

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.00 P.M. ON WEDNESDAY, 19 JULY 2017

**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:

- Councillor Clare Harrisson
- Councillor Gulam Robbani
- Councillor Chris Chapman

Apologies for lateness was received on behalf of Councillor Mohammed Mufti Miah.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Mohammed Maium Miah declared a disclosable pecuniary interest in Agenda Item 6.1, Question relating to Project Stone as he was a leaseholder of a One Housing property.

Councillors Muhammad Ansar Mustaquim and Ayas Miah declared a disclosable pecuniary interest in Agenda Item 5.1, Petition regarding Poplar HARCA as leaseholders of a Poplar HARCA property.

Councillor Abdul Asad declared a personal interest in Agenda Item 10.3 Report of the Audit Committee - Treasury Management Outturn Report 2016/17 as he had a pension with the Authority.

Councillor Helal Uddin declared a disclosable pecuniary interest in Agenda Item 5.1, Petition relating to Poplar HARCA as his employer had a working relationship with Poplar HARCA and his wife had a leasehold interest in a Poplar HARCA property. He also declared a personal interest in Agenda 13.8 Motion on fire safety since Grenfell as he was a Council appointed Board Member of Tower Hamlets Homes.

Councillor Asma Begum declared a personal interest in Agenda Item 5.4, Petition debate regarding Save Tower Hamlets Youth Sports and as her husband was a Board Member of the Tower Hamlets Youth Sports Foundation.

Councillors with Declared Pecuniary Interests were required to leave the room for the duration of the relevant items.

3. MINUTES

DECISION:

1. That the unrestricted minutes of the Annual General Meeting of the Council held on Wednesday 17 May 2017 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 regarding Poplar HARCA

Petitioners addressed the meeting and responded to questions from Members. Mayor John Biggs then responded to the matters raised in the petition.

DECISION:

1. That the petition be referred to the Acting Corporate Director, Place for a written response within 28 days.

(**Action by:** Ann Sutcliffe, Acting Corporate Director Place).

5.2 Petition relating to Save Our NHS

Dr Jackie Applebee Turner and others addressed the meeting and responded to questions from Members. Councillor Rachael Saunders, Deputy Mayor and Cabinet Member for Health and Adults Services then responded to the matters raised in the petition.

DECISION:

1. That the petition be referred to the Corporate Director, Health, Adults and Community, for a written response within 28 days.

(**Action by:** Denise Radley Corporate Director, Health, Adults and Community)

5.3 Petition relating to renewable energy

Petition not presented due to the absence of the petitioner.

DECISION:

1. That the petition be referred to the Acting Corporate Director, Place for a written response within 28 days.

(**Action by:** Ann Sutcliffe, Acting Corporate Director Place).

5.4 Petition Debate – Save Tower Hamlets Youth Sports

Chris Dunne addressed the meeting on behalf of the petitioners and the Council then debated the matters raised by the petition.

Mayor John Biggs **moved**, and Councillor Abdul Mukit **seconded**, a tabled motion on this subject [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:

- The good work Tower Hamlets Youth Sports Foundation have done over previous years.
- THYSF is not and has never been directly funded by the Council, though it has received MSG funding and last year the council provided financial support to cover its deficit.
- The THYSF is and has always been primarily funded by the schools they provide services to and as schools have withdrawn from funding THYSF their finances have become problematic.
- The current situation has arisen as a result of THYSF income falling far below their costs. Mainly as a result of schools choosing to pull out from funding the organisation.
- Currently the organisation's staff are formally employed by Langdon Park School. Given the increasing concerns about THYSF's finances the school no longer wish to host them as they could end up liable for any deficit.
- Whilst THYSF are not a council service, last year the council agreed to underwrite the THYSF deficit and support them to produce a viable business plan that demonstrated that THYSF can cover all its expenditure from the income it receives.

- After a number of time extensions, the Trustees concluded that they could not submit a balanced business plan.
- The Council has not withdrawn any of its existing funding sources, nor where we proposing to.
- With the Council is facing £58m in cuts over the coming years we cannot continue absorbing THYSF's overspends each year as that would mean having to cut other projects.

