

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.00 P.M. ON WEDNESDAY, 20 SEPTEMBER 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 Julia Dockerill
- Councillor Shiria Khatun

Apologies for lateness was received on behalf of Councillors Rachel Blake, John Pierce and Abdul Asad.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

The Council's Monitoring Officer reported that she had granted a dispensation to all Councillors in relation to Agenda item 12.12 (Motion on NJC Pay). The dispensation had been granted on the basis that the Members' Allowance Scheme included an uplift to reflect any annual pay settlement for local government staff. The dispensation had been granted as it met the criteria set out in law. Members were advised that they were able to stay in the meeting room, participate and vote on the motion.

Councillor Denise Jones declared a Disclosable Pecuniary Interest in Agenda Item 8.21, a Member Question relating to local businesses as she had a business in the Borough.

Councillor Peter Golds declared a Non Disclosable Pecuniary Interest in Agenda item 12.12, Motion on NJC Pay as he had served on a negotiating Panel on behalf of the Local Government Association. Councillor Golds left the meeting room for the consideration of this item.

3. MINUTES

DECISION:

1. That the unrestricted minutes of the Ordinary Meeting of the Council held on Wednesday 19 July 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 PCNs and vehicle removal**

Sumsul Talukder Tareq addressed the meeting and responded to questions from Members. Councillor Anima Ali, Cabinet Member for Environment 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 regarding Play on Sports

Callum Wear addressed the meeting and responded to questions from Members. Councillor Abdul Mukit MBE Cabinet Member for Culture and Youth then responded to the matters raised in the petition.

DECISION:

1. That the petition be referred to the Corporate Director, Children's , for a written response within 28 days.

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

5.3 Petition regarding ASB and RSLs

Councillor Muhammad Ansar Mustaquim addressed the meeting and responded to questions from Members. Councillor Asma Begum Cabinet Member for Community Safety 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).

5.4 Petition Debate – No to new parking restrictions for residents and local businesses by Tower Hamlets Council

The Council approved a change to the Council's Petition Scheme in respect of the standard format for Petition Debates at Council to allow Councillors to put questions to the petitioners for a maximum of four minutes.

Fazleh Elaahi and other petitioners addressed the meeting on behalf of the petitioners and responded to questions from Members. The Council then debated the matters raised by the petition and Mayor John Biggs responded to the issues raised.

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).

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

The following questions followed by a supplementary question (except were indicated) were put and responded to by the Mayor or the relevant Executive Member:-

- 6.1 Question from Adam Allnut about funding for new police officers.
- 6.2 Question from Shohidur Rahman about anti-social behaviour due to the use of laughing gas and the efforts to address this. (No supplementary question was asked)
- 6.3 Question from Abukor Essa about measures to improve air quality in Tower Hamlets.
- 6.4 Question from Victoria Obaze about the number of affordable homes that were delivered in 2016.
- 6.5 Question from Dipa Das about access to WiFi in Tower Hamlets.

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. 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

8.1 Question from Councillor Danny Hassell acknowledging foster carers across the borough for their work with vulnerable young people. (No supplementary question was asked)

8.2 Question from Councillor Ohid Ahmed about the potential closure of One Stop Shops and the nature of any changes.

Questions 8.3 - 8.30 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 responses)

9. REPORTS FROM THE EXECUTIVE AND THE COUNCIL'S COMMITTEES**9.1 Standards (Advisory) Committee - Re-Appointment of Independent Co-opted Member**

The Council considered the report of the Corporate Director, Governance and Monitoring Officer proposing the re-appointment of an Independent Co-Opted Member to the Standards (Advisory) Committee. The recommendation was put to the vote under the guillotine procedure at Council Procedure Rule 9.

DECISION:

1. That the re-appointment of Mr John Pulford as an Independent Co-opted Member of the Standards (Advisory) Committee for a period of two years be approved.

(Action by: Asmat Hussain Corporate Director, Governance and 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 Late Night Levy Determination

The Council consider the report of the Acting Corporate Director, Place seeking determination of the Late Night Levy. The recommendations were put to the vote under the guillotine procedure at Council Procedure Rule 9.

