

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.30 P.M. ON WEDNESDAY, 27 NOVEMBER 2013

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

NOTE - AGENDA ORDER

During the meeting the Council agreed to vary the order of business. To aid clarity, the Decision Sheet is presented in the order that the items originally appeared on the agenda. Emergency motions, moved with the agreement of the Council without notice, are listed at item 13.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Craig Aston, Lutfu Begum, Carli Harper-Penman, Fozol Miah and Amy Whitelock Gibbs.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of Disclosable Pecuniary Interests were made.

3. MINUTES

DECISION

That the unrestricted minutes of the Ordinary Council meeting held on 18 September 2013 be confirmed as a correct record and the Speaker be authorised to sign them accordingly.

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

4. TO RECEIVE ANNOUNCEMENTS (IF ANY) FROM THE SPEAKER OF THE COUNCIL OR THE HEAD OF PAID SERVICE

Please see minutes.

5. TO RECEIVE ANY PETITIONS**5.1 Petition regarding Roman Road regeneration**

Mr Nigel McCollum 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)

5.2 Petition titled 'Just Money' regarding payday lending

Two petitioners addressed the meeting 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 Resources, for a written response on any outstanding matters within 28 days.

(**Action by:** Chris Holme, Acting Corporate Director Resources)

5.3 Petition to Stop Homophobia

Four students of George Green's School 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 Service Head, Corporate Strategy and Equality for a written response on any outstanding matters within 28 days.)

(**Action by:** Louise Russell, Service Head, Corporate Strategy and Equality)

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

6.1 Question from Mr Mahbub Alam on the need to engage local people in democracy (no supplementary question was put)

6.2 Question from Mr Chris Chapman on the hiring out of Millwall Park.

6.3 Question from Mr Terry McGreenera on restrictions on the public's involvement in Council meetings.

6.4 Question from Mr Paul Dietman on paying cash for parking permits (no supplementary question was put)

6.5 Question from Mr Daryl Stafford regarding the White Swan.

6.6 Question from Desmond Ellerbeck on public behaviour at Council meetings.

6.7 Question from Mr Neil King on the Mayor's policy on taxi use by members of the administration.

6.8 Question from Mr Carlton Boulter on Old Ford Housing Association Community Centres.

6.9 Question from Ms Carlie Barnes on a proposal to twin Tower Hamlets with Jenin (no supplementary question was possible due to lack of time)

The above questions and (except where indicated) a supplementary question arising from each were put at the meeting and were responded to by the relevant Executive Members.

The remaining questions 6.10 and 6.11 were not put due to a lack of time. Written responses would be provided to the questions.

(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 the Leader of each Minority Group then responded briefly to the Mayor's report.

8. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL

8.1 Question from Councillor Rachael Saunders regarding funding of the Mayor's re-election campaign

8.2 Question from Councillor Tim Archer regarding the Mayor's 'Community Champions'

8.3 Question from Councillor Carlo Gibbs regarding the Community Chest and the Community Events Fund

8.5 Question from Councillor Shiria Khatun regarding ASB on Brownfield Estate.

8.6 Question from Councillor David Snowdon regarding parking spaces in Westferry Road.

The above questions and (except where indicated) a supplementary question arising from each were put at the meeting and were responded to by the relevant Executive Members.

Question 8.4 was not put at the meeting as the questioner was not present. The remaining questions 8.7 to 8.26 were not put due to a lack of time. Written responses would be provided to the questions.

(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 Community Safety Partnership Plan 2013-16: Report from Cabinet Meeting, 11th September 2013

The Council considered the proposals of the Executive for the Community Safety Plan 2013-16.

Councillor Ohid Ahmed **moved**, and Councillor Alibor Choudhury **seconded**, the recommendation as set out in the report.

Councillor Carlo Gibbs **moved**, and Councillor Abdal Ullah **seconded** an amendment as follows:-

“To refer the Community Safety Plan back to the Mayor and Cabinet for reconsideration and to take into account the serious comments and concerns raised by the Council in its decision at motion 12.3 ‘Tackling Crime in Tower Hamlets’. Following debate, the amendment was put to the vote and was **agreed**.”

DECISION

To refer the Community Safety Plan back to the Mayor and Cabinet for reconsideration and to take into account the serious comments and concerns raised by the Council in its decision at motion 12.3 ‘Tackling Crime in Tower Hamlets’.

