

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.00 P.M. ON WEDNESDAY, 21 SEPTEMBER 2016

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

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.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor John Pierce
- Councillor Abdul Asad
- Councillor Suluk Ahmed

Apologies for lateness were received on behalf of Councillors Joshua Peck and Marc Francis.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Helal Uddin declared a disclosable pecuniary interest in Agenda Item 5.2, Petition relating to Poplar HARCA parking. This was on the basis that the Councillor's employer had a working relationship with Poplar HARCA. The Councillor left the meeting for the consideration of this petition.

Councillor Abdul Mukit MBE declared a disclosable pecuniary interest in Agenda Item 5.4, Petition relating to cuts to community language services and Motion 12.2 on the same subject (not debated). This was on the basis that his wife was an employee of the community language service. The Councillor left the meeting for the consideration of the petition.

3. MINUTES

DECISION:

1. That the unrestricted minutes of the Council meeting held on 20 July 2016 be confirmed as a correct record and the Speaker be authorised to sign them accordingly.

(Action by: Matthew Mannion, Committee Services Manager, Democratic Services)

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

Please see the minutes.

5. TO RECEIVE PETITIONS

5.1 Petition relating Drug Dealing.

Petition not presented due to the absence of the petitioner.

DECISION:

That the petition be referred to the Chief Executive and Acting Corporate Director, Communities, Localities and Culture, for a written response within 28 days.

(**Action by:** Will Tuckley, Chief Executive and Acting Corporate Director, Communities, Localities and Culture).

5.2 Petition relating to Poplar HARCA parking.

Doros Ullah addressed the meeting and responded to questions from Members. Mayor John Biggs 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 within 28 days.

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

5.3 Petition relating to Old Ford Housing Association

John Forster addressed the meeting and responded to questions from Members. Mayor John Biggs 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 within 28 days.

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

5.4 Petition Debate – Cuts to community language services

Jahed Choudhury addressed the meeting on behalf of the petitioners. The Council then debated the matters raised by the petition.

Procedural Motion

Councillor Asma Begum, **moved**, and Councillor Rachael Saunders **seconded**, a procedural motion – “That under Procedure Rule 14.1.14, Rule 13.1 be suspended to allow an urgent motion regarding the Community Language Service.

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

Councillor Asma Begum **moved**, and Councillor Rachael Saunders **seconded**, the urgent motion [text of motion 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:

1. The passion with which community languages have been supported by committed groups in our communities. The CLS is provided through 50 projects and provides tuition for Bengali, Arabic, Somali, Arabic, Cantonese, Mandarin, Lithuanian, Vietnamese and Urdu.
2. That these classes are provided free of charge to local children in venues across the borough including primary and secondary schools, Idea Stores, local community centres, churches and mosques.
3. That the current budget for Community Language Services is £400,000 a year to fund admin costs and tutor hours. There is however a current overspend of £80,000.
4. That some projects also receive Mainstream Grant funding.
5. That the previous administration left a management system in chaos. A recent audit report raised serious concerns about the way the CLS was managed with regular overspending, poor reporting on what it was achieving and serious safeguarding concerns. We cannot ignore those findings.
6. That the Audit report gave the CLS the lowest rating of Nil as a result of its failing management. The investigation found:
 - Value for taxpayer money was not monitored
 - In some cases no evidence was recorded of students attending and there were no reports on performance.
 - There were no child protection policies in place at some providers
 - Payments were signed off without proper procedures and massive budget overspends.

- DBS checks were expired and some personal information was unlawfully held.
7. That no change is therefore not an option.
 8. That the Mayor understands that the CLS is important to many people in our community and wants to protect and develop it, in partnership with community organisations who support the service, and place it on a more sustainable footing.

This Council also notes that:

9. The Government have removed community languages from the list of accepted GCSEs. The Government have also proposed cutting funding for non-core subjects from next year – this will cut another £3.1m from Tower Hamlets' education budget. For this reason the current arrangement for the early GCSEs must end. The Mayor will look urgently at whether alternative provision can be secured. This is however likely to be difficult.
10. That the First Language Assessment service has not functioned for the past two years – it was stopped under the last administration - as many schools now have their own assessors and there was no demand.
11. That concerns have been expressed about the CLS being moved out of Children's services and into the Idea Stores community learning programme despite this change taking place under the previous administration and being introduced by Cllr Oliur Rahman.

