



Meeting of the

TOWER HAMLETS COUNCIL

Wednesday, 20 September 2017 at 7.00 p.m.

A G E N D A

VENUE

Council Chamber, 1st Floor,
Town Hall, Mulberry Place,
5 Clove Crescent,
London E14 2BG

Democratic Services Contact:

Matthew Mannion, Committee Services Manager, Democratic Services
Tel: 020 7364 4651, E-mail: matthew.mannion@towerhamlets.gov.uk



Directorate of Governance

Democratic Services
Tower Hamlets Town Hall
Mulberry Place
5 Clove Crescent
London E14 2BG

Tel **020 7364 4651**
Fax **020 7364 3232**

www.towerhamlets.gov.uk

**TO THE MAYOR AND COUNCILLORS OF THE LONDON BOROUGH OF TOWER
HAMLETS**

You are summoned to attend a meeting of the Council of the London Borough of Tower Hamlets to be held in **THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON, E14 2BG** at **7.00 p.m.** on **WEDNESDAY, 20 SEPTEMBER 2017**

Will Tuckley
Chief Executive

Public Information

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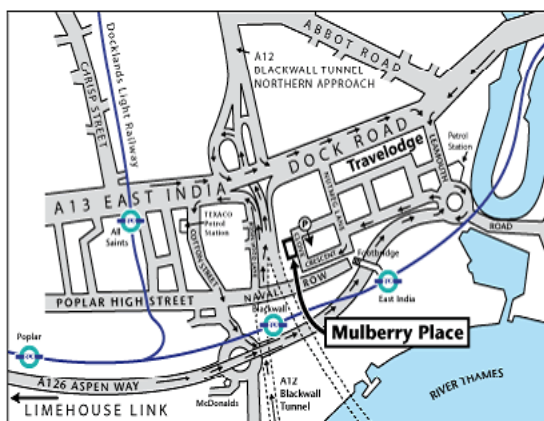
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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL

WEDNESDAY, 20 SEPTEMBER 2017

7.00 p.m.

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NUMBER

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

1 - 4

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

3. MINUTES

5 - 48

To confirm as a correct record of the proceedings the unrestricted minutes of the Ordinary Meeting of the Council held on 19th July 2017

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

5. TO RECEIVE PETITIONS

49 - 56

The Council Procedure Rules provide for a maximum of three petitions to be presented at an Ordinary Meeting of the Council.

The deadline for receipt of petitions for this Council meeting is noon on Thursday 12th September 2017.

However at the time of agenda despatch, the maximum number of petitions has already been received as set out in the attached report.

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

57 - 58

The questions which have been received from members of the public for this Council meeting are set out in the attached report. A maximum period of 20 minutes is allocated to this agenda item.

7. MAYOR'S REPORT

The Council's Constitution provides for the Elected Mayor to give a report at each Ordinary Council Meeting.

A maximum of five minutes is allowed for the Elected Mayor's report, following which the Speaker of the Council will invite the respective political group leaders to respond for up to one minute each if they wish.

8. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL 59 - 64

The questions which have been received from Councillors to be put at this Council meeting are set out in the attached report. A maximum period of 30 minutes is allocated to this agenda item.

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

9.1 Standards (Advisory) Committee - Re-Appointment of Independent Co-opted Member 65 - 68

To consider the report of the Corporate Director, Governance proposing the re-appointment of an Independent Co-Opted Member to the Standards (Advisory) Committee.

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

11. OTHER BUSINESS

11.1 Late Night Levy Determination 69 - 126

To consider the report of the Acting Corporate Director, Place seeking determination of the Late Night Levy.

11.2 Update to the Mayor's Executive Scheme of Delegation 127 - 136

A noting report on updates to the Mayor's Executive Scheme of Delegation.

11.3 Election of Chair of the Overview and Scrutiny Committee 137 - 140

A report requesting that Council appoint a Chair of the Overview and Scrutiny Committee.

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL 141 - 180

The motions submitted by Councillors for debate at this meeting are set out in the attached report.

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Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Asmat Hussain, Corporate Director, Governance, 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES 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

Members Present:

Mayor John Biggs	Councillor Danny Hassell
Councillor Khaled Uddin Ahmed	Councillor Sirajul Islam
Councillor Rajib Ahmed	Councillor Denise Jones
Councillor Shafi Ahmed	Councillor Aminur Khan
Councillor Suluk Ahmed	Councillor Rabina Khan
Councillor Ohid Ahmed	Councillor Shiria Khatun
Councillor Sabina Akhtar	Councillor Abjol Miah
Councillor Mahbub Alam	Councillor Ayas Miah
Councillor Shah Alam	Councillor Harun Miah
Councillor Amina Ali	Councillor Md. Maium Miah
Councillor Abdul Asad	Councillor Mohammed Mufti Miah
Councillor Asma Begum	Councillor Abdul Mukit MBE
Councillor Rachel Blake	Councillor Muhammad Ansar Mustaquim
Councillor Dave Chesterton	Councillor Joshua Peck
Councillor Gulam Kibria Choudhury	Councillor John Pierce
Councillor Andrew Cregan	Councillor Oliur Rahman
Councillor David Edgar	Councillor Candida Ronald
Councillor Marc Francis	Councillor Rachael Saunders
Councillor Amy Whitelock Gibbs	Councillor Helal Uddin
Councillor Peter Golds	Councillor Andrew Wood
Councillor Shafiqul Haque	

The Speaker of the Council, Councillor Sabina Akhtar in the Chair

On behalf of the Council, the Speaker of the Council expressed great shock and sadness about the tragic fire at Grenfell Tower Fire that occurred on 14th June 2017. She thanked all those Officers and residents who had helped out and provided donations. She also expressed regret at the attack in Manchester at the Ariana Grande Concert and the attacks in other areas including on London Bridge, near Finsbury Park Mosque and the Westminster attack.

She called on everyone present to stand together, united in humanity and respect for one another. She stated that the Council's thoughts and prayers were with all those affected.

The Council rose to observe a minutes silence to remember those affected by the tragic events.

The Speaker brought Members up to date with her recent engagements. She reported that since the last meeting of the Council, she had supported a wide range of events including Citizenship Ceremonies, an Induction Day with new civic colleagues, an Army Engagement event in the Town Hall to learn about the opportunities for young people and Ramadan/Iftar celebrations. She wished all a belated Eid Mubarak.

She also had the privilege of welcoming Princess Royal, Princess Anne for the opening of the Graduate Centre at Queen Mary University of London, had attended the Royal Gun Salute to mark the state visit of HM King Felipe VI and Queen Letizia of Spain and had attended a 100 year birthday celebration.

Amongst her current projects, she highlighted that she was looking to extend the Speaker's Cadets to include the Army, Navy and Metropolitan Police.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Clare Harrison
- 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

RESOLVED:

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.

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

The Speaker congratulated Rushanara Ali and Jim Fitzpatrick on their re-election as MPs for the Poplar & Limehouse and Bethnal Green & Bow constituencies at the recent General Election. She also congratulated Councillor Julia Dockerill on her election as MP for Hornchurch and Upminster.

The Chief Executive then gave a brief report regarding the running of the General Election in the Borough held on 9 June 2017. He advised that the task of arranging the election was not the easiest of activities given the eight week time period to prepare and also the challenge of registering an unprecedented number of voters. Nevertheless, thanks to all the hard work, the challenges were successfully overcome. He was also pleased to report that there was a high turnout in both constituencies. He expressed gratitude to the staff and police as well as the political parties for helping the election run so smoothly. He was also grateful for the positive feedback.

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. Whilst acknowledging that the Council had no jurisdiction over Poplar HARCA, the Mayor reported that he had worked closely with the organisation to reduce parking charges and save social housing. He would continue to lobby the organisation to influence their decisions. He also stated that leaseholders could lobby the organisation over such matters as services charges and major works and he was happy to meet with the petitioners to consider their concerns.

RESOLVED:

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

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. She advised that the Mayor had confirmed that he would not sign up to the North East London Sustainability and Transformation Plan until a wide range of issues had been addressed. She stated that she would continue to fight against the plans to centralise services and the cuts to health budgets. She also reported that she had met with NHS colleagues to express concerns about the proposals and the draft plans were available on line for local residents to view. She looked forward to working with the petitioners to address their concerns.

RESOLVED:

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

5.3 Petition relating to renewable energy

Petition not presented due to the absence of the petitioner.

RESOLVED:

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

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. Following a debate, the Mayor responded to the petition. Whilst recognising that the Trust was operating at a deficit, he explained that the Council could not provide funding to the Trust without a clear a business plan. The Mayor was however willing to explore ways of supporting youth sport and young people for example through an Overview and Scrutiny Committee discussion.

Procedural Motion

Councillor Oliur Rahman **moved** and Councillor Ohid Ahmed, **seconded**, a procedural motion “that under Procedure Rule 14.1.3 the order of business be varied such that item 13.12 Motion regarding John Biggs failing the Borough and austerity axing the Olympic Legacy be considered as the next item of business”.