(Action by: Stephen Halsey, Corporate Director Communities, Localities and Culture; Matthew Mannion, Committee Services Manager – to note for Cabinet agenda)

9.2 Council Tax Replacement Scheme Year Two: Report from Cabinet Meeting, 6th November 2013

The Council considered the report of the Corporate Director Resources, including the recommendations from the Cabinet meeting on 6th November 2013 regarding the Council Tax Replacement Scheme Year Two.

DECISION

That the Council agree the proposed Council Tax Replacement Scheme for 2014/15.

(**Action by:** Chris Holme, Acting Corporate Director, Resources)

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 Consideration of the Adoption of the Sexual Entertainment Licensing Regime, Policing and Crime Act 2009**

This agenda item was **withdrawn**.

11.2 Appointments to Joint Health Overview and Scrutiny Committees - Delegation of Power

The Council considered the report of the Head of Paid Service on the delegation of powers to the Overview and Scrutiny Committee to appoint to joint health scrutiny committees on behalf of the Council.

DECISION

1. To delegate to the Overview and Scrutiny Committee the power to establish and make appointments to a joint overview and scrutiny committee.
2. To authorise any necessary and consequential amendment to the Council's Constitution to put into effect the above delegation.

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

11.3 Mid-Year Review Report on 2013/14 Treasury Management and Investment Strategy

The Council considered the report of the Corporate Director Resources reviewing progress on the Treasury Management and Investment Strategy.

DECISION

1. To note the content of the report.

(Action by: Chris Holme, Acting Corporate Director, Resources)

11.4 Monitoring Officer

The Council considered proposed arrangements in connection with the role of Monitoring Officer.

DECISION

1. That subject to the outcome of consultation and implementation of the restructure of the Chief Executive's directorate, the proposed new post of Director of Law, Probity and Governance, once established, be designated as the Council's Monitoring Officer
2. That the interim arrangements for the position of Monitoring Officer be extended until an appointment is made to the above post.

(Action by: Stephen Halsey, Head of Paid Service;
Simon Kilbey, Service Head, Human Resources and Workforce Development)

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

12.3 Motion regarding Tackling Crime in Tower Hamlets

Councillor Abdal Ullah **moved**, and Councillor Shiria Khatun **seconded** the motion as printed in the agenda subject to a number of amendments as tabled.

Following debate, the motion as amended as put to the vote and was **agreed**.

RESOLVED

This Council notes:

- That by the Metropolitan Police's own figures crime in Tower Hamlets has increased 1.4% since 2010.

- Over the same period crime in neighbouring in Newham is down 8% and in Barking and Dagenham it is down 10%.
- In 2011/12 there were almost 20,000 reported incidents of anti-social behaviour.
- Tower Hamlets has the second highest levels of anti-social behaviour in London (p. 149)
- Figures in the Community Safety Plan, buried on page 130, show that between October 2009 and September 2012 robberies were up 50%, knife crime was up 49%
- In the 2013 Annual Residents Survey 41% of people said crime was one of their top three concerns, this was the biggest overall concern from residents.
- The Mayor's Community Safety Plan makes no reference to the significant increases in crime and ASB nor does it give a true appreciation of the key challenges facing the borough.
- The Mayor vetoed Labour's proposal at the 2011 Budget to fund 17 new police officers.
- That crime figures previously published on the Metropolitan Police Website were deemed inaccurate last week over a month after Labour first raised concerns about the increasing crime levels.

This Council Believes:

- That the Mayor's complacent approach to crime has meant the Council has not been focused on tackling what residents see as the most important issue facing our borough.
- The borough needs a Mayor who will show leadership in facing up to and challenging anti-social behaviour, tasking council officers appropriately and working in partnership with other organisations including the police.
- That the inaccurate crime statistics previously published on the Metropolitan police's website, and the fact that it took the Council over a month to realise the figures were inaccurate, show the level of disorganisation between the police and the Council.

This Council further notes:

- Neighbourhood policing has been essentially destroyed – many wards now have just one PC and one PCSO.
- The positive impact of the Safer Neighbourhood Teams which were introduced by the Labour Government and Labour Council in Tower

Hamlets. That the SNTs helped to not only reduce crime in Tower Hamlets but also increased public confidence in the police.