This council believes:

12. That the failures of management identified in the Audit report, which happened under the previous administration, put children, tutors, taxpayer money and the whole CLS service at risk. This was a failure of a service provided to the community.

This Council resolves:

13. To welcome the Mayor's statement recognising the importance of community languages to our community.
14. To note the Mayor's intention that the service be supported but recognising that to support the service it must change, in partnership with those who support it.
15. To work with all stakeholders, particularly parents and community groups to ensure that the Community Language Service is fit for purpose.
16. To work with community organisations to develop a service fit for the future and driven by the community.

(**Action by:** Will Tuckley, Chief Executive and Acting Corporate Director, Communities, Localities and Culture)

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

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

- 6.2 Question from Asik Rahman about the Mela Festival (No supplementary question was put).
- 6.3 Question from Kevin Brady about spending cuts.
- 6.4 Question from Adam Allnut about the number of families housed in Bed and Breakfast accommodation.
- 6.6 Question from Pete Dickenson about spending cuts.
- 6.8 Question from Kyrsten Perry about fly tipping and the introduction of a free bulk waste collection.

Questions 6.1, 6.5 and 6.7 were not put due to the absence of the questioners. Written responses would be provided to the questions.

(**Action by:**– Matthew Mannion, Committee Services Manager, Democratic Services to arrange written response)

7. MAYOR'S REPORT

The Mayor presented his tabled report to the Council. The Leader of the Conservative Group 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 a supplementary question was put (except where indicated) and were responded to by the Mayor or relevant Executive Member.

- 8.1 Question from Councillor Andrew Cregan about electoral fraud.
- 8.3 Question from Councillor Sabina Akhtar about the quality of local parks. (No supplementary question was put).
- 8.4 Question from Councillor Julia Dockerill about the borough wide 20mph speed limit.
- 8.5 Question from Councillor Rajib Ahmed about school exam results. (No supplementary question was put)

- 8.7 Question from Councillor Abdul Mukit MBE about London Fire Service cuts.
- 8.8 Question from Councillor Chris Chapman about the 2016 Carbuncle Cup.
- 8.9 Question from Councillor Helal Uddin about anti-social behaviour.
- 8.11 Question from Denise Jones about dangerous driving and the use of nitrous oxide.
- 8.12 Question from Councillor Andrew Wood about electoral petition costs.
- 8.13 Question from Councillor Danny Hassell about HIV prevention medication.

Questions 8.2, 8.6, 8.10 were not put due to the absence of the questioners. Questions 8.14 - 25 were not put due to lack of time. A written response would be provided to the questions.

(**Action by:**– Matthew Mannion, Committee Services Manager, Democratic Services to arrange written response)

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

9.1 Report from Cabinet: Substance Misuse Strategy 2016-19

The Council considered the report of the Chief Executive (and Acting Corporate Director, Communities, Localities and Culture) submitting the proposed Substance Misuse Strategy 2016-19 for approval.

DECISION:

That the Council note:

1. That the Substance Misuse Strategy 2016-2019 is part of the Crime and Disorder Reduction Strategy in Tower Hamlets (the Community Safety Plan);
2. That as the Substance Misuse Strategy 2016-2019 is part of the Crime and Disorder Reduction Strategy then pursuant to the Council's Budget and Policy Framework Procedure Rules, the Mayor as the Executive has responsibility for preparing the draft strategy for submission to the full Council to adopt;
3. That the draft Substance Misuse Strategy 2016-2019 and Action Plan have been approved by strategic partners for adoption by their respective organisations;

4. That at the Cabinet meeting on 26th July 2016 the Mayor approved the draft Substance Misuse Strategy 2016-2019 and recommended it to full Council for adoption;

That the Council approve:

5. The adoption of the Substance Misuse Strategy 2016-2019

(**Action by:** Will Tuckley, Chief Executive and Acting Corporate Director, Communities, Localities and Culture)

9.2 Annual Report to the Council by the Independent Person

The Council considered the Annual Report for 2015/16 of the Independent Person appointed in accordance with the provisions of the Localism Act 2011.

DECISION:

1. To note the content of the report.

(**Action by:** Graham White, Acting Corporate Director, Law Probity and Governance and Deputy Monitoring Officer)

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 Treasury Management Quarterly Update Report for Quarter Ended June 2016

The Council considered the report of the Corporate Director, Resources in respect of treasury management activities for the quarter ending 30 June 2016.