The procedural motion was put to the vote and was **defeated**

Procedural Motion

Councillor Andrew Cregan **moved** and Councillor Rabina Khan, **seconded**, that under the rules for a Petition Debate, their motion on ‘Save Tower Hamlets Youth Sport’ be considered”. The text of the motion was as follows:

The Council Notes;

- In Tower Hamlets, the Head Teacher of Langdon Park School, Chirs Dunne, led a campaign to sustain the essential work of the School Sport Partnerships.
- Aided by the Local Authority and supported by Tower Hamlets Schools who collectively replaced the lost funds; the Tower Hamlets Youth Sports Foundation (THYSF) was established.
- Although THYSF’s Board of Trustees raised funds and provided some guidance, staff employment remained with Langdon Park School.

THYSF delivers the following;

- Improves sports opportunities
- Increases sports & physical activity participation
- Utilise Sport for Personal and Community Development (Health, Social Cohesion, Educational Attainment, Youth Employment)

The Council Further Notes;

LBTH have now formally begun consultation with staff about the closure of this service. This will lead to:

- The combined school-community model which has led to huge improvements in the number of young people in Tower Hamlets participating in sport & physical activity
- The demise of opportunities for schools in Tower Hamlets to pool their Primary PE & Sport Premium funding for better strategic use (LBTH will return school funding to schools that is already committed for 2017-18)
- A decrease in the amount of physical activity and competitive sport experienced by over 30,000 young people in schools
- The demise of the **only** opportunities for young people in Tower Hamlets to participate in structured/competitive badminton, basketball, cricket, fencing, gymnastics, handball, hockey, judo, tennis or weightlifting.
- A loss of circa £250K additional funding secured for youth sport in Tower Hamlets
- The loss of 18 full time posts and over 50 part time positions, the vast majority of whom are borough residents (88% are under 25, 84% are BAME)

The Council Resolves;

- Suspend the current redundancy process in relation to all staff delivering THYSF services

- Instruct the business consultants currently working with Langdon Park School/THYSF staff to produce a full, public report to this Council meeting that outlines whether and how THYSF's current staff and services can exist as a business unit within the Council
- The Council's Sport & Physical Activity Department's staffing, function and budget falls within scope of the same review/report

At the end of the debate the tabled motion was put to the vote and was **defeated**

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 tabled motion was put to the vote and was **agreed**.

RESOLVED:

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.

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

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

6.1 Question from Ahmed Hussain

1. Argent wants to make the most money out of the regeneration 2. OHG wants to increase its stock as much as it can and wants to borrow money against OUR property 3. The council wants to shift some of its residents from the waiting list to the newly built homes (even though they will not get the preferred 35% out of this regeneration); they also want to increase their receipt on council tax All of the above are supported by the council under the current Mayors Executive Power

But what is the council doing to ensure:

1. The current leasehold and freeholders will get a like for like property; surely the council needs to be fair for all and not just look after itself, housing association and the developer?

Response of Councillor Rachel Blake, Cabinet Member for Strategic Development and Waste:

I fundamentally disagree with the assertion within the question and as far as I know so does the Mayor that all of the above are supported by the Council under the current Mayor's executive power. Not only does he not have the power on this but also I don't believe it to be our vision for the Island. Of course we will and we have acted fairly on this issue. One of the things I was most concerned about when we first came into administration was the lack of attention provided by the previous administration on this very issue. As far as I could tell they had done nothing to hold One Housing Group to account on some of the plans that they had brought forward. It is interesting that so many of them have left, they don't even want to hear our conversation now about what is to be done about some of these plans that lack consultation and that lack, frankly, common decency in terms of how they have related to residents. I would like to be really clear that I dispute your assertion that parts one, two and three of your question are supported by the Council and I look forward to what you have to say next.

Supplementary question from Ahmed Hussain:

If there was a chance I would probably rewrite my question, but that is not the option here today.

The things that the Mayor and yourself are doing are brilliant and especially what Candida Ronald is doing with the four estates forum, which I attend, but there is more to do. The thing is, that it is our houses. It is our livelihood and you really need to take that in consideration and my supplementary question is, if the last administration could deliver a like-for-like for the Blackwall Reach

regeneration on Robin Hood Gardens, then surely you can do that too or at least put some pressure to this regeneration to include like-for-like?

Councillor Rachel Blake's response to supplementary question:

I am really pleased that you think that what we are doing so far is brilliant. As you know we have set up a working group to hold them to account. We demanded that they were straight with residents when they put forward a bid, that they had no support from residents for additional grants and we have really been really clear with them that they have no understanding of their own stock and they have no vision for the consultation on this scheme and we have made sure, we have held them to account, we have made sure that they bring forward a proper stock condition analysis that the four estates working group, that I think you are probably aware of, they had done none of that work before we started to really probe some of their ideas. We completely understand that these are your homes and that is why some of the ways in which this project has been talked about has appalled us so much. Specifically with your point around Blackwall Reach, that came with millions of pounds of a Labour government investing in new social housing. That's a Labour government that I campaigned for solidly in 2005, in 2010 and 2015 and again in 2017 and it is a Labour government that will bring forward significant amounts of additional money for social housing. That is how they were able to provide that very special deal that leaseholders got in the Blackwall Reach scheme. In terms of like-for-like we have to keep talking about like-for-like and what that actually means to leaseholders. We really are keen to get to the bottom of what like-for-like will mean for people, but we have to acknowledge that that deal, the Blackwall Reach deal, of that significant amount of money and that significant offer for leaseholders was only available because the Labour government chose to put in significant Investments into new affordable housing and the Tory government that we have at the moment is only prepared to put additional money into keeping itself in power rather than getting people into affordable homes that they so desperately need. Thank you for the question I hope we can keep talking.

6.2 Question from Natasha Bolter:

Could the Mayor please highlight his approach to bullying within his workforce and the community at large?

Response of Mayor John Biggs:

The answer is very simple. I am committed to tackling bullying both within the Council and across the Borough and unlike the previous administration I am an open and transparent Mayor and welcome constructive dialogue with everyone in our community whether they agree with me or not, rather than bullying those who disagree with me. More formally, if staff face concerns about bullying then there are proper personnel procedures and similar procedures apply if I think members of the public feel they are being oppressed in some way and I would want to uphold all of people's rights in our Borough to be protected from bullying.

Supplementary question from Natasha Bolter:

Mayor John Biggs, substantial allegations of islamophobia and bullying has come into the public domain by Councillor Khatun. This is putting politics into disrepute and it would be entirely improper and unprofessional to make such allegations without evidence. Can either you or Councillor Khatun affirm your claims with evidence and without proper evidence, one of you should resign?

Response of Mayor John Biggs:

I am not aware of any formal allegation. I am aware there was a public meeting that was on the Twittersphere and was attended by a number of people, including yourself, at which various assertions were made, but as I have said if personnel face accusations or feel they have been bullied then there are proper procedures within the Council to protect their wellbeing of employees' well-being within the Council. If other members of a political party have a similar position, then within the rules of that party there will be procedures for those concerns to be pursued within the proper party complaints procedure, which is not really a matter which we would discuss publicly in the first instance. Sadly I can't see where your question is going and I think what we would need to see would be a formal process at the end of which people would form a conclusion.

6.3 Question from Kabir Hussain:

Will the Mayor inform how many empty properties (excluding second homes) were in the Borough for each year between 2010-2016/17, and at the present?

Response of Councillor Rachel Blake, Cabinet Member for Strategic Development and Waste:

The Council Tax records of empty dwellings in the Borough, excluding second homes between April 2010 and April 2017, are:

April 2010 – 5,142
April 2011 – 4,757
April 2012 – 5,383
April 2013 – 4,596
April 2014 – 4,880
April 2015 – 4,233
April 2016 – 5,105
April 2017 – 6,211

Supplementary question from Kabir Hussain:

The Council record shows that there were 4,596 empty properties excluding second homes on 1st of April 2013, but it shot up to more than 6,098 empty properties in February 2017. Whilst huge waiting list, homelessness and housing crisis, do you think you are doing enough to tackle this issue of growing rate of empty properties.

Councillor Rachel Blake's response to supplementary question:

I think we could always do more on empty homes, I think there is always more to do. You will probably know that the way we tackle empty homes is, we have services that will pursue the people who are allowing their homes to stay empty. There is always a spike in empty homes when they are actually counted, because as soon as they come onto council tax records they are new homes and they might be waiting a short period before they come in. I should add that you heard my response earlier, I think that tackling empty homes is a really important part of solving London's housing crisis. I also think that building genuinely affordable social homes is the key way to solve London's affordability crisis. This administration is doing that. We set ourselves a target of 1,000 Council homes and we will also be looking into the empty homes that you are concerned about, but what we really want to see is some genuinely affordable homes coming forward 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. (Note: The written response is included in Appendix 'A' to these minutes.)

7. MAYOR'S REPORT

The Mayor made his report to the Council, referring to his written report circulated at the meeting, summarising key events, engagements and meetings since the last Council meeting.

When the Mayor had completed his report and at the invitation of the Speaker the Leaders of the Independent Group, the People's Alliance of Tower Hamlets and Councillor Andrew Wood on behalf of the Leader of the Conservative Group, responded briefly to the Mayor's report.

