated with fairness during this difficult time, that they are kept informed of developments and have the opportunity to contribute to the identification of saving and efficiencies. Maintaining the morale of our workforce is paramount. I'm pleased, therefore, to announce that notwithstanding these turbulent times the Council, following a review and inspection in September this year retained its Investors in People status, and all key areas received improved feedback from when the council was inspected three years ago.

Summary of supplementary question from Councillor Tim Archer:

Could you confirm that you are aware of the costs of the recent Senior Management Conference? Do you feel that the cost of £16k for a small group of managers to go to a Canary Wharf conference centre is a good use of our money at this time? That is a school dinner lady or a classroom assistant's salary.

Summary of the Councillor Alibor Choudhury's response:

200 top managers from Tower Hamlets attended the conference to speak about how we can work better together in this time of uncertainty that has been created by your party's Government and to make sure this Council functions most effectively. If you feel you have genuine evidence of waste I will look into it but I support our officers and the work they do.

8.3 Question from Councillor Amy Whitelock

"What assessment has the Lead Member made of the likely impact of the Conservative-Liberal Democrat Government's significant changes to the available funding and eligibility criteria for Decent Homes funding on regenerating housing stock in the borough, and how does she plan to respond?"

Response of the Mayor:

Giving our residents better access to housing and improving the borough's housing stock has always been close to my heart. Over the last two and a half years I have worked tirelessly with colleagues from all parties to achieve this.

The Comprehensive Spending Review allocated £2.1bn for Decent Home backlog funding for the period 2011-2015. £1.6bn of this will be available to Local authorities and the rest to RSLs.

The funding will be particularly tight in the first year, with only £260m in the pot, but this will increase to £352m in 2012/13, £389m in 2013/14 and £594m in 2015/15.

The Council is working closely with THH to put together a bid for funding which is due next week. I am confident that the officers will put together a strong proposal, but in the current climate it is difficult to say what the outcome will be. I can however assure Cllr Whitelock that this administration will do everything it can do ensure that vital decent homes work in the borough goes ahead.

Summary of supplementary question from Councillor Amy Whitelock:

Thank you for your reply. As a member of Tower Hamlets Homes Board and a councillor with a big chunk of THH housing in my ward, I was dismayed to learn – right in the midst of THH's recent inspection by the Audit Commission – that the coalition Government is not only reducing the pot for Decent Homes funding, but completely moving the goalposts, opening up the floodgates for organisations with no track record of high quality delivery or indeed no ALMO to compete for a share of the reduced pot, meaning money that was provisionally allocated to our borough is now in jeopardy. The Con-Dem Government argue the new framework is about fairness, but does the Mayor think it is fair that Tower Hamlets residents who suffered such chronic underinvestment in housing stock under Thatcher now face, yet again, not getting the Decent Homes they deserve? Given 55% of our housing stock is non-decent, does he agree that it is shameful for the Con-Dems to break this promise to Tower Hamlets and what can the Mayor do to ensure people still get the desperately-needed improvements to their homes that I observe in my ward and across the borough?

Summary of the Mayor's response:

Thank you to fellow members on the Board for their hard work especially during the inspection period. Yes, I agree it is a disgrace and it is unacceptable to move the goal posts to redirect resources as the Council was expecting to receive £20M. I will work with you all, other colleagues and the two MPs to lobby the Government and to ensure that we get a fair share.

8.4 Question from Councillor Peter Golds

"Will the Mayor please comment on why he feels the need to employ a town hall staff comprising the newly created role of Head of Office (salary up to £59,982), an Executive Assistant, a Personal Assistant, a Political Advisor, a Policy Advisor, an Administrative Officer, and also splash cash on new iPhone 4 when Tower Hamlets Council has just

issued a Section 188 notice to unions giving notice of over 100 possible redundancies?”

Response of the Mayor:

I am amazed that Councillor Golds has the front to ask this question when it is his party and their reckless cuts that have made redundancies necessary in the first place. I would also like to point out that the Executive Assistant and Personal Assistant are merely different names for the same post.