This council believes:

- It is clear that Government cuts have made it far harder for schools to afford the THYSF service.
- The Council worked hard to support THYSF however we cannot make an open-ended commitment to underwrite hundreds of thousands of pounds in costs with no funding strategy in place. To do so would mean cutting other important council services.

This council further notes:

- The Mayor's commitment that should THYSF close the council will step-in for a year to support the running of the inter-borough, School Games and London Youth Games before commissioning another organisation to run them in future years.
- The plan to offer schools a core package of support should THYSF close, including specialist, cricket, hockey, cycling, football and other sports in conjunction with national sport governing bodies and organisations like Middlesex Cricket, England Hockey and professional football clubs.
- The plan to devise a strategy, alongside sport national governing bodies, for elite sport provision in Tower Hamlets and to support local sport clubs.

This council resolves:

- To condemn the Government cuts to school budgets which have led to schools withdrawing from the THYSF resulting in significant financial problems.
- To welcome the Council's role in supporting THYSF over the past year but to note with sadness that to take over full running of the service would require the council to cut other services in order to fund it.
- To welcome the alternative plan put forward by the Mayor to support youth sport, including the provision of the inter-borough, School Games and London Youth Games and support local clubs and elite sports.

(**Action by:** Debbie Jones Corporate Director, Children's)

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

The following questions followed by a supplementary question were put and was responded to by the relevant Executive Member:-

- 6.1 Question from Ahmed Hussain about Project Stone and the impact on current leaseholders and freeholders of the estate.
- 6.2 Questions from Natasha Bolter about bullying.
- 6.3 Questions from Kabir Hussain about empty properties in the Borough

Question 6.4 was not put due to the absence of the questioner. A written response would be provided to the question.

(**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 Leaders of the respective political groups then responded briefly to the Mayor's report.

8. STATE OF THE BOROUGH DEBATE

The Mayor and Group Leaders set out their views on the 'State of the Borough'.

9. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL

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

- 9.1 Question from Councillor Denise Jones about fire safety improvements on housing provider estates.
- 9.2 Question from Councillor Ohid Ahmed about fire safety works in respect of high rise buildings.
- 9.3 Question from Councillor Rajib Ahmed requesting an update on Mayor's housing plans.
- 9.4 Question from Councillor Andrew Wood about progress with fire safety assessments.
- 9.5 Question from Councillor Candida Ronald about the Mayor's response to the Clear Up investigation.

- 9.6 Question from Councillor Rabina Khan enquiring about the results of the cladding testing of high rise buildings.
- 9.7 Question from Councillor Helal Uddin about progress with the Work Path initiative
- 9.8 Question from Councillor Oliur Rahman about the Mayor's allowance
- 9.9 Question from Councillor John Pierce about attendance of the Tower Hamlets Homes Board between 2012-2015.
- 9.10 Question from Councillor Peter Golds about the rehousing of four homeless families
- 9.11 Question from Councillor Marc Francis about the Wick Lane crossing over the A12
- 9.12 Question from Councillor Shah Alam about knife crime following the stabbing of Syed Jamanoor Islam (No supplementary question was asked)
- 9.13 Question from Councillor Danny Hassell about the establishment of a local Creative Enterprise Zone. (No supplementary question was asked)

Questions 8.14 - 29 were not put due to lack of time. Written responses would be provided to the questions.

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

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

10.1 Report of the Executive - Clear Up Board Final Report

The Council considered the report of the Corporate Director, Governance, presenting the findings of the Clear Up Board.

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

DECISION:

- 1. That the report of the Clear Up Board be noted.

(Action by: Asmat Hussain Corporate Director, Governance and Monitoring Officer)

10.2 Report of the Overview and Scrutiny Committee - Overview and Scrutiny Committee Annual Report 2016/17

Councillor John Pierce, the former Chair of the Overview and Scrutiny Committee, presented the Committee's Annual Report for 2016-17.