8. STATE OF THE BOROUGH DEBATE

The Mayor gave his address, focusing on past achievements and future challenges regarding: ASB and crime, housing, employment and growth, the cost of living, children and young people services, environment and waste, fire safety works, the leadership of the Council and community cohesion. He felt that much progress had been made but more still needed to be done.

Councillor Oliur Rahman (Leader of the Independent Group) responded to the Mayor's addresses. He expressed concern about the quality of children and youth services, cuts to services, the increase in crime unemployment and the cost of living.

Councillor Peter Golds (Leader of the Conservative Group) also responded to the Mayor report. He welcomed the government's plans to provide additional funding for affordable housing and stressed the need for additional infrastructure to accommodate new developments and for action to address the increase in ASB and fire safety issues. He also shared his views on the proposed changes to the Greenwich Foot tunnel.

Councillor Rabina Khan (Leader of the People's Alliance of Tower Hamlets) also gave her views on the State of the Borough. She expressed concern about child safeguarding issues, child poverty levels, the increase in hate crime, equality and diversity issues and the cuts to services in view of these issues.

The Mayor John Biggs then responded to the points. He noted the need for the Council to serve all of the people within the community. He reported that he would continue to focus on this objective.

At the end of the item, the Speaker adjourned the meeting at 9:15pm. The meeting was reconvened at 9.25pm

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:

Can the mayor tell us what steps he has taken to ensure fire safety on Tower Hamlets Homes and other housing provider estates following the tragic Grenfell Tower disaster?

Response of Councillor Sirajul Islam, Cabinet Member for Housing:

The Grenfell tower fire was a terrible tragedy and our thoughts and I know the prayers of everyone in the council go out to the victims, their friends and families.

The safety of Tower Hamlets residents is our top priority and in the wake of this tragedy we are taking the necessary precautions to protect residents.

All 900 blocks managed by Tower Hamlets Homes have had Fire Risk Assessments within the last year. The nine blocks identified as a "substantial" risk have been re-checked following the Grenfell Tower fire and works to reduce the risk level are underway, in close consultation with the London Fire Brigade.

The Mayor and senior officers met with local registered social housing providers to coordinate and provide mutual support in responding to resident concerns and Government guidance, particularly around cladding materials including emphasising the importance of robust FRAs, as well as working closely with the new Fire Brigade Commander.

Officers have also contacted private block owners and the Approved Inspectors responsible for ensuring construction materials and methods complied with building regulations.

The swift response to the recent fire at Dickinson House on Turin Street (Avebury Estate) demonstrated the readiness of the Council and Tower Hamlets Homes to act quickly and we've done fantastic work together.

Supplementary question from Councillor Denise Jones:

You have said that all the Tower Hamlets Homes properties have had new Fire Risk Assessments done in the last 9 months or so and I would like to know how these will be monitored in the future and how we are keeping those up. And also can you tell us how many Tower Hamlets Homes blocks had valid Fire Risk Assessments when you became the Mayor?

Councillor Sirajul Islam's response to supplementary question:

In the last nine months we ensured that all Tower Hamlets Homes blocks as well as RPs had approved FRAs. Prior to Mayor Biggs being elected we had no approved FRAs within the Council. In the last 9 months we have managed to get those done. How would we monitor FRAs, FRAs are carried out on a regular basis, an annual basis, so they will be rechecked, but I think that the Grenfell fire enquiry will probably recommend a newer kind of FRA regime, so you may know that FRAs only look at internal areas not the external cladding, so it could be a recommendation that we bring in more robust FRAs following the enquiry recommendations.

9.2 Question from Councillor Ohid Ahmed:

Can the Mayor confirm the precise figures and names of the high-rise buildings as well as tower blocks in the borough which are 'unsafe' or 'at risk' because of the 'substantial' or 'significant' fire risk, and what action has he taken to make sure these are safe?

Response of Councillor Sirajul Islam, Cabinet Member for Housing:

The nine Council-owned blocks that were identified as a "substantial" risk in Fire Risk Assessments are Alzette, Brewster, Brodick, Malting, Modling, Offenbach, Puteaux, St Gilles and Velletri Houses.

Works are instructed and underway to reduce the risk to these blocks. None of these blocks are at risk due to the Aluminium Composite Material (ACM) type cladding which was installed at Grenfell Tower.

Brodick House has been undergoing significant works for a number of years and once complete later this year will be reassessed with our expectation the FRA rating will be significantly reduced.

The Mayor announced earlier this week that work on all other blocks which have a substantial rating are being procured and will start as soon as possible.

Obviously the only reason we know which blocks have fire safety issues is because unlike the previous administration we have undertaken a full suite of Fire Risk Assessments. Under the former Mayor and lead member for Housing many of these blocks developed significant problems which Mayor Biggs and I are now addressing after years of neglect.

Supplementary question from Councillor Ohid Ahmed:

Can I remind you that one of the independent expert on fire safety, professor Arnold Dix said that a fact is that Grenfell Tower burned so fast despite being deemed only a medium risk in the Fire Risk Assessments, showed that that a fire assessment did not work, so we need to take a lesson from this. Will the Mayor publish all FRAs as well as the planning assessments for the constituents in this Borough?

Councillor Sirajul Islam's response to supplementary question:

In terms of the fire I think there would be lessons learnt following the enquiry and we will follow those recommendations. Bracknell house 2009, recommendations came out; your administration failed to deliver on those recommendations, which is not good for the safety of this Borough. FRAs, the Mayor has already made a commitment that we will make all FRAs available to residents, we will probably start with the tower blocks first, I think that's the most important ones. We have committed, in terms of blocks, we cannot publish this now until DCLG give us the clearance.

9.3 Question from Councillor Rajib Ahmed:

Can the Mayor update the council on his housing plans including the opening of Watts Grove and the new Private Renters Charter?

Response of Councillor Sirajul Islam, Cabinet Member for Housing:

As you know the Mayor launched a new Housing Strategy with the aim of tackling the affordable housing crisis in Tower Hamlets and driving up standards. Since 2015 we have made massive strides in that work.

As you note, we recently launched a new Private Renters Charter to guarantee private renter's rights and improve quality of life for renters. Last year we also introduced a landlord licensing scheme in three wards and we are keen to extend that further should government allow it. To tackle the affordability crisis we are making major progress on the Mayor's pledge of 1,000 new homes. The new Watts Grove estate will begin to open next month providing 148 new council homes.

Supplementary question from Councillor Rajib Ahmed:

Thank you Councillor Islam. It seems like a lot is happening. Could you tell us how you are working to make housing more affordable?

Councillor Sirajul Islam's response to supplementary question:

In addition to the 1,000 council homes the Mayor is working to deliver we have delivered 1,070 new affordable homes last year and 1,073 the year before – far higher than under Lutfur Rahman and Councillor Rabina Khan who delivered just 630 in 2012/13 and only 595 in 2013/14. Though we accept affordable homes need to be genuinely affordable to local people. That is why for our new council homes, we have introduced far lower rents.

Under the previous Mayor and the then Cabinet Member for Housing, the average rents for new council developments were £239.08 a week for a two bed property. Under Mayor John Biggs' new policy, rents will be based on a combination of London Affordable Rent at £152.73 and the new Tower Hamlets Living Rent at £223.14 a week, both of which are significantly lower than rents under the previous administration.

The change means, compared to the previous Mayor's rent levels, a family living in a new three bed property will be up to £5,791 better off as a result of Mayor Biggs' changes.

9.4 Question from Councillor Andrew Wood about fire safety inspections:

Is the Mayor satisfied that all buildings in Tower Hamlets with cladding have now been checked or are in the process of being checked and that fire safety assessments are up to date?

Response of Councillor Sirajul Islam, Cabinet Member for Housing:

Fire Risk Assessments to Council blocks managed by Tower Hamlets Homes are up to date as I have already explained.

The Council does not have authority to inspect Fire Risk Assessments carried out by other landlords, but all registered social housing providers locally report that they are up to date with Fire Risk Assessments and that any issues are being addressed.

All Council blocks over six storeys with cladding have been checked and all registered social housing provider blocks over six storeys with cladding have been checked or are in the process of being checked.

Officers have also contacted the Approved Inspectors responsible for ensuring construction materials and methods complied with building regulations on private blocks.

The Council does not have authority to require private owners to check cladding on privately owned blocks nor to provide their FRAs which has proved to be a significant problem responding to Grenfell and one which has been raised a number of times with Government. We are however doing all we can to contact and urge the managers of private tower blocks to follow suite.

Supplementary question from Councillor Wood:

Obviously the focus has been on Tower Hamlets Homes and social housing, but there was a brief mention there about private housing and hospitals and schools, but can the Cabinet member talk about other buildings as well especially hospitals and schools, whether there is any information about the checking of those in particular?

Councillor Sirajul Islam's response to supplementary question:

Yes. On top of the social housing that we are checking for cladding, my colleagues Councillor Amy Whitelock-Gibbs and Councillor Rachael Saunders have been talking to unions and schools as well and so far we haven't come across any of this cladding on other public buildings.

9.5 Question from Councillor Candida Ronald:

What is the Mayor doing to ensure that the failures revealed by the Clear Up investigation can never happen again, whoever is Mayor?