The introduction of a Directly Elected Mayor is a significant change to the Council's governance arrangements and it is essential that the staffing and other resources provided for Members adapt to reflect the new arrangements. While doing so we are mindful of the overall climate of austerity. Indeed, even a local blogger, who I believe is well known to Cllr Golds, has described the salary for the Head of Office as “relatively low.”

The detailed proposals for other posts within the office will be developed and subject to consultation as part of the overall review of the Members Support services. I'm sure Councillor Golds will be aware that some Tory Councils, like West Oxfordshire and Tunbridge wells are actually getting funding increases. Perhaps he will work with me to lobby for these funds to be redirected to areas of real need.

Summary of supplementary question from Councillor Peter Golds:

Thank you for your reply. We will be responding about West Oxfordshire and Tunbridge Wells, but those councils do not have these posts. If you oppose the deficit reductions and cuts should you not merely have the same staff as you had when you were Leader of the Council?

Summary of the Mayor's response:

Let us wait until the office is up and running and then you can scrutinise the position properly.

8.5 Question from Councillor Rachael Saunders

“What meetings or correspondence has the Mayor had with Tower Hamlets PCT since his election in October?”

Response of the Mayor:

The Council has an excellent working relationship with the PCT and we've been working hard to make sure that our residents are looked after in these tough times.

As Chair of the partnership, I regularly meet with high-ranking members of the PCT and only a couple of weeks ago, saw an excellent presentation by Tower Hamlets NHS at the budget congress.

I will also be having one-to-one meetings with key PCT members in the coming period.

Summary of supplementary question from Councillor Rachael Saunders:

I am glad that you attended the congress but my concern is that you have not appointed a Cabinet Member for Health. The PCT is being abolished and public health problems will come over to the local authority. I hope you soon make time to meet with PCT officers.

Summary of the Mayor's response:

I have met with them as I mentioned. I am currently doing 2 or 3 jobs and the invitation is there for you and your colleagues to join my Cabinet. I would hope that all in this chamber will stop any political pettiness and start working with me to serve local people.

8.6 Question from Councillor Zara Davis

“In the light of the proposal from the Department for Communities and Local Government to limit the publication of Council newspapers to once a quarter, how quickly will this council follow best practice and reduce the frequency of East End Life or abolish it?”

Response of the Deputy Mayor, Councillor Ohid Ahmed:

As the final consultation hasn't been published yet, I don't think it would be right to make a decision on something that hasn't been finalised.

That said I have already instructed officers to draw up detailed and costed proposals for possible changes to the way we communicate with residents.

We know from research conducted by ICM in June 2009 that 60% of residents regularly read East End Life and this is three times the readership levels of the Standard, the Metro and other local papers.

But in these tough times we are looking at every option to reduce costs.

Summary of supplementary question from Councillor Zara Davis:

Thank you for that response. I will be interested to see what proposals are drawn up in these difficult times. Do you want the best part of £½M

spent on newspapers or frontline services? Can you confirm that you will put frontline services before the East End Life newspaper?

Summary of the Deputy Mayor's response:

We are committed to our borough's residents and despite the Coalition's unnecessary cuts we will protect front line services.

8.7 Question from Councillor Anna Lynch

"Can the Mayor tell me what is the estimated additional full year cost to the Council's budget of setting up and staffing his office?"

Response of the Mayor:

In May, our residents voted overwhelmingly for a Mayoral system. We are still drawing up detailed proposals, but I can tell you that already the number of calls and inquiries to the Mayor's office has gone through the roof.

It is hugely important that the Mayor's office can respond quickly and effectively to meet the aspirations of residents. I am determined to ensure that they get a good service and good value as well.

Summary of supplementary question from Councillor Anna Lynch:

I asked you for a figure or an estimated figure. Given the notice of redundancies, can you commit to reducing the extra staff growth that has sprung up and if not, why not?

Summary of the Mayor's response:

There is no secrecy. The figure that you have asked for will be provided but I do not walk around with it in my pocket.

