

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.30 P.M. ON WEDNESDAY, 19 SEPTEMBER 2012

**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 Lutfa Begum, Zara Davis, Ann Jackson and Fozol Miah.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Please see the minutes.

3. MINUTES

1. That the unrestricted minutes of the Ordinary and Extraordinary Council meetings held on 11 July 2012 be confirmed as a correct record and that the Speaker be authorised to sign them accordingly.
2. That the Restricted (Part II) minutes of the Extraordinary Council meeting held on 11 July 2012 be deferred for consideration at the next meeting.

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

No announcements were made at the meeting.

5. TO RECEIVE ANY PETITIONS

5.1 Petition regarding 'Attack on Bengali as a mother tongue teaching-learning at Langdon Park Secondary School' (Petition from Ms Nahida Rahid, Ms Hayley Ali and others) – petition deferred from the Council Meeting on 11th July 2012.

This petition was not heard as the petitioners were unable to be present.

The Service Head, Democratic Services advised the meeting that officers would contact the petitioners and offer them the opportunity to present the petition at the next meeting if they wished.

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

5.2 Petition from Mr John Baker and signed by approximately 1,000 persons against a waste transfer station in Ailsa Street, Poplar

Mr John Baker addressed the meeting on behalf of the petitioners and responded to questions from Members. The relevant Cabinet Member then responded to the matters raised in the petition.

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)

5.3 Petition from Mr Golam Mohammed Chowdhury, Betar Bangla and others regarding the Boishaki Mela

Mr Golam Mohammed Chowdhury addressed the meeting on behalf of the petitioners responded to questions from Members. The relevant Cabinet Member then responded to the matters raised in the petition.

DECISION

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

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

Procedural Motion

Councillor Motin Uz-Zaman moved, and Councillor Joshua Peck seconded, a procedural motion – “That under Procedure Rule 14.1.3 the order of business be altered to consider Motion 12.18 Review of the Contract for the BaishakhiMela immediately”.

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

Councillor Motin Uz-Zaman moved, and Councillor Khaled Uddin Ahmed seconded, the motion as printed in the agenda.

The motion as printed in the agenda was put to the vote and was agreed.

Decision**This Council notes:**

- The significant concern within the community at the way the 2012 BaishakhiMela was conducted, specifically over the process used to

allocate stalls.

- The media reports that 19 people were arrested for attempted visa fraud relating to the Mela.
- The 2012 BaishakhiMela was the first under a 9 year contract awarded to the BoishakhiMela Trust.

This Council Believes:

- The BaishakhiMela is a great cultural addition to Tower Hamlets offering a wide range of cultural experiences and economic benefits to the borough.
- The BaishakhiMela should be an event open to be enjoyed by all and organised in the best interests of all in the community.
- The reputation of both the borough and the Mela is damaged by reports of fraud and that the Council should do all it can to protect its reputation and support organisers to prevent such attempts.
- Awarding the contract to run the Mela to an outside organisation brought with it significant risks and challenges and as such the running of the BaishakhiMela should be an issue of on-going independent monitoring.

This Council resolves:

- To call upon the Mayor to undertake a full independent review of the 2012 BaishakhiMela to ensure that it met all of its contractual obligations and provided a service which best served the community.
- To call upon the Mayor to make public the findings and report of the independent review in to the 2012 BaishakhiMela and to report back to Full Council on 23rd January 2013 on the findings.

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

5.4 Petition from Ms Kathy McTasney and others regarding Millwall Park

Ms Kathy McTasney addressed the meeting on behalf of the petitioners and responded to questions from Members. The relevant Cabinet Member then responded to the matters raised in the petition.

DECISION

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

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

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

6.1 Question from Mr Akther Zaman about the Leader of the Labour Group's timesheets.

Procedural Motion

Councillor Helal Abbas moved, and Councillor Bill Turner seconded, a procedural motion – "That under Procedure Rule 14.1.14, Rule 13.1 be suspended to allow an urgent motion regarding Payments to Gulam Robbani to be debated."