Response of Mayor John Biggs:

The clear up project was launched in September 2016 following discussions between the commissioners and myself and the senior leadership of the Council. By the time nominations closed on the 8th of December, 66 allegations had been received which have all been investigated. I committed at the onset of the project that the final report would be made public along with the investigators comments, which are here on the agenda this evening. No alterations have been made to the report. How do we ensure things never happen again? Well it's about changing the culture, the reporting framework and the relationships between Members and officers and relationships between Members and each other. Ensuring our codes and our probity arrangements are squeaky clean and everyone understands what should be happening, what their duties are to each other and to themselves and to the residents of Tower Hamlets. By working on that I think we can achieve a better arrangement. It is fundamentally part of the cultural change we need to make in this Borough, which I talk to members about from time to time.

Supplementary question from Councillor Candida Ronald:

Are you confident that any new systems will be robust enough to withstand any future assault?

Mayor John Biggs response to supplementary question:

I think any system can be tested to destruction by bad behaviour or by malevolent intent. What we need to do is have an empowered Council which will hold the Mayor to account. We have to have an empowered opposition that will hold the administration to account. We have to have statutory officers, we have a new monitoring officer who is a permanent employee, as her predecessor, sadly not here was, rather than an acting person who is at the

end of a piece of string from the Mayor or from the political leadership. We need to have proper understanding and relationships and probity in those relationships. By doing that I think we can be more assured, although we always need to watch out for the behaviour of people who will try and work the system.

9.6 Question from Councillor Rabina Khan:

Will the results of the cladding tests of both council and social high rise tower blocks in Tower Hamlets be made public?

Response of Councillor Sirajul Islam, Cabinet Member for Housing:

The protocol with DCLG is that cladding test results conducted by the Building Research Establishment are reported to the Council and not made public until residents and local MPs in the affected blocks have been informed of the results. After that, the test results can and will be published.

Supplementary question from Councillor Rabina Khan:

My question is about the hospital right near me. I do wonder whether or not, what sort of cladding or whatever material has been used there, whether or not there could be a possibility of just finding this out? I ask in the interests of everyone in this community.

Councillor Sirajul Islam's response to supplementary question:

Yes, I totally understand. I think I have already answered that question. It needs be my colleague Councillor Saunders can talk to them herself and get some confirmation.

9.7 Question from Councillor Helal Uddin:

Can the lead member give an update on the performance of Work Path?

Response of Councillor Joshua Peck, Cabinet Member for Work & Economic Development:

It is early days for work path. It is effectively the first quarter, so I don't want to make any early judgements, but certainly things look very positive. We have seen, even in the first quarter, a 24% increase in the number of residents who are engaging, up from 340 to 420. A 54% increase in the number of residents starting work and a 42% increase in the number of employers that we have got on board.

Supplementary question from Councillor Uddin:

You may be aware there are long term issues of people in this borough who are long-term unemployed and also I am sure you are particularly aware of the approach we are having from Jobcentre Plus. There is a soft approach to addressing the long-term unemployment issue and economic increase in the

borough. Do you have any plans for how you will address these particular issues?

Councillor Joshua Peck's response to supplementary question:

We have got lots of plans. You will remember that in the Mayor's last budget we put an extra £5 million into schemes to enable our residents to break down some of the barriers that keep them out of work. We have made a major extension of the women into health and social care programme. This work with many women across the Borough, who are probably the biggest group who face long-term unemployment and barriers to work. We are massively increasing our ESOL provision, both by recruiting more tutors, also putting in place vocational ESOL training but also by setting up an ESOL hub that enables us to direct residents to spare places on other suppliers' courses. We've got an over 50's adviser already in place and working and with Councillor Whitelock-Gibbs. We are leading a really big project to look at how we can break down the barriers to affordable child care that keeps many people out of work. So there's a massive amount going on, some really positive early stuff.

9.8 Question from Councillor Oliur Rahman:

Can the Mayor confirm what salary is he claiming at present from the Council - is it the full increase to his pay packet that he granted himself in his budget - and since when has he claimed this full increase? Will he confirm if he receives any other allowances, salaries, money or perks from the Council or elsewhere?

(In addition, notwithstanding what may or may not be currently on the council website buried in reports, for the sake of transparency and for the benefit of residents who may not have time to explore website links or read reports full of jargons, will the Mayor clearly list all his current, past and up to date hospitality/gifts, salaries, allowances and any financial interests since the day he became the Mayor, and list the full details in the minutes for a simple public record reference?)

Response of Mayor John Biggs:

As you well know, when I became Mayor I proactively reduced my allowance to £30,000 for my first year which was less than half of the allowance for the Mayor in Tower Hamlets. All allowances are within or below the levels recommended by the 2014 report of the independent panel. I happen to be the lowest paid Mayor in London as well. When allowances were increased in 2016 I only took half of the rise for that year. This year there has been no increase in my allowance, but I have chosen to take the full allowance. Unlike some of my predecessors I believe the Mayor is a full time job. I regularly work 6 days a week. I start here just after 7 a.m. and get home around 10 p.m. in the evening, I must be crazy I think, but I do it out of a sense of duty and service. I do not receive any additional allowances, salaries or perks from the Council. I don't claim for a telephone. I don't claim for travel other than three exceptions, when I have been to conferences outside of London and the train

fare has been paid for by the Council and on two occasions overnight stays, which I was very reluctant to take up, because I prefer being in Tower Hamlets.

Supplementary question from Councillor Rahman:

What the Mayor did not say was when he first started here he was getting two salaries. He was getting paid from the GLA and he was getting money from the Council, so clearly you had more money than what you actually told us Mr Mayor. Do you think you getting a 14.24% pay rise you are putting residents first or yourself first and would you apologise for the hypocrisy, when your group was in opposition for the motion that was put down to cut the Mayor's salary?

Mayor John Biggs' response to supplementary question:

I have stated very clearly, I think it was a mistake of the opposition group when the previous Mayor was Mayor, to cut his salary in the way they did. I think it is a serious job and we should expect whoever takes that job on to receive a pay which is similar to or greater than that of a Member of Parliament. I am very clear about that. The previous Mayor's expenses, you talked about junkets and so on, in a 6 month period he took 85 cab journeys costing taxpayers £2,789. If I pick on one member, say, Oliur Rahman, he took £1,841 for 67 cab rides, including 39 between Stratford Jobcentre, where he works and the Town Hall. Maybe with his new concern for taxpayers' money, he can tell us if he intends to pay any of those journeys back. It is very important that we get value for money and I think that when there is a fantastic transport system people should think very hard before they use a taxi service.

9.9 Question from Councillor John Pierce:

How many meetings of Tower Hamlets Homes board were inquorate, preventing key strategic decisions being made, due to non-attendance of councillors, appointed by Mayor Rahman from 2012 – 2015?

Response of Councillor Sirajul Islam, Cabinet Member for Housing:

THH is an incredibly important organisation for 20,000 of our residents and any councillor appointed to their Board has a duty to engage properly for the benefit of those residents.

I am disappointed, but not surprised, to report that five Board meetings were cancelled under the previous administration between 2012 and February 2015 due to the non-attendance of at least two Councillors. Another had to be abandoned half way through as the councillors walked out. That's almost 40% of meetings disrupted or cancelled.

The councillors who sat on the Board at this time were:

- Alibor Choudhury
- Kabir Ahmed (until May 2014)

- Lutfa Begum (Until May 2014)
- Gulam Robbani
- Maium Miah (From Oct 2015)
- Abdul Asad (From Oct 2015)

All from Tower Hamlets First. Their attendance was appalling. The worst was Lutfa Begum who attended just 20% of meetings then Councillor Gulam Robbani who attended just 38%.

By that standard I suppose we should congratulate Councillors Miaum Miah and Abdul Asad who managed to turn up to a third of their meetings, but Just not good enough.

Supplementary question from Councillor Pierce:

Do you agree that if Tower Hamlets Homes had been in a housing association it would have been downgraded by the regulator and they would be considering taking over that organisation, because of actions of the members opposite. The two thousand homes that are managed locally would have been taken away from the control of the Council. How concerned are you about the failings of the members opposite, in regards to the management of our housing provider and aren't we lucky that there were no serious incidents in our neighbourhoods whilst they were in control of Tower Hamlets Homes?

Councillor Sirajul Islam's response to supplementary question:

I totally agree Councillor Pierce and since Mayor Biggs' election, not a single meeting of Tower Hamlets Homes Board has been inquorate, with all our Councillors on board. Yes, it probably would be downgraded. We know about Poplar HARCA, we spoke about this earlier on, that because non-attendance of Council Members that RP decided to reject Councillors on that board. I am sure that other RPs could do the same as well and it is not right that when we put members on RP boards, or Tower Hamlets Homes Board that we have a responsibility for them to deliver for the residents of this Borough and not just turn up to the meetings they like and walk out of those meetings they dislike.

9.10 Question from Councillor Peter Golds:

Will the Mayor inform the council as to whether the four homeless families have moved into the Shoreditch area property stated in the decision of the Asset Management Board seven months ago on the 9th December 2016?