DECISION:

That the Council agree:

1. That the Late Night Levy be adopted;
2. That the commencement of the levy shall be from 1st January 2018.
3. That the commencement period of the levy should be from midnight every night.
4. That the income from the levy, less collection costs, should be allocated through the Community Safety Partnership.
5. That Members of the Best Bar None Scheme receive a 30% reduction from the levy.
6. That the following premises would be exempt from the levy:
 - Premises with overnight accommodation where alcohol is supplied only to persons staying at the premises during midnight to 6am for consumption on the premises
 - Theatres and Cinemas: this exemption applies if alcohol is served during the levied hours only for consumption on the premises to ticket holders, participants in the production or invited guests to private events; they must be bona-fide theatres or cinemas and the sale of alcohol must not be their primary purpose
 - Bingo Halls
 - Community Amateur Sports Clubs: These are clubs registered as Community Amateur Sports Clubs (CASC)
 - Community premises: these are premises that form part of the church hall, chapel hall, village hall, parish hall, community hall or other similar buildings.

- Premises opening past midnight for New Years Eve only: applicable to premises which are authorised to sell alcohol between midnight and 6am, only applies on New Years day
7. That the following licenced premises would not be exempt from the levy, as :
- Country Village Pubs
 - Premises in Business Improvement Districts
 - Premises that receive a small business rate relief

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

11.2 Update to the Mayor's Executive Scheme of Delegation

The Council considered proposed updates to the Mayor's Executive Scheme of Delegation. The recommendation was put to the vote under the guillotine procedure at Council Procedure Rule 9.

DECISION:

1. That the updated Mayor's Executive Decision Making Scheme be noted

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

11.3 Election of Chair of the Overview and Scrutiny Committee

The Council were invited to appoint a Chair of the Overview and Scrutiny Committee. The recommendation was put to the vote under the guillotine procedure at Council Procedure Rule 9.

Councillor Clare Harrisson **moved** and Councillor Danny Hassell **seconded** a proposal that Councillor Dave Chesterton be appointed as Chair of the Overview and Scrutiny Committee

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

DECISION:

1. That Councillor Dave Chesterton be appointed as Chair of the Overview and Scrutiny Committee

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

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

12.4 Motion in support of foster carers

Councillor Amy Whitelock Gibbs **moved** and Mayor John Biggs **seconded** the motion as printed in the agenda.

Councillor Andrew Wood **moved** and Councillor Oliur Rahman **seconded** the following amendment to the motion

“Delete all after 1 in the opening section and insert

2. That following the highly critical Ofsted Report published on Friday 7th April the Secretary of State using powers under Section 497A (4B) of the Education Act, 1996 imposed statutory directions to the London Borough of Tower Hamlets in relation to Children’s services.

3. That after this Councils Children’s Services failed its OFSTED Inspection that those responsible for the service were moved sideways, stayed in post or have taken a secondment elsewhere but nobody has lost their job.

4. That whereas the OFSTED failure was a surprise to this Council it was in part due to the culture of the service.

5. That this service failure may be identified elsewhere within the Council.

6. That concerns relating to childcare were further revealed in the extensive publicity concerning the fostering of Child AB as revealed in the Family Court of East London.

7. It is reported that the biological mother of the of the child raised issues, in Court, as the suitability of the foster placement and that the child was reported as being distressed.

8. It is reported that certain controversial statements were referred to in Court which were attributed to the initial foster carers.

The Council;

Reiterates that foster parents in Tower Hamlets and countrywide undertake extremely difficult tasks in caring for often confused and vulnerable children.

Calls upon the Intervention Advisers appointed by the Secretary of State to undertake an investigation into the accuracy of these allegations.

In the event of the allegations being correct then the Council removes the persons concerned from the Register of Foster Parents to ensure the credibility and reputation of the service in Tower Hamlets.

The Council further notes

The Ofsted reported noted a significant decline in the standard of delivery of Children's Services since the last inspection in 2012 when the borough standard was rated Good.

The Council had reports available to them from the Contact Centre where the young girl expressed her concerns in the presence of those supervising officers. Answers need to be given about what the Council did after reading these reports.

The Council calls upon the Mayor

To concentrate on the delivery of an improved service as required by the Statutory Directions and by ensuring that the concerns are properly investigated, provide parents, residents and Foster carers that the service operates to the highest level".

Councillor Amy Whitelock Gibbs declined to accept this ammendment to the motion. The ammendment was put to the vote and was **defeated**.