- The changes introduced by Boris Johnson which have cut Safer Neighbourhood Teams to the bone by cutting the teams to one police officer and one police community support officer per ward, down from six officers under Labour.
- The CSP figures show that incidences of arson in the borough are down 31% since 2009/10.
- Boris Johnson continues to pursue his plan to close half of the borough's police stations as well as closing Bow fire station and halving the number of fire engines at Whitechapel.

This Council further believes:

- The neighbourhood policing model introduced by the last Labour Government and piloted by the Labour council was a strong and successful model for local policing.
- Under the current Mayor of London neighbourhood policing has been significantly dismantled.
- The current Mayor of Tower Hamlets has completely failed to protect the community policing model which was so successful after Labour introduced it.
- Boris Johnson's cuts to police and fire stations in the borough will have a detrimental effect on community safety.
- The closure of Bow and cuts at Whitechapel fire station will not only reduce capacity but also put additional pressure on the remaining stations and staff. This will in turn reduce their ability to undertake fire prevention outreach work and could threaten to reverse the positive gains made over previous years.

This Council resolves:

- To condemn the Mayor of Tower Hamlets for his failure of leadership in tackling crime and anti-social behaviour.
- To reassert the importance of strong and locally integrated neighbourhood policing team and to support Labour's approach to reassert a neighbourhood policing model.
- To reiterate Labour's call for the Mayor to support and fund new police officers as opposed to additional THEOs.

- To refer the Community Safety Plan back to the Mayor and Cabinet for reconsideration and to take into account the serious comments and concerns raised by Council.

(**Action by:** Stephen Halsey, Corporate Director Communities, Localities and Culture; Matthew Mannion, Committee Services Manager – to note for Cabinet agenda)

12.9 Motion regarding dealing with the cost of credit

Councillor Anwar Khan **moved**, and Councillor Rachael Saunders **seconded** the motion as printed in the agenda.

Councillor Alibor Choudhury **moved**, and Councillor Oliur Rahman **seconded** a tabled amendment.

Following debate the amendment moved by Councillor Alibor Choudhury was put to the vote and was **defeated**.

Councillors Anwar Khan and Rachael Saunders made minor amendments to their motion to address points that had been raised during the debate. Following further debate the substantive motion was put to the vote and was **agreed**.

RESOLVED

This Council notes:

- The UK-wide campaign to end 'legal loan sharking'.
- The outrageous interest rates charged by some pay day lenders
- The way in which these loans trap people in spirals of unmanageable debt.
- That as Christmas approaches these companies will seek to use public advertising to target people in our borough who are struggling to make ends meet.
- That unaffordable credit is extracting wealth from the most deprived communities.
- The 'Just Money' campaign by UK Citizens that brought this matter to the attention of the Council.

This Council believes:

- That the lack of access to affordable credit is socially and economically damaging.

- Unaffordable credit is causing a myriad of unwanted effects such as poorer diets, colder homes, rent, council tax and utility arrears, depression and poor physical and mental health.
- That there is a need for better regulation of the payday lending sector, including a cap of the total cost of credit.
- That until such regulation is introduced Tower Hamlets Council should work with partners to do all it can to protect people from usurious lending.

This Council Resolves:

- That payday loan firms should be banned from setting up businesses in commercial property owned by the local authority.
- That pay day loan firms should be banned from advertising in property owned by the council.
- That payday loan firms should be banned from advertising in Council publications or on Council owned advertising boards, from all public computers.
- To promote credit unions in Tower Hamlets as community based organisations offering access to affordable credit and promoting saving.
- To work with school, community organisations, housing providers, faith organisations and providers of debt and money management advice to ensure that every resident of Tower Hamlets has access to financial advice and support.
- That the Council writes to the Mayor of London Boris Johnson, Sir Peter Hendy (Commissioner of Transport for London) and Vernon Everitt (Managing Director, Customer Experience, Marketing and Communications) informing them of the Council's decision to ban payday loan advertising in the borough and asking them to consider amending the TfL Advertising Policy to include a similar ban on all London public transport.
- Instructs the Corporate Director, CLC, to report in writing to the next full Council meeting, the steps the Council or Mayor could take to limit the proliferation and impact of high street credit outlets in the borough.
- To call on the government to introduce caps on the total lending rates that can be charged for providing credit.
- To call on the government to give local authorities the power to veto licences for high street credit agencies where they could have negative economic or social impacts on communities.