Response of Mayor John Biggs:

In April of this year I signed a Mayoral decision allowing a meanwhile use for a community organisation whose mosque was planned to undergo works that would require decanting. The organisation, the City Bangladeshi Cultural and Community Centre has already received planning permission. It is my understanding that adaptation for the site into residential occupation would take 6 months to be on site. This is partly because it had been squatted and vandalised by the squatters, so needed further work to get it into good order.

The arrangement with the City Bangladeshi Cultural and Community Centre was with very clear conditions which required the mosque to vacate once their existing premises are refurbished. They haven't yet taken up occupation because they haven't satisfied those conditions. It remains to be seen whether they will be able to. As part of the decision we evaluated the financial cost and the timelines and I think this represents reasonable value for the people of Tower Hamlets and a good service for the community if it goes ahead.

Supplementary question from Councillor Golds:

Will, at some point, 10 Turin Street be returned for housing with people and if so when is this likely to happen?

Mayor John Biggs' response to supplementary question:

My intention would be that it be refurbished and made available for full housing units sometime during next year, which was indicated on the timeline in the mayoral decision, which I believe has been published and I am happy to talk to the member outside this meeting about that.

9.11 Question from Councillor Marc Francis:

When will there be a safer crossing over the A12 at Wick Lane?

Response of Councillor Amina Ali, Cabinet Member for Environment:

We have been working closely with TfL Signals on the design of improvements to accommodate pedestrian phases into the signals at this junction.

I am pleased to announce agreement and final approval on the design and modelling has almost been finalised and there is a provisional date for completion of the works by December 2017.

The proposals include:

- Green man phases across all on and off slip roads from the A12;
- Narrowing of the entry slips to one carriageway width to provide a shorter distance for pedestrians to cross;
- Footway redesign at Wick Lane to reduce the width of the mouth of the junction;
- Revised traffic management orders to stop the straight across movement from off slip to on slip, thus restricting movements to one lane right turn, one lane left turn at each exit slip;
- Further consideration is also being given to extending the box junctions to keep the area clear and prevent vehicles blocking the junction.

Finally, I just want to say that safety is paramount to us; we will continue to look at ways to improve safety in the borough.

Supplementary Question from Councillor Marc Francis:

Can I welcome the lead member and congratulate her on her appointment and especially her speedy success after 12 long years of lobbying and campaigning for a pedestrian crossing, all we needed to do at the outset was for the lead member to come from Bow West ward. Can the lead member ensure us the London Borough of Tower Hamlets will press for early implementation of the new pedestrian crossing in 2018?

Councillor Amina Ali's response to supplementary question:

As I stated there is a provisional date for completion of works of December 2017. Therefore in line with this Council's commitment to safety, I am hopeful we will be able to push for this date.

9.12 Question from Councillor Shah Alam:

Following the stabbing of Syed Jamanoor Islam, the Mayor committed to the requests of the family in Altab Ali park, can he please provide an update to the council as to what he has completed to date?

Response of Councillor Asma Begum, Cabinet Member for Community Safety:

The terrible murder of Syed Jamanoor Islam was a tragedy and our thoughts are with his family at this difficult time.

Tackling knife crime to prevent these tragedies is a top priority for the council.

The Mayor agreed he would support London citizens in any campaign they launched on knife crime and he stands by that pledge. However we have not been idle on this issue. Following the rise in knife crime earlier this year a partnership task and finish group was set up.

This task force has resulted in:

- A number of Community/police and council weapon sweeps in target areas.
- A rolling programme of knife test purchase activity is going on.
- We are educating young people with intervention programmes in a community setting.

We still have a long way to go and more work is definitely needed.

No supplementary question was asked.

9.13 Question from Councillor Danny Hassell:

Will Tower Hamlets have a Creative Enterprise Zone when announced by the GLA later this year?

Response of Mayor John Biggs:

I certainly hope so and, on the creative Enterprise zones, we are working with the Mayor of London and the GLA in establishing Fish Island and The Lower Lea Valley as a Zone. They are important areas in the cultural fabric of London and it is important to get things like the affordability of creative work spaces and ensure that in planning decisions we maintain creative work spaces and we support the creative industries, they are major employers in our Borough and we have for too long neglected the SME sector. I am working with Councillor Rachel Blake and with Councillor Joshua Peck on the employment and the regeneration aspects of this. It is important for our Borough that we maintain our creative sector and do not allow it to be squeezed out. One of the great anxieties in that area of Fish Island is that property development will squeeze people out of the area. And working in partnership with the London Legacy Development Corporation, I am hoping we can achieve some good objectives to that end.

No supplementary question was asked.

Questions 9.14 - 29 were not put due to lack of time. Written responses would be provided to the questions. (Note: The written responses are included in Appendix 'A' to these minutes.)

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**. Accordingly it was:

RESOLVED:

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

Extension of time limit for the meeting

Councillor Danny Hassell **moved**, and Councillor Sirajul Islam **seconded**, a procedural motion that "under Procedure Rule 15.11.7 the meeting be extended for up to an additional 20 minutes to enable the remaining reports on the agenda to be considered".

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

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

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

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

RESOLVED:

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

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 were put to the vote and were **agreed**. Accordingly it was:

RESOLVED:

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).

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**. Accordingly it was:

RESOLVED:

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.

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**. Accordingly it was:

RESOLVED:

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

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**. Accordingly it was:

RESOLVED:

That the Council note:

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

That the Council approve:

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

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**. Accordingly it was:

RESOLVED:

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

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.

Speaker of the Council

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APPENDIX A – WRITTEN RESPONSES TO QUESTIONS THAT WERE NOT PUT AT THE FULL COUNCIL MEETING (19 JULY 2017)

6.4 Question from Dipu Jagirdar

What is the Mayor doing to stop our schools turning in to Academies?

Response from Councillor Amy Whitelock Gibbs:

We are proud of our schools in Tower Hamlets. Over the past twenty years we've made amazing progress as a community improving standards and making our schools some of the highest achieving in the country.

We've done this through a Labour government investing properly in schools and by the council, teachers, governors and parents working together as one community of schools focused on delivering the best for local children.

In Tower Hamlets we have resisted the introduction of academies and free schools but the Conservative Government has tied our hands. Once they make a decision to approve a school becoming an academy there is nothing the council can do to stop it.

We believe that schools should consult thoroughly with parents and the local community about their plans and we would be deeply disappointed if that did not happen. But in the end it is school governors who make the decision, even when there may be different views. There is clearly something very wrong with Government policy which allows this.

To date only 3 secondary schools (20% of 15 schools in total) and 5 primary schools (7.5% of 65 schools) have converted to become academies. This is much lower than some boroughs as we have resisted academisation more successfully than most boroughs through our culture of supporting a close community of schools in Tower Hamlets.

For schools who do decide to academise, Mayor John Biggs has brought in a new policy, which means schools which wish to convert are asked to make a £6,000 contribution to the council's costs for administration related to the change including guidance and the legal costs associated with asset transfers for example. We did this as we believe a school's decision to academise should not end up costing council taxpayers. We are also giving guidance on what we think is good consultation, although in the end the Government has set rules that allow schools to decide the consultation rules for themselves.

9.14 Question from Councillor Mahbub Alam

Given the alarming increase in Islamophobic hate crimes in recent time, particularly the shocking rise in acid attacks against Muslims, including those in Tower Hamlets, one of which took place on 29 June 2017 in Watney Market (unreported and possibly not recorded), and another attack on Burdett Road, E3 at 02:13hrs on 4 July 2017 (recorded and reported) as well as other such attacks - will the Mayor provide the figures for acid attacks, including any form of dangerous chemical, in Tower Hamlets for each year since 2011?

Response from Councillor Asma Begum:

Recent acid attacks across the capital, including in Tower Hamlets, have understandably shocked and angered local residents in the East End and the council condemns the perpetrators in the strongest possible terms.

Since the incidents reported in Tower Hamlets we have been working with the police and using council CCTV footage to support their investigations to ensure those responsible are caught and face the full force of the law.

We are committed to tackling acid attacks and the Mayor has already written to the Home Secretary to ask that acid is treated on a par with other offensive weapons and for the necessary support from the Government.

Data for acid attacks in Tower Hamlets is below. Please be advised that data available to the Council Community Safety Team is via official published websites (Metropolitan Police and Mayor's Office of Policing and Crime). The following data has been extracted from a Freedom of Information Request published on the internet.

2011 – 7
2012 – 2
2013 – 4
2014 – 6
2015 – 24
2016 – 42
2017 (to June) – 11

The rise in recent years has been mirrored across London and is not isolated to Tower Hamlets.

The above incidents of Acid Attacks are defined as victims of “Causing explosions, sending explosive substance or throwing corrosive fluids with intent to grievous bodily harm.”

9.15 Question from Councillor Shiria Khatun

What is being done to ensure fire safety inspections are being carried out for residential blocks in the borough?

Response from Councillor Sirajul Islam

Following the tragic events of the Grenfell Fire the Council took immediate and proactive measures to protect our residents, including immediately taking steps to evaluate the safety of tower blocks in Tower Hamlets.

All 900 blocks managed by Tower Hamlets Homes, including 69 blocks over 6 storeys high, have had Fire Risk Assessments within the last year. The nine blocks identified as a “substantial” risk have been re-checked following the Grenfell Tower fire. Fire Risk Assessments to Council blocks managed by Tower Hamlets Homes are up to date. The Council does not have authority to inspect Fire Risk Assessments carried out by other landlords but all registered social housing providers locally report that they are up to date with Fire Risk Assessments.

