

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.30 P.M. ON WEDNESDAY, 10 SEPTEMBER 2014

**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. Urgent Motions, moved with the agreement of the Council without notice, are listed at item 15.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Helal Uddin declared a pecuniary interest in Agenda Item 12.5 'Motion regarding Vic Johnson House – proposed redevelopment of sheltered housing' as his wife worked for the housing association and so he would not take part in the discussion and would leave the chamber for the duration of that item.

3. MINUTES

DECISION

That the unrestricted and exempt/confidential minutes of the Council meeting held on 30 July 2014 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

There were no announcements.

5. TO RECEIVE PETITIONS

5.1 Petition for Road Hump in Carr Street, E14

The petitioners were not present and so the petition was not heard.

5.2 Petition to stop the building of a new school in the Burdett Estate

Mr Junayd Miah addressed the meeting on behalf of the petitioners and responded to questions from Members. Councillor Rabina Khan, Cabinet Member for Housing and Development then responded to the matters raised in the petition.

DECISION

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

(Action by: Robert McCulloch-Graham, Corporate Director, Education, Social Care and Wellbeing)

5.3 Petition regarding Vic Johnson House

Mr Marcus Cook addressed the meeting on behalf of the petitioners and responded to questions from Members. Councillor Rabina Khan, Cabinet Member for Housing and Development 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)

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

The following questions and, for question 6.1, a supplementary question were put and were responded to by the relevant Executive Member.

6.1 Question from Mr Michael James regarding dealing with unjust private landlords.

6.2 Question from Mr Glyn Robbins regarding 'Le marché international des professionnels de l'immobilier' conference.

7. MAYOR'S REPORT

The Mayor made his report to the Council meeting. The Leaders of the other political groups each then responded briefly to the Mayor's report.

8. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL

The following questions and in each case (except where indicated) a supplementary question were put and were responded to by the relevant Executive Member:-

- 8.1 Question from Councillor Danny Hassell regarding safeguarding young people.
- 8.2 Question from Councillor Mahbub Alam regarding Councillor Rabina Khan being nominated 'Hero of the Year' at the European Diversity Awards. (no supplementary question was put)
- 8.3 Question from Councillor Andrew Wood regarding declining school standards compared to other London Boroughs.
- 8.4 Question from Councillor Rachael Saunders regarding failures in the Leaving Care service.
- 8.5 Question from Councillor Shah Alam calling on support for the granting of asylum to minority groups from Northern Iraq. (no supplementary question was put)
- 8.6 Question from Councillor Chris Chapman asking about steps taken to address One Housing's recent track record.
- 8.7 Question from Councillor Clare Harrison regarding protecting support for domestic violence victims.
- 8.8 Question from Councillor Suluk Ahmed regarding destigmatising mental health issues. (no supplementary question was put)
- 8.9 Question from Councillor Julia Dockerill regarding the cost of dealing with fly tipping and bulk waste charges.
- 8.11 Question from Councillor Muhammed Ansar Mustaqim on support for safer working conditions in Bangladeshi factories.

Question 8.10 was withdrawn. Questions 8.12 to 8.20 were not put due to 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

There was no business to transact under this agenda item.

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

There was no business to transact under this agenda item.

11. OTHER BUSINESS**11.1 2013-14 Treasury Management Outturn Report**

The Council considered the report of the Acting Corporate Director of Resources on treasury management.

DECISION

1. To note the report.

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

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL**12.1 Motion regarding Primary School Performance**

Councillor Andrew Wood **moved**, and Councillor Chris Chapman **seconded** the motion as printed on the agenda.

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

DECISION

This Council notes:

- That in the Bethnal Green & Bow area of the borough, the percentage of primary school children attending a Local Authority school rated as Outstanding by OFSTED has dropped from 29% five years ago, prior the current administration coming in to office, to 8% this year.
- That in the same area the percentage of pupils attending a primary school rated as Inadequate has gone from 0% five years ago to 7% this year.
- That across the whole borough the percentage of children attending a primary school rated as Inadequate (4%) is twice as high as any neighbouring borough.
- That the percentage of primary school children attending a school rated as Outstanding in Tower Hamlets (15%) would put it towards the bottom of a local league table of schools.
- That this is despite Tower Hamlets receiving approximately the third highest funding per pupil in London.