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

Councillor Helal Abbas moved, and Councillor Bill Turner seconded, the urgent motion [the text of the motion was as set out in the resolution below].

Following debate, the urgent motion as tabled was put to the vote and was agreed.

DECISION

This Council notes:

- The recently released FOI response from the Council which details payments made to and invoices submitted by Gulam Roggani during his time as a Mayoral advisor.
- The multitude of discrepancies between the timesheet invoices submitted by Mr Robbani and those of the councillors who he was claiming to meet, including:
 - On the 25th October Mr Robbani submitted a timesheet for a 9 hour meeting with Cllr Asad and officers. Yet the timesheet submitted by Cllr Asad registered this meeting as only 1 hour.
 - On the 26th October Mr Robbani submitted a timesheet for a 9 hour MAB meeting with Cllr Asad and officers. Yet the timesheet submitted by Cllr Asad registered this meeting as only 2.5 hours.
 - On the 8th November Mr Robbani submitted a timesheet for 9 hours "Meeting with Cllr Asad and Officers and Director of LMC

regarding Social Care". Yet the timesheet submitted by Cllr Asad did not register any meetings that day.

- That the above examples of discrepancies are only 3 of 24 serious individual incidences over 4 months.
- That contractors working for the Council are monitored to ensure all of their claims are accurate and that in this case this monitoring and sign off was conducted by the Mayor's office.

This Council Believes:

- That there are serious questions to answer regarding the scale and number of discrepancies between the timesheets submitted by Mr Robbani and those of the people he was claiming to meet.

This Council Resolves:

- To require that the Head of Paid Service request that the Corporate Fraud Manager investigates to ensure that all invoices have been properly claimed and paid and report back.

(Action by: Stephen Halsey, Acting Head of Paid Service)

6.2 Question from Mr Salah Uddin Salam about the Special Responsibility Allowance of the Chair of the Pensions Committee. (No supplementary question was put)

6.3 Question from Mr Scott Stuart about the Olympic legacy in Tower Hamlets.

6.4 Question from Mr Afzalur Rahman about the lack of trade in Brick Lane during the Olympics.

6.5 Question from Ms Shumi Shabiha on the armed forces parade.

6.6 Question from Junyied Ahmed Sundor on the proposed reduction in Councillors at Tower Hamlets Council.

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

(Action by: John S. Williams, Service Head, Democratic Services – to arrange written responses).

7. MAYOR'S REPORT

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

8. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL

8.1 Question from Councillor Motin Uz-Zaman on the promotion of the 'Curry Capital' during the Olympics.

8.2 Question from Councillor David Snowden about the new 'Paths to Gold' smartphone app.

8.3 Question from Councillor Carlo Gibbs on the medium term budget outlook.

8.4 Question from Councillor Fozol Miah on the withdrawal of London Metropolitan University's licence.

The questioner was not in attendance so this question fell.

8.5 Question from Councillor Sirajul Islam on work undertaken to bring properties up to Decent Homes standards.

8.6 Question from Councillor Craig Aston regarding Barbican College who were occupying the old Poplar Town Hall.

8.7 Question from Councillor Amy Whitelock about action being taken to tackle child sexual exploitation.

8.8 Question from Councillor Harun Miah regarding the interview process for Work Capability Assessments (No supplementary question was put).

8.9 Question from Councillor Ann Jackson about the situation relating to One Housing Group.

The questioner was not in attendance so the question fell.

8.10 Question from Councillor Peter Golds about the Armed Forces event on Sunday 12 August.

8.11 Question from Councillor Khaled Uddin Ahmed on the reduction in flower beds. (No supplementary question was put)

The above questions and in each, except where indicated, a supplementary question were put and were responded to by the relevant executive Member.

The remaining questions 8.12 to 8.21 were not put due to lack of time. Written responses will be provided.

(Action by: John S. Williams, Service Head, Democratic Services – to arrange written responses).