All Council blocks over six storeys with cladding have been checked. All registered social housing provider blocks over six storeys with cladding have been checked or are in the process of being checked. Officers have also contacted the Approved Inspectors responsible for ensuring construction materials and methods complied with building regulations on private blocks. Whilst the Council does not have authority to require private owners to check cladding on privately owned blocks we urge them to do this proactively.

We will continue to monitor the fire safety of tower blocks in Tower Hamlets and to take all necessary steps to protect residents.

9.16 Question from Councillor Julia Dockerill

Following the meeting I organised on the 27th April at St Georges Town Hall to discuss Anti-Social Behaviour problems in St Katharine’s & Wapping ward will the Mayor provide an update on the specific issues raised in particular the actions requested by the Borough Commander after the meeting.

Response from Councillor Asma Begum

The meeting was we understood jointly arranged and attended by Cllr Denise Jones, Cllr Shiria Khatun, a number of council officers, and at the end by the Mayor who attended from another meeting.

Tackling anti-social behaviour is one of the council’s top priorities. Following feedback from residents, we carried out a ward walkabout in this area on Friday 7th July 2017 to address the key areas of concerns that were highlighted. Please find listed below the actions agreed from the walkabout.

Benson Quay/ Shadwell Basin

- THEOs are now tasked to conduct evening patrols in the area following reports from residents
- SNT have agreed to communicate dates of weapon sweeps and speed operations to residents in the area
- SNT have agreed to provide patrols/shift pattern information to residents at their next ward panel meeting

St Georges Park & Wapping Woods

- SNT and THEOs are aware of drug use and drug dealing occurring here, and will conduct patrols at different times of the day to these areas
- The THEOs have already started patrolling St Georges Park as a result of recent ASB/drug dealing reports

Vaughan Way/Kennett Street and Wapping Lane

- SNT have agreed to communicate dates of speed operations to residents in the area
- SNT have agreed to start using Section 59 to seize vehicles found to be speeding and causing ASB
- LBTH Transport & Highways Team will be installing 2 covert CCTV cameras in the next few weeks to monitor speeding vehicles
- LBTH Transport & Highways Team will be installing special speed bumps and bollards to the side of each bump, that force push bikes and vehicles to slow down (in the next few months)
- LBTH Transport & Highways Team will be consulting with residents in regards to improving Wapping Lane and looking at how to reduce noise from vehicles driving on the cobbled streets, staggering parking and using the traffic monitoring vehicle to build evidence

Hermitage Basin and Hermitage Gardens

- LBTH CCTV will be installing a redeployable camera in the park to identify NO2 users and vehicles parking up to cause ASB.

We will continue to monitor and address concerns, particularly using our new ASB policy and increasing the number of council-funded police officers.

9.17 Question from Councillor Dave Chesterton

Will the Mayor please take whatever action he deems necessary to prevent the demolition of the No.1 gas holder at Leven Road, Poplar? This gas holder, made at Ironworks on the Isle of Dogs and erected in 1878 is of significant local historical interest and should be preserved as part of the redevelopment of this part of Poplar.

Response from Councillor Rachel Blake

The Council recognises this significant local historical asset and there is a case that it should be preserved as part of redevelopment.

In planning policy, this is specifically reflected in the adopted and emerging Local Plan, where in the site allocation, it states that development should aim to “...**retain and integrate the gas holders** as part of the provision of green open space...”

The council plans to strengthen the design principle within the site allocation and seek to further acknowledge the gasholders significant local historical merit.

It should be noted that the gasholder is not listed, or located within a conservation area or included on the Council's Local List.

In light of a petition submitted as part of the Local Plan process, the No. 1 Gasholder at Leven Road Poplar is considered as having been nominated for addition to the Council's Local List.

Once the nomination process and selection criteria for additions to the Local List have been adopted by the council, a decision will be taken as to whether or not it would be appropriate to add Gasholder No.1 at Poplar to the Local List.

9.18 Question from Councillor Shafi Ahmed

The legal definition of an offensive weapon includes anything intended to be used to harm another person, like a sharpened comb. Acid must also now be seen as an offensive weapon. Will the Mayor write a joint letter with all Group Leaders to the Secretary of State to review the legislation of acid so that to carry acid or corrosive substance will be an offensive weapon?

Response from Councillor Asma Begum

The recent acid attacks in Tower Hamlets were appalling crimes and the Mayor and I are determined to support the police in tackling these shocking crimes.

I can confirm that the Mayor and I have already written to the Government and have copied this below. I will, of course, keep the council and the public informed of any response and developments. Should Group Leaders wish to write in similar terms to support this proposal I am sure the Mayor would welcome that.

Dear Ms Rudd,

Recent acid attacks across the capital, including in Tower Hamlets, have shocked and angered local residents in the East End.

Using acid to attack and disfigure people is a heartless and unforgivable crime. It's totally wrong that these vicious and often life-changing assaults are not punished more severely.

The Government should be sending a clear message that anyone who uses acid to harm others is going to face a long prison sentence. That is exactly what I am calling for you as Home Secretary to do.

In light of the recent rise of these kinds of attacks there is simply no excuse for the Government dragging their feet on introducing harsher punishments. Hopefully this week's debate in Parliament will push the Government to take faster action.

As you will know in 2016, there were 455 offences recorded where a corrosive/acid substance was used across London: this year to date there have already been more than 150. Of those, 11 have been in Tower Hamlets.

More needs to be done to tackle this horrific crime which in some recent cases worryingly seems to have been adopted by gangs. Given the concern about this new tactic, will the Government make clear they will treat acid attacks just as seriously as attacks with knives or other offensive weapons, and legislate appropriately? This should in my view include exploring making it an offence to carry, without good reason, dangerous substances like sulphuric acid, particularly if it is carried in a manner likely to be used for violence, for example a water pistol. There also need to be far stricter checks on purchasing these kinds of corrosive liquid.

It is also clear that in addition to new powers in this area, the Met Police also needs to be given the funding to tackle these attacks. The Met has already been forced to make cuts of over £600 million since 2010, with the loss of thousands of police officers, and I urge the Government to think again before cutting the Met even further.

It is clear that the shocking acid attacks in London are of great concern to residents in the East End. I hope you will give the police the support, resources and authority to tackle these appalling crimes and make clear to perpetrators they will be caught and punished just as seriously as those who use knives or other weapons to do harm.

I look forward to your response.

Yours sincerely,

*Mayor John Biggs
Executive Mayor of Tower Hamlets*

9.19 Question from Councillor Ayas Miah

Does the Mayor support the Mayor of London's Ultra Low Emission Zone?

Response from Councillor Amina Ali

The Mayor of London's Ultra Low Emissions Zone is an important part of his work to tackle poor air quality in the capital.

We support any ambition to reduce air pollution and look forward to working with the Mayor of London on his ULEZ proposal as further details emerge.

Whilst regional and national work to tackle air pollution is vital, in Tower Hamlets we are also doing our bit. We are investing in electric vehicles and charging points, have set up a cross-borough Low Emissions Neighbourhood and are currently consulting on a new air quality action plan to improve our local environment.

By contrast I would note that the Government's recently published Air Quality plan seems to be nothing but hot air after they failed to provide any new action which would help to clean up the capital's pollution problem.

9.20 Question from Councillor Md. Maium Miah

On Monday 26 June 2017, a mother was shockingly hit by a lorry due to dangerous driving in Westferry Road. I attended the scene and residents told me that dangerous driving and lack of proper road safety management/enforcement are among the most consistent and serious concerns for local residents, and across the Isle of Dogs. These issues, along with persistent traffic chaos, building and maintenance work activities mostly sanctioned by the council is turning the Canary Wharf Ward and the Isle of Dogs into an unsafe and chaotic place for both pedestrians and drivers. Will the Mayor tell us what action has been taken to address these issues for Canary Wharf and Isle of Dogs residents?

Response from Councillor Amina Al

We take road safety extremely seriously and are determined to do all we can to reduce collisions.

In general, numbers of fatal and serious injuries arising from collisions have shown a continuing reduction over the past 10 years, but there is a worrying continuing increase in numbers of slight injury accidents reported to the Police.

Council officers regularly review these collision patterns and trends and prioritise schemes to make the biggest impact in reducing collision numbers.

In relation to the particular incident Cllr Miah refers to, officers have consulted the Police for information and it would not be appropriate to go into detail at this stage when Police investigations are continuing, however the initial report does seem to indicate that the road layout design was not considered to be a contributory factor.

It is important to note that the Council does not have any power of enforcement over speeding drivers or other reckless driving behaviour. The enforcement of poor driver behaviour is a Police matter but we will continue to work closely with them including on enforcing the borough-wide 20mph zone we have introduced on non-TfL roads.

9.21 Question from Councillor Chris Chapman

Given issues raised in the Channel 4 Dispatches programme on the 3rd July about cruise ship related air, noise and light pollution, what steps is the Mayor and the London Borough of Tower Hamlets undertaking regarding cruise ships on the River Thames, docks and in the future docking at Enderby Wharf which is contiguous to the Isle of Dogs?