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."

This motion was put to the vote and was **agreed**. Accordingly it was:-

RESOLVED

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

8.8. Question from Councillor Craig Aston

Councillor Aston was not present at the meeting, so the question was not put. A written answer would be provided.

8.9 Question from Councillor Khales Uddin Ahmed

“What action will this administration take to ensure that there is representation of local councillors on the board of Swan Housing Association, in particular their London branch?”

Response of the Mayor:

I am very keen to see the needs of local residents represented, but Swan Housing Association is an Industrial and Provident Society and is not required to have Members on its board.

Swan currently has a Board of 12 which includes resident representatives. The Board is supported by resident majority Regional Committees in both London and Essex. The London Regional Committee also has a membership of 12, 8 of which are residents, including the Chair.

Swan works in more than one Local Authority area and therefore does not have places for Council Members on its Board or Regional Committees. Members are welcome to put themselves forward for the board when vacancies arise.

No supplementary question asked.

8.10 Question from Councillor Dr. Emma Jones

“Would the Mayor outline what preparations the Council has made to ensure that there will be enough resources to deal with snow this winter in areas which are not covered by Transport for London and other agencies?”

Response of the Mayor:

The Council has 1500 tonnes of grit in stock which is more than double the quantity used during the whole of last year. There is a further 500 tonnes on order for delivery before Christmas. This will be sufficient for gritting everyday for 3 months. A Sub-Regional back-up supply depot for grit has been created at Thurrock which is stocked with 25,000 tonnes for emergency use in prolonged severe weather should any boroughs run short

The Council's Winter Maintenance Plan sets out the footway and carriageway networks which will be gritted during normal winter operations as well as a resilience network which will be a fall back for prolonged severe weather. An instruction to move to resilience operations would be issued by the Regional Lead if necessary.

Manual footway spreaders have been purchased to enable footways to be gritted quickly, providing grip for pedestrians to move reasonably safely.

The Emergency Call Out team and the Contractor have reviewed policies and practice and are now familiar with new procedures and ready to implement the Winter Maintenance Plan whenever necessary. Gritting has taken place to plan on icy roads during the cold spell.

Summary of supplementary question from Councillor Dr. Emma Jones:

Thank you. Will you ask the City Airport to make sure that whenever possible their runway stays open so that people know this is the best place to travel from, to benefit the area?

Summary of the Mayor's response:

Yes, I will do so.

8.11 Question from Councillor Bill Turner

“Can the Cabinet Member tell me what steps he has taken to ensure that families, quality of service and local providers are not adversely affected by changes to the Personal Care Contract for disabled children in the Borough in light of the decision to transfer the contract away from local service providers with their roots in Tower Hamlets to multinational private companies?”

Response of the Cabinet Member, Children's Services, Councillor Oliur Rahman

A very important question and an important issue and something that people sitting on this bench with the Mayor take seriously. You have done a Member's Enquiry on this so you will already have some of the information. In 2008 we undertook a consultation with children, young people and families who were in receipt of personal care provision. They informed us that they would like to see a number of changes to the care packages they received which included personal carers doing more with children and young people through the delivery of a service that was more flexible to individual families' needs.

The consultation was used to inform the service specification so that the new services will provide more than the general care that is

currently provided. In particular, it will allow for greater opportunities for interaction with young people including support with participation in leisure activities.

The services will be more flexible and tailored to the needs of families which will include an increase in the frequency and length of visits and provision of support during the holidays and weekends.

We have also made a commitment to assist all families who wish to remain with their existing carer with accessing direct payments and will ensure there is a smooth transition into services for families transferring to the new providers.

Our monitoring arrangements will be strengthened as we are moving to block contracts so we will be better able to monitor the effectiveness of the service and ensure the quality of the service is not compromised as a result of the new arrangements.

The proposed contracts consolidate activity with 6 providers currently used for personal care and one for nursing care into 2 providers for a fixed contract cost over three years. The contracts will prevent the escalation of costs we have seen in recent years, as the funding amounts are fixed. The costs of the new contracts indicate a saving in the region of £0.229m in a full financial year.