This Council therefore asks that the Overview & Scrutiny committee investigate the causes for this decline and report back to full Council as soon as possible.

12.2 Motion regarding the Council's Budget

Councillor Shiria Khatun **moved**, and Councillor Rachael Saunders **seconded**, the motion as printed on the agenda.

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

DECISION

This Council notes:

1. The Tower Hamlets Council Cabinet paper of July 2013, which set out the budget cuts imposed by Government which will mean that this Council needs to make £28.4m of cuts in 2015/16 and a further £39m in 2016/17.
2. The failure of previous budget consultation processes, with few people engaging before concrete proposals were published.

This Council believes:

1. That there is significant increase in local need for services the Council provides, for example in school places and in social care.
2. That the Conservative led government is attacking deprived communities, including Tower Hamlets to pursue their ideological cuts agenda.
3. That it is vital that the decision making process for the budget is fair, and is seen to be fair.
4. That all candidates for the election of Mayor of Tower Hamlets stood in the full knowledge of the difficult decisions they were going to have to make.
5. That in a place as diverse as Tower Hamlets, with real need across the whole of our community, transparency is vital to maintaining trust.
6. That the Council being open about the tough decisions it needs to make will help local partners including other public sector organisations and local voluntary sector and social enterprises consider where they can collaborate to make shared savings.
7. That Labour councils across the UK have invested in partnerships and infrastructure to increase resilience in the face of cuts.

This Council resolves:

1. To campaign to challenge the Conservative led government's austerity agenda, and to make clear to local people that the cuts are imposed on us from Government.
2. To call on the Mayor to set out as soon as possible how he intends to protect the services local people rely on.

3. To call on the Mayor to start a dialogue across all political groups represented on the Council, to ensure all perspectives are heard before decisions are made.
4. To call for transparency in decision making, and to oppose cuts being made without accountability, whether through tightening criteria for access to social care or allowing service provision to wither through not replacing officers who leave.

12.5 Motion regarding Vic Johnson House – proposed redevelopment of sheltered housing

Councillor Marc Francis **moved**, and Councillor Amina Ali **seconded**, the motion as printed on the agenda.

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

DECISION

This Council notes:

- In 2005, Tower Hamlets Council's sheltered blocks - Appian Court, Hugh Platt House, John Bond House, John Tucker House, Lawrence Close, Mandela House, Rochester Court, Vic Johnson House and William Guy Gardens - were transferred to Bethnal Green & Victoria Park Housing Association (BGVPHA) following a ballot of tenants;
- BGVPHA subsequently merged with Labo Housing Association to form Gateway Housing Association;
- New kitchens and bathrooms were fitted in all 240 of the sheltered flats and some improvements were made to communal areas and facilities in those blocks;
- However, one block, John Bond House, was demolished and replaced with general needs housing / shared ownership homes and a second block, William Guy Gardens, was also partially demolished, with a number of elderly residents being decanted into Appian Court and Vic Johnson House in each case;
- Gateway HA has now notified a dozen elderly residents in Vic Johnson House of its intention to decant them so it can partially demolish that block to build additional housing;
- Residents are overwhelmingly against this proposal and have asked councillors for support in their campaign.

This Council believes:

- The demolition of Vic Johnson House is unnecessary and will result in serious upheaval for at least a dozen elderly and vulnerable residents and disruption to the lives of those left living amidst a building site while construction work is carried out;
- This proposal is at odds with the promises made to residents as no mention was made of demolition in Gateway's "Offer Document".

This Council resolves:

- To call on the Mayor of Tower Hamlets to notify Gateway HA that LBTH does not support its proposal and will challenge any attempt to pursue it.

12.8 Motion regarding Chief Executive recruitment

Councillor Rachael Saunders **moved**, and Councillor Shiria Khatun **seconded**, the motion and tabled an amended version.

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

DECISION

Council Notes:

This Council is taking the lead on putting our own house in order, to rebuild the reputation of this borough.

This Council regrets the negative impact on local people of the press coverage of how this council is being led and managed.

The Council is committed to maintaining excellent quality of services for our residents, and recognizes that in order to do this it needs to have strong and stable leadership to support the excellent work of the council staff.