Councillor Rabina Khan **moved** and Councillor Aminur Khan **seconded** the following friendly ammendment to the motion:

- (a) Under 'Believes 4' replace 'many will see' with ' we see'
- (b) Under 'Resolves' add '3. To instruct the Chief Executive to report the Times and the Daily Mail to IPSO on the grounds of Clause 1 (Accuracy), Clause 2 (Privacy), Clause 6 (Children) and Clause 12 (Discrimination)

Councillor Amy Whitelock Gibbs and Mayor John Biggs accepted the ammendment and altered their motion accordingly:

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

DECISION:

This Council notes:

1. The story first published in The Times newspaper concerning a child in a Tower Hamlets foster placement, which has seen significant media attention in the UK and internationally.
2. The unprecedented publication of the court report confirms that while foster placements will always require judgement and will rarely achieve a perfect fit, the judgement of our officers was sensitive and makes clear The Times' reporting was intrusive to both the child and her foster family.

3. That many foster carers feel their work and value have been questioned and undermined as a result of negative media coverage.
4. That immediately following the publication of the Times article Mayor Biggs and Cllr Whitelock Gibbs met with a group of concerned foster carers.

This Council believes:

1. The media's portrayal of foster carers is deeply misguided and harmful to the recruitment and retention of carers.
2. That foster carers are dedicated individuals, who work tirelessly and provide the highest levels of care and support for some of our most vulnerable young people.
3. That child protection and safeguarding is a complex area but this nuance and sensitivity has been lost in the distorted and sensationalist media coverage.
4. The reporting in the Times article and its reinterpretation by other media showed a crude and judgemental stereotyping which we see as being Islamophobic, by attaching prejudices and implied motives and using intrusively stereotyped views of a foster carer who happened to be of Muslim faith.
5. Foster carers deserve to feel safe, supported and valued.

This Council welcomes:

1. The caution exercised by the political and corporate leadership in engaging with the public debate, to protect the safety and identity of the child first and foremost.
2. The public statements from Mayor John Biggs in support of our foster carers and calling out the Islamophobic tone of much of the media coverage.

This Council resolves:

1. To welcome the work Mayor John Biggs and the Lead Member, Cllr Whitelock Gibbs, have undertaken to show support for our foster carers.
2. To continue to support foster carers in their vital work and to work with them to promote the positive difference they make in our borough and to our young people.
3. To instruct the Chief Executive to report the Times and the Daily Mail to IPSO on the grounds of Clause 1 (Accuracy), Clause 2 (Privacy), Clause 6 (Children) and Clause 12 (Discrimination)

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

12. 12 Motion regarding on NJC Pay

Councillor Rachel Blake **moved** and Councillor Danny Hassell **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. NJC basic pay has fallen by 21% since 2010 in real terms
2. NJC workers had a three-year pay freeze from 2010-2012
3. Local terms and conditions of many NJC employees have also been cut, impacting on their overall earnings
4. NJC pay is the lowest in the public sector
5. Job evaluated pay structures are being squeezed and distorted by bottom-loaded NJC pay settlements needed to reflect the increased National Living Wage and the Foundation Living Wage
6. There are growing equal and fair pay risks resulting from this situation

This Council therefore supports the NJC pay claim for 2018, submitted by UNISON, GMB and Unite on behalf of council and school workers and calls for the immediate end of public sector pay restraint. NJC pay cannot be allowed to fall further behind other parts of the public sector. This council also welcomes the joint review of the NJC pay spine to remedy the turbulence caused by bottom-loaded pay settlements.

This Council also notes the drastic ongoing cuts to local government funding and calls on the Government to provide additional funding to fund a decent pay rise for NJC employees and the pay spine review.

This Council therefore resolves to:

1. Call immediately on the LGA to make urgent representations to Government to fund the NJC claim and the pay spine review and notify us of their action in this regard;
2. Call on the Mayor to write to the Prime Minister and Chancellor supporting the NJC pay claim and seeking additional funding to fund a decent pay rise and the pay spine review;

3. Call on the Mayor to meet with local NJC union representatives to convey support for the pay claim and the pay spine review.

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

Motions 1-3 and 5-11 and 13-19 were not debated due to lack of time.

The meeting ended at 10.03 p.m.