Response from Councillor Rachel Blake

This is an important and ongoing issue you raise with no simple answer. The issue of air, noise and light pollution coming from cruise ships is complicated and requires a range of engagement with different agencies.

Local Authorities do not have statutory powers to enforce air quality limits for cruise ships.

The International Convention for the Prevention of Pollution from Ships (MARPOL) is the main international convention covering prevention of pollution of the marine environment.

DEFRA is responsible for the Air Quality Strategy for England, Scotland, Wales and Northern Ireland which covers all air pollution sources which breach air quality objectives.

The Port of London Authority is currently developing an Air Quality Strategy <https://www.pla.co.uk/environment/Air-Quality-and-Green-Tariff/Air-Quality> .

And LBTH's Air Quality Action Plan has an action requiring consideration of potential pollution emissions from proposed river development under the planning regime.

With respect to Enderby Wharf specifically, as required under planning legislation, Greenwich Council consulted LBTH on the revised planning application. Officers commented on the EIA and the planning application, and raised concerns seeking to improve air quality.

We will continue to campaign for on-shore-side power provision and make the case to the Mayor of London and Greenwich Council so that the scheme does not have the negative air quality impacts forecast. The Mayor has also requested a meeting with the Leader of Greenwich Council to discuss this important issue.

9.22 Question from Councillor Aminur Khan

The Tower Hamlets Sports Foundation delivers a fantastic sports programme for children and young people in Tower Hamlets. Will the Mayor and his Cabinet ensure that Tower Hamlets Sports Foundation continues to deliver the much needed sports programme for youngster in Tower Hamlets?

Response from the Mayor

The THYSF model relies on school's opting to purchase their services and with reducing school budgets this has become more of a challenge for them to sustain.

Over the past year the Council has sought to support the THYSF by writing off its deficit and providing assistance to better understand their financial challenges. This work is continuing however the organisation will need to move to a more sustainable business model if it is to remain viable.

9.23 Question from Councillor Gulam Robbani

As per HMRC's children in the low-income families' local measure, the most basic and a critical set of data set for a local authority and the Government, will the Mayor confirm how many children are currently in this category and what percentage is it of the total children in Tower Hamlets?

Response from Councillor Amy Whitelock Gibbs

The latest data published by HMRC, for August 2014, indicates that 25,620 children in Tower Hamlets live in poverty – this represents 42 per cent of all children in the borough.

Tower Hamlets has one of the highest rates of child poverty in the country which is why we strongly oppose the Government cuts that are hitting boroughs like ours the hardest. The Mayor has invested £5m into a new Tackling Poverty Fund to protect struggling residents and provide schemes to help them into employment, and the Council is also investing £1.75m into free WiFi in our town centres and social housing to ensure residents in low income households can access opportunities online.

9.24 Question from Councillor Craig Aston

Will the Mayor confirm how much S106, CIL and New Homes Bonus cash is sitting in the Councils bank account to help pay to replace the broken play equipment in Ropemakers Fields which is being held up by a lack of funds to pay for replacement equipment?

Response from Councillor Abdul Mukit

As Cllr Aston will know Section 106, CIL and New Homes Bonus are all used to fund varying types of infrastructure, from parks and open space through to housing, schools and GP surgeries across the borough. There are no specific funds hypothecated for Ropemakers Fields however the Council has undertaken a number of improvement works on the site:

- Cut back shrubs and hedges
- Carried out pest control work
- The Parks team will upgrade the current lighting

- Benches will be moved directly under lamp posts so that all seating is overlooked by lighting
- CCTV now installed on Narrow Street entrance, with a second camera planned for the bandstand
- The Council is also consulting on introducing a new Public Spaces Prevention Order to tackle ASB in the area.

Officers are also exploring putting together a capital programme bid to upgrade and replace play equipment across all the parks in the borough.

9.25 Question from Councillor Abdul Asad

Given the damaging impact of the new Council Tax Reduction scheme on self-employed residents and others in the borough will the Mayor now admit that he misled Tower Hamlets when he stated that it was still retaining 100% of the original scheme?

Response from Councillor David Edgar

Tower Hamlets has one of the most generous Council Tax Reduction Schemes in the country and is one of the few places in the country where residents who qualify are still able to receive a deduction of up to 100% for their council tax.

Due to the Conservative Government's introduction of Universal Credit, the data to verify the reported income is no longer available to the council for Universal Credit claimants.

Despite these challenges, we remain absolutely committed to supporting residents and we have worked to protect any self-employed person who is likely to face hardship as a result of the changes. The council is offering a hardship scheme, similar to the Discretionary Housing Payments process, which has the flexibility to write off their council tax contributions where necessary.

The Council is also providing advice and support to anyone adversely affected by this change, including offering to meet individually with all residents affected. Support may include referrals to our partners to provide business support and advice for example the Council's Workpath Service or referrals to advice agencies for support.

9.26 Question from Councillor Suluk Ahmed

Will the Mayor tell us:

- What is the level of child poverty in Tower Hamlets?
- What % and numbers of residents currently live in fuel poverty?
- How many households have an income of less than £15,000?
- How many residents have used food-banks and vouchers for each year since 2015 until now?

(Please kindly provide the exact figures and information and not refer to a web-link or report. Thank you)

Response from Councillor Amy Whitelock Gibbs

*Thank you for your questions Cllr Ahmed. I am advised that **Part 4** of the Council's Constitution, sections 12.2 & 12.8 state:*

12.2 – *Subject to rule 12.3, at an Ordinary or Extraordinary meeting of the Council a Member may ask the Speaker, the Mayor, or the Chair of any Committee or Sub-Committee a **question** about any matter in relation to which the Council has powers or duties or which affects the borough.*

12.8 – *Questions are limited to one per Member per meeting, plus one supplementary question unless the Member has indicated that only a written reply is required and in these circumstances a supplementary question is not permitted.*

However councillors are able to submit Members Enquiries at any time. In light of the above please find below the response to your initial question.

With regards to child poverty the latest data published by HMRC, for August 2014, indicates that 25,620 children in Tower Hamlets live in poverty – this represents 42 per cent of all children in the borough. These statistics are from HM Revenue & Customs and relate to the '*Children in low income families local measure*' which captures the percentage of children falling below the national poverty line (below 60 per cent of median income).

Tower Hamlets has one of the highest rates of child poverty in the country which is why we strongly oppose the Government cuts that are hitting boroughs like ours the hardest. The Mayor has invested £5m into a new Tackling Poverty Fund to protect struggling residents and provide schemes to help them into employment, and the Council is also investing £1.75m into free WiFi in our town centres and social housing to ensure residents in low income households can access opportunities online.

9.27 Question from Councillor Harun Miah

In relation to housing, will the Mayor tell us:

- How many households are currently on a borough's housing register – and how many of these are in priority categories 1 and 2. How many of these are officially overcrowded?
- How many are in temporary accommodation? Are any in Bed and Breakfast?
- What are the top three furthest places a family on a housing register been accommodated – temporarily or permanently - by the Council since June 2015 and to which areas and when?
- How many properties are under/over occupied at present?
- How many approaches to the Council about homelessness were made – broken down for each year since 2015 – until present. How many of them were already homeless and how many were at the risk of being homeless?
- How many homeless families were/are from the ethnic minorities or from the protected categories under the Public Sector Equality Duty with a breakdown for each category, please?

(Please kindly provide the exact figures and information and not refer to a web-link or report. Thank you)

Response from Councillor Sirajul Islam

Thank you for your questions Cllr Miah. I am advised that **Part 4** of the Council's Constitution, sections 12.2 & 12.8 state:

12.2 – *Subject to rule 12.3, at an Ordinary or Extraordinary meeting of the Council a Member may ask the Speaker, the Mayor, or the Chair of any Committee or Sub-Committee a **question** about any matter in relation to which the Council has powers or duties or which affects the borough.*

12.8 – *Questions are limited to one per Member per meeting, plus one supplementary question unless the Member has indicated that only a written reply is required and in these circumstances a supplementary question is not permitted.*

However councillors are able to submit Members Enquiries at any time. In light of the above please find below the response to your initial question.

There are currently 18,738 on the housing register as of 24th August 2017.

Of these:

Band 1 = 1,721 which represents 9.2% of the total figure.

Band 2 = 8,877 which represents 47.4% of the total figure.

9.28 Question from Councillor Gulam Kibria Choudhury

Will the Mayor tell us the crime figures – with numbers and percentages from 2012/13 until now - for the following categories:

- Murders
- Assaults
- Anti-Social Behaviour
- Knife Crime
- Islamophobic crime (the Cabinet Member responsible stated at a previous council meeting that these were started to be recorded separately, possibly since 2015/16 but were never confirmed or made public?!)
- Acid and any kind of chemical attacks

(Kindly do not provide a link, refer to report or that unable to find the information, please provide the precise information requested. This information is very important for community, council and residents. If for any reason it is not available, please find out and make an official request to obtain this information as a matter of urgency and let the members know and include in the minutes and the written answer)

Response from Councillor Asma Begum

Thank you for your questions Cllr Choudhury. I am advised that **Part 4** of the Council's Constitution, sections 12.2 & 12.8 state:

*12.2 – Subject to rule 12.3, at an Ordinary or Extraordinary meeting of the Council a Member may ask the Speaker, the Mayor, or the Chair of any Committee or Sub-Committee a **question** about any matter in relation to which the Council has powers or duties or which affects the borough.*

*12.8 – **Questions are limited to one per Member per meeting, plus one supplementary question unless the Member has indicated that only a written reply is required and in these circumstances a supplementary question is not permitted.***

However councillors are able to submit Members Enquiries at any time. In light of the above please find below the response to your initial question.