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

DECISION

1. That the contents of the Annual Report of the Overview and Scrutiny Committee for 2016-17 be noted.

(**Action by:** Asmat Hussain Corporate Director, Governance and Monitoring Officer)

10.3 Report of the Audit Committee - Treasury Management Outturn Report 2016/17

The Council considered the report of the Audit Committee setting out the Treasury Management Outturn for 2016/17.

The recommendations set out in the report were put to the vote and were **agreed**.

DECISION:

That the Council note:

1. The Treasury Management activities and performance against targets for the twelve months to 31 March 2017.
2. The Pension Fund investments balance (set out in section 9 of Annex A to the report).
3. The Council's investments as at 31 March 2017 (as in Appendix 2 of Annex A to the report).
4. The Prudential indicators outturn for 2016/17 (set out in Appendix 1 of Annex A to the report).

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

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

There was no business to transact under this agenda item.

12. OTHER BUSINESS

12.1 Late Night Levy

The Council considered the report of the Chief Executive in respect of the Late Night Levy consultation process.

The recommendations were put to the vote and were **agreed**.

DECISION:

1. To note the use of the delegated powers by the Chief Executive under part 2 of the constitution, Article 12.06(c)(ii) due to an emergency or extreme urgency whether or not reserved to the Council to enable the commencement date of the late night levy to be rescinded. The reason being that there was not a full Council meeting between the service of the Judicial Review application from ALMR and the 1st June.
2. To note the proposed new commencement date of the 1st January 2018 and the further re-consultation the outcome of which will be brought back to full Council for further consideration and decision as to whether or not to adopt the levy.

(Action by: Will Tuckley, Chief Executive)

12.2 Proposed Revision to the Constitution - Part 3.3 (Overview and Scrutiny Committee Terms of Reference)

The Council considered the report of the Corporate Director, Governance proposing a number of revisions to Part 3.3 (Overview and Scrutiny Committee Terms of Reference) of the Council's Constitution

The recommendations were put to the vote and were **agreed**.

DECISION:

1. That it be resolved that the Muslim Faith representative on the Overview and Scrutiny Committee is able to vote on Education matters; and
2. That the Terms of Reference for the Overview and Scrutiny Committee at Part 3.3 of the Constitution be amended by the Monitoring Officer to reflect that the Muslim Faith representative can vote on Education matters

(Action by: Asmat Hussain Corporate Director, Governance and Monitoring Officer)

12.3 Proposed Revision to the Constitution - Parts 4.2, 4.3, 4.5, 4.6 and 4.7

The Council considered the report of the Corporate Director, Governance proposing a number of revisions to Parts of the Council's Constitution.

The recommendations were put to the vote and were **agreed**.

DECISION:

That the Council note:

1. The spreadsheet in Appendix 1 of the report setting out the revisions and the reasons;

That the Council approve:

2. The revised Part 4.2 of the Constitution (Access to Information Procedure Rules) in Appendix 2 with the revisions shown as tracked changes;
3. The revised Part 4.3 of the Constitution (Budget and Policy Framework Procedure) in Appendix 3 with the revisions shown as tracked changes;
4. The revised Part 4.5 of the Constitution (Overview and Scrutiny Procedure Rules) in Appendix 4 with the revisions shown as tracked changes;
5. The revised Part 4.6 of the Constitution (Financial Regulations and Procedure Rules) in Appendix 5 with the revisions shown as tracked changes; and
6. The revised Part 4.7 of the Constitution (Contracts and Procurement Procedure Rules) in Appendix 6 with the revisions shown as tracked changes.

(Action by: Asmat Hussain Corporate Director, Governance and Monitoring Officer)

12.4 Proposed Revision to the Constitution - Part 5.2 (Planning Code of Conduct)

The Council considered the report of the Corporate Director, Governance proposing a number of revisions to Part 5.2 (Planning Code of Conduct) of the Council's Constitution.

The recommendation was put to the vote and was **agreed**.

DECISION:

1. That the revised Planning Code of Conduct in Appendix 1 of the report be approved.

(**Action by:** Asmat Hussain Corporate Director, Governance and Monitoring Officer)

13. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

None of the submitted Motions were debated due to lack of time

The meeting ended at 10.30 p.m.