DECISION:

1. That the Council note the contents of the treasury management activities and performance against targets for quarter ending 30 June 2016;
2. That the Council note the Council's investments which are outstanding as at 30 June 2016 as set out in Appendix 1 of the report. The balance outstanding at that time was £452.95m which includes £73m, pension fund cash awaiting investment in early July;
3. That the Council agree to increasing investments over a year monetary limit from £50m to £100m as set out in section 3.12.3 of the report.

4. That the Council approve increasing monetary limit and duration of part nationalised banks from £25m and 3 years to £50m and 5 years as set out in section 3.12.4 of the report.

(Action by: Zena Cooke, Corporate Director, Resources)

11.2 The Roles of the Mayor and the Chief Executive and the delegation of powers

The Council considered the report of the Acting Corporate Director, Law Probitity and Governance and Deputy Monitoring Officer proposing changes/clarifications to the Constitution in relation to the powers and duties of the Mayor and Chief Executive.

DECISION:

1. That the Council note and approve the additional clarity to the roles of the Mayor and the Chief Executive;
2. That the Council agree the proposed constitutional changes set out in paragraphs 3.8 to 3.13 and Appendices 2 to 4 of the report and that the Constitution be revised accordingly.

(Action by: Graham White, Acting Corporate Director, Law Probitity and Governance and Deputy Monitoring Officer)

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

12.1 Motion regarding the Housing and Planning Act

Councillor Andrew Cregan **moved** and Councillor Sirajul Islam **seconded** the motion as printed in the agenda.

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

DECISION:

This Council Notes that:

1. The Housing and Planning Act ('the Act') received Royal Assent on 12th May 2016.
2. The Council debated and supported a motion (20th January 2016) which called on the Mayor and all Councillors to actively campaign to highlight the disastrous consequences of the then Bill; and called on the Mayor to give full consideration to finding meaningful, genuinely affordable housing solutions for Tower Hamlets.
3. The Mayor and/or Cabinet Members have subsequently attended public meetings organised by 'Kill the Bill' on the Cranbrook,

Collingwood, Ocean estates and outside Albert Jacob House and confirmed their commitment to attend others as invited.

4. LBTH Officers have attended public meetings on Collingwood and Ocean estates to set out the technical aspects of the Act.
5. The Mayor launched the Housing Strategy consultation which closed on 31st July
6. East End Life, Our East End, and 24 Hour Housing have all published articles setting out the Mayor's opposition to this Act and his response to the impact.
7. An all members briefing on the Draft Housing Strategy including the impact of the Housing and Planning Act was held on 2nd June 2016.
8. The Housing and Regeneration Mayors Question Time in Poplar included an officer briefing for residents on the Housing and Planning Act.
9. An article in THH newsletter and information has been circulated to all RPs for their newsletters.
10. The Tower Hamlets website features a detailed summary of the Act and the impact on Tower Hamlets at http://www.towerhamlets.gov.uk/ignl/housing/Housing_and_Planning_Act.aspx
11. LBTH has responded to Government consultations on details of the Act and responses are available at http://www.towerhamlets.gov.uk/ignl/housing/Housing_and_Planning_Act.aspx
12. In order to fully prepare for the impact of the Act, further guidance is required from Government regarding the implementation.
13. The Council is organising a Housing Strategy Conference for residents on 1st October 2016 to discuss the Council's future Housing Strategy, responding to the Housing and Planning Act.

This Council believes that:

1. The Housing and Planning Act represents a Conservative attack on the diverse communities in Tower Hamlets and it will significantly impede the council's ability to provide adequate affordable housing for families in the borough.
2. The Tory 'Pay to Stay' policy will drive up rents and have a devastating effect in Tower Hamlets.

3. The Government should publish guidance on the implementation of 'Pay to Stay' and 'Sale of High Value Voids' to allow Councils to fully prepare.

This Council calls on:

1. The Mayor to write to the Minister of State for Housing and Planning setting out the impact of the uncertainty over the Act.
2. Our local Labour MPs to raise questions in Parliament about how the Act will be implemented and how it will impact Tower Hamlets.

(Action by: Aman Dalvi, Corporate Director, Development and Renewal/
Peter Robbins, Head of Mayor's Office)

Motions 12.2 -12.7 were not debated due to lack of time.

The meeting ended at 10.20 p.m.