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

9.1 Local Development Framework: Fish Island Area Action Plan Adoption

The Council considered the report on the adoption of a Fish Island Area Action Plan as part of the Local Development Framework.

DECISION

- 1 To agree the Inspector's Decision Statement, including his main modifications relating to FI AAP.
- 2 To adopt the FI AAP, including the Inspectors main modifications, as a Development Plan Document which forms part of the Council's LDF.
- 3 To agree a number of minor modifications which were suggested by Officers as part of the proposed modifications, (appendix 1 of the Full Council report). These modifications do not affect the soundness to the FI AAP and have not formed part of the Inspector's main modifications, but are required for accuracy. These minor modifications are summarised below:
 - Amend paragraph 1.21 and 1.28 to update the status of the ODA planning application for Fish Island East and the London Mayor's Olympic Legacy Supplementary Planning Guidance (OLSPG);
 - Amend reference in figure 4.1 "Waterfront character predominantly residential character" to extend to the LIL waterfront boundary.
 - Include photographs on page 82 to illustrate active waterway uses;
 - Amend the size of Opportunity Site 1 (White Post Lane from "0.5Ha" to "0.1Ha of which is in Tower Hamlets", and;
 - Update paragraph 6.40 reference to British Waterways to state "Canal and River Trust".

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

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 Appointment of Chief Executive - update

DECISION

- 1 That the Council note the proposed process and timetable for the recruitment of an interim Chief Executive as at section 4.2 of the report.

- 2 That accordingly the interim appointment of Stephen Halsey as Head of Paid Service be extended subject to his agreement until 29th November 2012 or until a new Chief Executive and Head of Paid Service takes up post, whichever is sooner.
- 3 That the Job Description and Person Specification for the recruitment of the Chief Executive be agreed as attached at Appendix 'A', and that the salary for the role remain as previously agreed.
- 4 That the post of interim Chief Executive be recruited to on the basis of a fixed term contract to 1st November 2014.

(**Action by:** Stephen Halsey, Acting Head of Paid Service)

11.2 Information report on Executive decision(s) precluded from 'call-in' on grounds of urgency

DECISION

That the report be noted.

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

Procedural Motion

Councillor Motin Uz-Zaman moved, and Councillor Joshua Peck seconded, a procedural motion – “That under Procedure Rule 14.1.13 the meeting be extended to allow for the consideration of Motions 12.10 12.13 and 12.16”.

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

12.10 Mayoral apology to the Honourable Syed Ashraf Islam MP

Councillor Khales Uddin Ahmed moved, and Councillor Motin Uz-Zaman seconded the motion as printed in the agenda.

The motion as printed in the agenda was put to the vote and was agreed.

This Council notes:

- That the Mayor personally intervened to block an event on the 9th August with the Honourable Syed Ashraf Islam MP from taking place in the Council Chamber.
- That following the Mayor's decision the Council was forced to offer to hire an outside venue for the Speaker's official function which would have come at significant tax-payer cost.
- That the Honourable Syed Ashraf Islam MP is an elected representative of a Commonwealth country and had been formally

welcomed in other London boroughs.

- The high level of community interest in Mr Islam's visit and the many people who wanted to attend the event.

This Council believes:

- That the Mayor did intentionally abuse his position to attempt to block the Speaker of the Council from carrying out his constitutional duties.
- The Speaker of the Council is a prestigious role steeped in a history which should be respected and that the office holder should be supported to carry out their civic duty to serve and represent the entire borough.
- The Mayor failed to meet the standards expected of him by residents and tarnished the reputation of the borough with his petty actions.
- The Mayor should make a public apology to all of the Speaker's guests, including the Honourable Syed Ashraful Islam MP, for any offence he caused.

This Council resolves:

- That use of the Council Chamber should not be a matter for the Executive or subject to Executive decisions and that all councillors should have access and use of the Council Chamber for the purposes of carrying out their roles as elected representatives

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

12.13 Mattress Recycling in Tower Hamlets

Councillor Shiria Khatun moved, and Councillor Joshua Peck seconded, the motion as printed in the agenda.