- To request the Heads of Planning and Licensing to report to the next Council meeting on ways in which officers can use powers at their disposal to ensure that the Council is doing all it can to prevent the promotion, publicity or opening of payday loan outlets or providers.
- To congratulate those involved in the campaign, and in particular the Walthamstow MP, Stella Creasy.

(Action by: Stephen Halsey, Head of Paid Service and Corporate Director, Communities, Localities and Culture;
Aman Dalvi, Corporate Director, Development and Renewal;
Takki Sulaiman, Service Head, Communications and Marketing)

Motion 12.5, regarding the political situation in Bangladesh, was withdrawn.

The remaining motions 12.1, 12.2, 12.4, 12.6 to 12.8 and 12.10 to 12.18 were not debated due to lack of time.

13. EMERGENCY MOTIONS

The Council agreed to suspend Procedure Rule 13.1 to enable the following motions to be debated without notice:

13.1 Emergency Motion on Cycle Safety

Councillor John Pierce **moved**, and Councillor M A Mukit MBE **seconded** the motion as tabled.

Councillor Harun Miah moved an amendment to add to the third point under 'this council resolves' reference to the Cable Street cycle lane, which was accepted by Councillors Pierce and Mukit.

Following debate the motion as amended was put to the vote and was **agreed**.

RESOLVED

This Council Notes:

- Six people have now tragically died on Cycle Superhighway 2 (CS2)
- CS2 was recently labelled an "accident waiting to happen" by the coroner investigating the recent deaths of cyclists along the route.
- London Cycling Campaign's Space for Cycling campaign calling on Transport for London and local authorities to ensure:
 - o Safer Routes for schoolchildren
 - o Streets without through motor traffic

- Protected space on main roads/major junctions
 - Safe cycle routes via parks and canals
 - 20mph speed limits
 - Liveable town centres
- That despite the high number of accidents involving lorries Tower Hamlets Council only scores 3/5 on the London Cycling Campaign's Safer Lorries rating.
 - That over 10,000 Londoners have written to the Mayor in support of the London Cycling Campaign who want an urgent review of CS2.
 - Labour London Assembly Member John Biggs has led the way campaigning passionately on cycle and pedestrian safety for many years.
 - That he will tomorrow host a high level CS2 Safety Summit giving local residents and cyclists who use the CS2 an opportunity to air their views on what actions should be taken and to agree a list of demands for the Mayor of London and Transport for London.
 - Labour representatives in the GLA have consistently put forward tangible solutions to make London safer for cyclists including calling for segregation of cycle lanes as well as an early phase for cyclists at traffic lights.

This Council believes:

- That cycle safety is a vitally important issue not only for road users but also to support cultural change and encourage more people to take up cycling.
- John Biggs' work on the London Assembly over the past years has helped to highlight this as an important issue and that his proposals for segregated lanes and early phases for traffic lights would help to protect cyclists.

This Council further notes:

- The Mayor of Tower Hamlets' dangerously ill-designed cycle scheme in Bethnal Green which was condemned by the Cyclists in the City group as a "new contender for the worst bike lane in London" and labelling its creation as "an utter scandal" with "absolutely no excuse".
- The bike lane was littered with lamp posts and parking ticket machines blocking its path as well as having car parking
- That during the planning process Tower Hamlets Wheelers described the scheme as "a waste of money" saying it was "unclear who was meant to be benefiting" from the work.

- The IbikeLondon blog described the Bethnal Green route as “woefully inadequate; narrow, within the dooring zone of the parked cars, and ridiculously short before they spit you back in to the road from behind some parking.” And actually encourage cyclists to boycott the paths as the (now narrower) roads are actually safer than the cycle route.

This Council further believes:

- That whilst the Mayor of Tower Hamlets may say the right things on cycle safety he does not understand that cycling cannot be treated as a fashionable add-on. It needs to be integrated into the heart of road design and that badly designed cycle routes, whether CS2 or the Bethnal Green route actually put cyclists in more danger.
- That the widely condemned Bethnal Green route puts cyclists at more danger as a result of both the poor design of the cycle route and the narrower road space.

This Council resolves:

- To call on the Mayor of London to attend tomorrow’s CS2 Safety Summit to hear the concerns of local residents.
- To support the proposals resulting from John Biggs’ consultations with residents and cyclists at the CS2 Safety Summit and to write to the Mayor of London in support of that work.
- To call on the Mayor of Tower Hamlets to fully review the Bethnal Green cycle route project and the Cable Street cycle lane and to report back to Council on what went wrong.
- To support the London Cycling Campaign’s Safer Lorries Campaign and to strongly encourage contractors used by the Council to meet its Safer Lorries conditions.