There are only two local providers who will be affected by the change and they currently have a turnover of £1.5m and £2m per annum respectively with only a small proportion coming from Children, Schools and Families. We also envisage that they will continue to receive some income directly from families who access services through direct payments.

We are committed to working with local third sector providers and value their contribution to delivering services to children, young people and families. However, following a robust and transparent tendering exercise that was undertaken in accordance with the Council's procurement procedures the organisations selected as the preferred providers offered the best value for money and quality of care which is consistent with our duties under Section 3 of the Local Government Act 1999 which requires best value authorities, including the Council, to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

Summary of supplementary question from Councillor Bill Turner:

Thank you for the acknowledgement that you know about my Member's Enquiry. I am concerned as Members' Enquiries are supposed to be confidential. I am also concerned about the impact of this change on local providers, who in most cases will provide a better service. Have

you done an Impact Assessment and have you investigated whether for example BUPA pay their staff the London Living Wage?

Summary of the Cabinet Member's response:

I did not say that I had seen a copy of your Member's Enquiry. In terms of the questions you have raised about wages and services, the Living Wage will be paid by BUPA and if you feel that a service is not being provided, I would like to hear from you. I have instructed officers that whoever provides the services they have to be of the highest quality. This is important to myself and to the Mayor.

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** – "That 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**.

RESOLVED

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.

In accordance with Rule 12.10 (expiry of the time limit), questions 12 to 22 were not put. Written responses would be forwarded to the questioners.

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

9.1 Licensing Policy Review

The Council received a report of the Corporate Director, Communities, Localities and Culture on the review of the Council's Licensing Policy.

Councillor Kabir Ahmed, Chair of the Licensing Committee, **MOVED** and Councillor Anwar Khan **SECONDED** – "That the recommendation in the report of the Corporate Director, Communities, Localities and Culture be agreed."

After debate, the motion was put to the vote and was **agreed**. Accordingly it was:-

RESOLVED

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

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

There was no business to be considered under this heading.

11. OTHER BUSINESS

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

The Council received a report of the Corporate Director, Resources which reviewed the Treasury Management and Investment Strategy that was adopted by the Council in March 2010, as prescribed by the CIPFA Code of Practice on Treasury Management.

A number of Members raised issues relating to the Investment Strategy in the context of the current difficult financial conditions. Councillor Alibor Choudhury, Cabinet Member for Resources, stated that he was continuing to keep this matter under review and would report back as necessary. It was then:-

RESOLVED

That the report be noted.

11.2 Bancroft Local History Library and Archive

The Council received a report of the Corporate Director, Communities, Localities and Culture that described the significance of the Bancroft Local History Library and Archive and provided an update on progress regarding its development and future plans for the building and its services.

RESOLVED

That the report be noted.

11.3 Strategic Development Committee: Appointment of Member

The Council received a report setting out two nominations for a vacant 'ungrouped' place on the Strategic Development Committee. No further nominations were made at the meeting and the Council therefore considered the respective nominations in the report.

Following a vote it was:-

RESOLVED

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.

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.

Following debate, Councillor Peter Golds **MOVED**, and Councillor Tim Archer **SECONDED**, a tabled amendment to the motion as follows:-

"After 'This Council believes' to insert a further bullet point to read 'The Rich Mix Centre has been an unmitigated disaster and poor value for money for taxpayers'."

Following further debate, this amendment was put to the vote and was **defeated**.

Motion: Referral to Overview and Scrutiny Committee

At this point Councillor Tim Archer **MOVED**, and Councillor Peter Golds **SECONDED** – "That under Procedure Rule 14.1.4 the issues set out in Councillor Denise Jones' motion be referred to the Overview and Scrutiny Committee."

This motion was put to the vote and was **agreed**. Accordingly it was:-

RESOLVED

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.

The original motion moved by Councillor Denise Jones was then put to the vote and was **agreed**. Accordingly it was:-

RESOLVED

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 27th 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 23rd 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 8th 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 27th October 2010 to Full Council on the grounds that it contained false information.