The motion as printed in the agenda was put to the vote and was agreed.

DECISION

This Council notes:

- That across the borough unwanted mattresses are frequently fly-tipped in streets and public places at the detriment of the natural environment and local residents.

- The Mayor's introduction of a £15 charge for bulk waste collection in Tower Hamlets.
- That a number of other London Councils have in place schemes offering free mattress collection and recycling. Labour run Lewisham council for example recycles over 9000 mattresses each year resulting in 307 tonnes saved from landfill last year.
- 10 million mattresses are landfilled every year in the UK and the annual contribution of mattresses to the nation's waste stream is estimated to rise from 160,000 ton to 245,000 ton by the year 2016.
- That the Council incurs significant cost collecting and landfilling fly-tipped mattresses in the borough.

This Council Believes:

- That where possible recycling is a preferable alternative to landfill as it helps to protect the environment, creates jobs and saves money on landfill.
- With its dense urban population mattresses are regularly to be found dumped and fly-tipped in Tower Hamlets.
- Lewisham's scheme of mattress recycling is a progressive and innovative scheme which has received significant uptake throughout the borough.
- A similar scheme in Tower Hamlets would allow the council to increase the amount of waste it recycles, reduce fly-tipping and better meet resident's needs.

This Council resolves:

- To call upon the Mayor to conduct a feasibility study into introducing in Tower Hamlets a mattress recycling scheme similar to that operated in Lewisham.
- To call on the Mayor report back to Full Council on the outcome of the study and to include the scheme in his next budget.

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

12.16 Social Fund – Coalition Reforms

Councillor Carlo Gibbs moved, and Councillor Marc Francis seconded, the motion as printed in the agenda.

The motion as printed in the agenda was put to the vote and was agreed.

DECISION

This Council Notes

- The Social Fund was set up in 1988 to provide financial assistance predominantly to people on low incomes;
- It includes a regulated element, comprising Winter Fuel Payments, Cold Weather Payments, Funeral Payments and Sure Start Maternity Grants.
- The conditions for receiving these payments and grants are set down in regulations.
- It also includes a discretionary element, comprising Community Care Grants, Crisis Loans and Budgeting Loans, where awards are made at the discretion of Job Centre Plus;
- Social Fund Community Care Grants (CCGs) are available to homeless people, care leavers, ex-offenders leaving custody and others with an institutionalised background to help them with the costs of setting up home;
- Funding for CCGs was increased by around £10 million a year between 2002/03 and 2006/07, but has remained at a total of £141 million since then;
- The Coalition Government's proposal to reform the Social Fund, including the replacement of the CCG and Crisis Loans with locally-based provision;
- Ministers have refused to commit to ring-fence funding for this local provision or issue guidance to those authorities to ensure vulnerable people are helped;
- While there were many problems with the discretionary Social Fund, particularly as a result of its cash-limited nature, no organisation has called for it to be abolished;
- The de-ring fencing of Supporting People funding for vulnerable homeless people and others requiring housing support has resulted in cutbacks to those services in many authorities.

This Council Believes

- These reforms undermine the principles of the Welfare State and leave vulnerable people at the mercy of a postcode lottery of local authority provision;
- The Labour Government's previously published plans to modernise the Social Fund within the same basic structure as exists at present would provide for a much stronger safety-net for vulnerable people.

This Council Resolves

- To call on the Mayor of Tower Hamlets to voice opposition to these changes and give a commitment to ring-fence any funding received for the purposes of replacing CCGs with locally administered grants/loans for those same purposes.
- To call on the Mayor to prioritise developing a new system to replace CCGs in order to allow full scrutiny before its introduction in April 2013.

(**Action by:** Stephen Cody, Corporate Director Adults Health and Wellbeing)

13. EXCLUSION OF PRESS AND PUBLIC

No motion to exclude the press and public was considered.

14. EXEMPT MINUTES

The minutes were deferred for consideration at the next meeting.

The meeting ended at 10.59 p.m.