This Council recognizes the work that has been done to date with interim arrangements following the council's previous failure to appoint a chief executive.

This Council confirms its view, as stated verbally by a number of councillors at the 30th July 2014 meeting, that a clear and transparent process for appointing a permanent chief executive to work with the Elected Mayor and councillors to deliver the quality of services for which Tower Hamlets has been known in the past should be put in place.

That to tackle negative publicity and rebuild trust, this council needs a chief executive that can be held to account by all councillors and the Mayor for the implementation of decision making, and can be open about the basis on which executive and council decisions are made.

Council recognizes that it is likely to be necessary to seek the advice of external search consultants to help find the right candidate for this important and challenging job.

This Council recognizes that in order to achieve the appointment of a candidate who is acceptable to the whole council, as required by the council's constitution, that whilst the Human resources committee should be charged with responsibility for overseeing process and an Appointments Sub Committee will carry out interviews, the outcome of those interviews should be reported in sufficient detail to full council to allow the decision about appointment to be made by full council and not to be made on the recommendation of a single candidate from an Appointments Sub Committee, except to the extent that the recommendation may indicate there is only one suitable candidate.

That because accountability and transparency are important, the appointments sub-committee for the appointment of the Chief Executive should have the same membership as the HR committee, with political groups making substitutions if they choose, and with the same expectation of transparency, including publishing minutes with appropriate redactions to align with rules on confidentiality.

This council would welcome the participation of the executive Mayor in all parts of the recruitment process, including those HR committee is responsible for. Cllr Saunders emailed the Mayor and others on the 27th August to seek a conversation about how this process can best work in collaboration between councillors and the Mayor.

Council commits to the outline timetable below, on the basis that the HR committee is empowered to adjust this timetable if necessary, but that the appointment of a chief executive should be made by April 2015 at the very latest:

- A. Agree overall process – Council – 10 September 2014
- B. Progress report to HR committee on 15th September 2014
- C. Procurement of search consultancy by 7 October 2014
- D. Brief for appointment and job description to be agreed by HR committee on 22 October 2014 together with criteria for establishment of an Appointments Sub Committee.
- E. Advert and search to be public by 7 November 2014
- F. Closing date for advert to be 15 December 2014
- G. Sift for long list to be agreed by 7 January 2015
- H. Long list report back from search consultants to be done by 31 January 2015
- I. Appointments Sub Committee to agree shortlist – February 2015
- J. Appointments Sub-committee to conduct interviews of shortlisted candidates by 24 February 2015
- K. Report on outcomes including recommendations of the Appointments Sub Committee to be presented to each member of the executive,

requesting that the Mayor notify any objection to the appointment of any of the shortlisted candidates by 5 March 2015.

- L. Report on outcomes including recommendations of the Appointments Sub Committee and any objection made on behalf of the executive to be considered by full council on 5 March 2015 where a decision on an appointment can be made.

Motions 12.3, 12.4, 12.6, 12.7 and 12.9 – 12.11 were not debated due to lack of time.

13. EXCLUSION OF PRESS AND PUBLIC

No motion to exclude the press and public was passed.

14. EXEMPT MINUTES

[Considered at the same time as Item 3 – Unrestricted Minutes]

DECISION

That the exempt/confidential minutes of the Council meeting held on 30 July 2014 be confirmed as a correct record and the Speaker be authorised to sign them accordingly.

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

15. URGENT MOTIONS

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

15.1 Motion regarding Tower Hamlets Council's judicial review on the Best Value Inspection

Councillor Peter Golds **moved**, and Councillor Craig Aston **seconded**, a shortened version of the tabled motion.

Following debate a friendly amendment to the motion was accepted. The shortened, amended motion was put to the vote and was **agreed**.

DECISION

This Council instructs

- The Overview and Scrutiny Committee to review the process whereby the decision to seek a Judicial Review was implemented.
- The Overview and Scrutiny Committee, in conjunction with the Head of Paid Service, engage a completely Independent legal advisor to provide assistance to the Committee when this is considered

- That a report by Overview and Scrutiny be prepared and presented to the full Council for consideration.

The meeting ended at 10.48 p.m.