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 as follows:

"Delete motion after 'transparent democracy' and amend with:

and Notes:

- The high levels of resident interest in presenting petitions and deputations to Council over recent years
- The new Executive arrangements which require high levels of overview and scrutiny

This Council Believes:

- That the decision of the Council to withdraw the provision for deputations from the constitution degrades residents' right to scrutinise the Executive and Full Council
- That the right to bring deputations should be restored

This Council Resolves:

- To restore the right to bring deputations
- That Rule 20 from Part 4 of the Council Constitution dated May 2009 (Entitled Deputations) be restored. This Rule shall be inserted between the current (November 2010) Rule 19 and Rule 20.
- To amend Rule 19.7 (Limitation) to read "An individual or group may submit only one of a petition, deputation or question at any given meeting. In addition, if any individual or group submit a petition, deputation or question, having presented in either of the previous two meetings, their petition, deputation or question shall be considered after all others who have not presented a question, deputation or petition at either of the previous two meetings of the Full Council."

Councillor Tim Archer then **MOVED**, and Councillor David Snowdon **SECONDED**, the revised motion as tabled.

Following debate, 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**. Accordingly it was:-

RESOLVED

This Council Notes:

- That at the Council meeting of October 27th 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.

Motion: Extension of time for the meeting

At this point Councillor Joshua Peck **MOVED** and Councillor Peter Golds **SECONDED** – “That the duration of the meeting be extended for 15 minutes to allow the remaining business on the agenda to be concluded.”

The procedural motion was put to the vote and was **agreed**. Accordingly it was:-

RESOLVED

That the time limit for the meeting be extended by 15 minutes.

12.3 Motion proposed by Councillor Joshua Peck regarding Victoria Park events

The motion as printed in the agenda was **MOVED** by Councillor Joshua Peck and **SECONDED** by Councillor Carli Harper-Penman.

Following debate the motion was put to the vote and was **agreed**. Accordingly it was:-

RESOLVED

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.

12.4 Motion proposed by Councillor Rachael Saunders regarding the NHS

The motion as printed in the agenda was **MOVED** by Councillor Rachael Saunders and **SECONDED** by Councillor Helal Abbas.

Councillor Tim Archer **MOVED**, and Councillor Dr. Emma Jones **SECONDED**, a tabled amendment to the motion as follows:-

“After ‘This Council notes’:

Remove bullet point 1 and replace with:

‘That in 2006 David Cameron promised “no more pointless and disruptive reorganisations” of the NHS and as Prime Minister is delivering on his promise’

Remove bullet point 3 and replace with:

‘That the Coalition government recently published a White Paper, “Liberating the NHS”, which empowers doctors and nurses to deliver results – putting them in charge of commissioning the services which best meet the needs of their local communities’

Remove bullet point 4

After ‘This Council believes’:

Remove bullet point 1 and replace with:

‘That the proposed NHS reorganisation is necessary for the progression and improvement of the service that is an important expression of our national values’

After ‘This Council resolves’:

Remove bullet point 1 and replace with:

‘To support the Government’s commitment to increase funding for the NHS and to support the reforms in the White Paper which set out plans to make health outcomes for patients among the best in the world’

Add:

‘This council further resolves:

To support the proposed Government reforms which put patients at the heart of the reforms – the priority is improving their experience of the NHS and the quality of the care they receive. Instead of top down control and political targets, current Government proposals will hand back power to patients and NHS professionals’.”

At this point, Councillor Alibor Choudhury **MOVED** and Councillor Ohid Ahmed **SECONDED** –“That the Council move to the vote.” This procedural motion was put to the vote and was **defeated**.

Following debate, the amendment moved by Councillor Tim Archer was put to the vote and was **defeated**.

The original motion moved by Councillor Rachael Saunders was then put to the vote and was **agreed**. Accordingly it was:-

RESOLVED

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.

The meeting ended at 10.50 p.m.

Chair,
Council