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

13.2 Emergency motion – Canvassing allegations and use of Council resources

Councillor Rachael Saunders **moved**, and Councillor Helal Abbas **seconded** the motion as tabled.

Councillor Bill Turner moved an amendment to add under ‘this council believes’ – “that it is regrettable that the Mayor remained silent when asked about these matters by Councillor Rachael Saunders at the Council meeting on 27th November 2013.” This amendment was accepted by Councillors Saunders and Abbas.

Councillor Rachael Saunders **moved** and Councillor Helal Abbas **seconded** a further amendment to add under 'this council resolves' – "to call on the Head of Paid Service to carry out an audit of all Council pass holders and all individuals with access to the Council's information systems."

Following debate, the amendment moved by Councillor Saunders was put to the vote and was **agreed**.

The substantive motion as amended was then put to the vote and was **agreed**.

RESOLVED

This Council notes:

- The article on the LoveWapping website entitled "Tower Hamlets Homes 'staff' canvassing for Mayor Lutfur in Wapping" which includes allegations that people purporting to be from Tower Hamlets Homes were undertaking electoral canvassing for the current Mayor of Tower Hamlets Lutfur Rahman.
- That were the allegations true this would be a significant abuse of tax payer resources and would greatly undermine the integrity of Tower Hamlets Homes staff.
- That were these people not Tower Hamlets Homes staff, and were instead impersonating them, this would constitute an offence of obtaining information by deception as well as being tantamount to electoral fraud and misrepresentation.
- In response to the allegations Tower Hamlets Homes issued a statement on their website reading:
"We have had reports that people claiming to be Tower Hamlets Homes staff are knocking on doors, particularly in the Wapping area. All THH staff carry ID cards."
- Tower Hamlets Homes has initiated investigations into the allegations.

This Council believes:

- That the Mayor should cooperate fully with the THH investigation and that neither he or any parties acting on his behalf should exert any influence on those involved.
- The Mayor should make a statement on the issue confirming whether or not these people are part of or associated with his re-election team, and if not, how and why they are promoting his work and distributing campaign materials.
- The Monitoring Officer, Returning Officer and Head of Paid Service should work with THH and the police to fully investigate this matter to

ensure that residents can have faith that those undertaking political campaigning are following the rules as set out by the Electoral Commission.

- That it is regrettable that the Mayor remained silent when asked about these matters by Councillor Rachael Saunders at the Council meeting on 27th November 2013.

This Council Further notes:

- In the 2011 Budget the Mayor put forward proposals to cut support to democratic services by £323,000 and that this was partly funded by the banning of acknowledgement letters for members enquiries apart from in exceptional circumstances.
- A recent Freedom of Information response which revealed that whilst only 9 acknowledgement letters had been sent from opposition councillors this financial year, 4322 have been sent by the Mayor and independent councillors at a cost of £2,221 and over a week of officer time.

This Council further believes:

- The Mayor introduced new rules banning acknowledgement letters which were purposely applied to opposition councillors but not to his own office and supporters.
- The Mayor's office categorically failed to ensure that staff working were following the correct procedures and that this has led to £2,221 of tax payer's money being wasted and over a week of Council officers time and resources being unfairly used for political gain.
- Unsolicited letters to residents should not be funded by Council resources – they are political direct mails and will be costing the tax payer thousands of pounds in postage.

This Council resolves:

- To instruct the Head of Paid Service to undertake a full investigation into why acknowledgement letters continued to be issued from the Mayor's office despite the new policy as set out in the Budget agreed by Council in 2011, and to take appropriate disciplinary action.
- To instruct the Monitoring Officer, Returning Officer and Head of Paid Service to work with THH and the police to fully investigate the concerns that THH staff may be using their position for electoral canvassing, or that they or members of Council staff are being impersonated for this purpose.
- To call upon the Mayor and independent Councillors to cooperate fully with these investigations.

- To call on the Head of Paid Service to carry out an audit of all Council pass holders and all individuals with access to the Council's information systems

(Action by: Stephen Halsey, Head of Paid Service;
Mark Norman, Interim Monitoring Officer;
John Williams, Returning Officer)

The meeting ended at 11.08 p.m.