The only data available to the Council Community Safety Team is via official published websites (Metropolitan Police and Mayor's Office of Policing and Crime). The following data has been extracted from the Met Crime Data Dashboard as of 11th July 2017.

The data for the number of murders in Tower Hamlets over previous years is

	Number of offences
April 2010- March 2011	5
April 2011- March 2012	5
April 2012- March 2013	3
April 2013- March 2014	5
April 2014- March 2015	3
April 2015- March 2016	4
April 2016- March 2017	5

8.29 Question from Councillor Muhammad Ansar Mustaqim

In relation to the cost of living, employment and jobs, will the Mayor inform:

- What is the average cost of living for Tower Hamlets residents now?
- What is average rent in Tower Hamlets at present, and was in 2014?
- What is the long-term youth employment in the borough for each year since 2010 until present?
- Does the Council currently provide the Education Maintenance Allowance (EMA), Higher Education/University Bursary, PGCE subsidy to teachers from BAME community who are still underrepresented compared to population ratio, if the council does, to how many young people and what are the current budgets? If not, will the Council confirm when were these stopped by the administration, and for which time-periods these three schemes operated for, how many people benefit(ted) from each scheme and what was the total budget for each scheme while in operation?

Response from Councillor Joshua Peck

*Thank you for your questions Cllr Choudhury. I am advised that **Part 4** of the Council's Constitution, sections 12.2 & 12.8 state:*

12.2 – *Subject to rule 12.3, at an Ordinary or Extraordinary meeting of the Council a Member may ask the Speaker, the Mayor, or the Chair of any Committee or Sub-Committee **a question** about any matter in relation to which the Council has powers or duties or which affects the borough.*

12.8 – ***Questions are limited to one per Member per meeting**, plus one supplementary question unless the Member has indicated that only a written reply is required and in these circumstances a supplementary question is not permitted.*


However councillors are able to submit Members Enquiries at any time. In light of the above please find below the response to your initial question on the average cost of living in Tower Hamlets.

To establish an average cost of living for a typical resident or family, one would need to establish what an average family/person spends on all their various outgoings (housing, food, utilities, transport, clothing, recreation etc).

Nationally, these data are collected on the Living Costs and Food Survey run by the Office for National Statistics. The survey is a UK household survey, designed to provide information on household expenditure patterns and food – the results are published on the ONS website in their Family Spending in the UK. These do highlight the higher level of spending among families in London. The latest data shows that across the London region the average household expenditure is £572 including housing costs.

As far as we are aware, no similar survey or exercise has been undertaken for Tower Hamlets, so there are no data readily available at a borough level.

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<p>Non-Executive Report of the:</p> <p>Council</p> <p>20 September 2017</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Asmat Hussain, Corporate Director, Governance</p>	<p>Classification: Unrestricted</p>
<p>Petitions to be Presented to Council</p>	

SUMMARY

1. The Council's Constitution provides for up to three petitions to be presented at each ordinary Council meeting. These are taken in order of receipt. This report sets out the valid petitions submitted for presentation at the Council meeting on Wednesday 20 September 2017.
2. The deadline for receipt of petitions for this meeting is noon on Thursday 14 September 2017. However, at the time of agenda despatch the maximum number of petitions has already been received as set out overleaf.
3. The text of the petitions received for presentation to this meeting are set out in the attached report. In each case the petitioners may address the meeting for no more than three minutes. Members may then question the petitioners for a further four minutes. Finally, the relevant Cabinet Member or Chair of Committee may respond to the petition for up to three minutes.
4. The petition will then be referred to the relevant Corporate Director for attention who will provide a written response within 28 days.
5. Members, other than a Cabinet Member or Committee Chair responding at the end of the item, should confine their contributions to questions and not make statements or attempt to debate.

5.1 Petition regarding PCNs and vehicle removal (Petition from Sumsul Talukder Tareq) Petition to be presented at the meeting by Councillor Oliur Rahman

We are the local residents undersign this petition calling on Mayor John Biggs to review the parking policy of Tower Hamlets. The current parking policy allows for the vehicle to be removed 30 minutes after PCN has been issued, even if the vehicle is not causing danger or significant obstruction. We feel it is totally unacceptable and the council is penalising residents financially. We are asking the Mayor to review and make immediate changes to the policy.

5.2 Petition regarding Play on Sports (Petition from Callum Wear)

My business Play On Sports Ltd, has been entrenched in the Tower Hamlets community for 13 years now, consistently delivering over 100,000 sports opportunities to the community on an annual basis. We deliver indoor Cricket, netball, volleyball, football, badminton, dodgeball, fitness programmes, padel tennis and hockey to name just a few, and believe our product is not just a luxury but rather a necessary amenity in the community.

We are the second home to locals young and old. Our family orientated and inclusive community based delivery model allows us to form a community hub with an emphasis on allowing a person to feel at home, get active and try something they would normally never get the opportunity to do. With a new home not only could we continue to aid our community with our delivery but we would be able to increase and adapt to more demand with stability.

We are a small business with a Registered Charitable Arm. However, the benefit is that we have developed a model where we do not rely on charity or donations. By having a charitable arm, we have managed to develop many relationships and opened our doors to the community.

The issue is that come 13th June, we will no longer be able to deliver sports and leisure opportunities and Tower Hamlets will lose a very valuable resource for keeping people active. We seek a representation on the council to state our case for relocation or inclusion in another location within Tower Hamlets in order to be able to deliver these sports opportunities.


5.3 Petition regarding ASB and RSLs (Petition from Mr Ataur Rahman Chowdhury)

We, the undersigned local residents, forwarding this petition to the Executive Mayor of the Tower Hamlets Council to take appropriate action against all the Registered social Landlords Including Tower Hamlets Homes for failing to control their estates from being used for delivering and consuming illegal drugs, alcohol, gang fighting, removing abandoned vehicles and all sorts of Anti-social behaviour including stabbings and knife crime. We particularly thanks to our dedicated councillor Mr Muhammad Mustaquim to come forward and extend his help all the times.

Our under age children's are not safe from the attraction of those youths who are involved with Anti-social behaviour in the estate of many RSLs. We demand to the Mayor to take appropriate action against RSL and Landlords who failed to control nuisance tenants, RSL who breach their statutory duty, RSL who fails to take reasonable remedies and preventative measures, dispute resolution and mediation, fails to issue appropriate Parenting Orders to control their disruptive children and finally issue injunctions and eviction if necessary to protect the enjoyment of the property of other tenants and residents.

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AGENDA ITEM 5.4

<p>Non-Executive Report of the:</p> <p style="text-align: center;">Council</p> <p style="text-align: center;">20 September 2017</p>	 <p style="text-align: center;">TOWER HAMLETS</p>
<p>Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer</p>	<p>Classification: Unrestricted</p>
<p>Petition Debate - No to new parking restrictions for residents and local businesses by Tower Hamlets Council</p>	

1. INTRODUCTION

- 1.1 The Council's Petition Scheme provides that where a petition includes the names, addresses and signatures of at least 2,000 persons who live, work or study in the borough, the petitioners may request that a debate be held about the petition at the full Council meeting. This is additional to and distinct from the provision in the Council's Constitution that a petition with at least 30 signatures may be presented to (but not debated by) the Council. The relevant extract from the Petition Scheme is attached at Appendix A.

2. PROCEDURE FOR CONSIDERING PETITIONS FOR DEBATE

- 2.1 Due to feedback from previous Petition Debates it is proposed to vary the standard format for a Petition Debate for this and future items. Council will need to agree to such a change before the debate starts.
- The petitioners to present their petition for a maximum of three minutes.
 - Questions and answers for four minutes.
 - Debate for 15 minutes. All speeches are limited to a maximum of three minutes
 - The Speaker will invite the Mayor or (at the Mayor's discretion) a Cabinet Member to respond to the matters raised
 - If no motion is moved during the debate, the petition will stand referred to the relevant Corporate Director for a written response.

3. MOTIONS ON THE PETITION

- 3.1 During his or her speech any Member may move a motion for the Council's consideration relevant to matters in the petition (this does not

require the suspension of standing orders). It is requested that Motions relating to the petition be submitted to Asmat Hussain, Corporate Director, Governance and Monitoring Officer in advance of the meeting to allow full circulation.

- 3.2 Following the petition debate, any motions moved will be put to the vote.
- 3.3 In relation to executive functions, the Council does not have powers to override any executive decision of the Mayor or substitute its own decision. The Council may however pass a motion expressing a view on the matter or referring the matter to the Mayor, calling on him to take some action, or consider or reconsider a decision, with recommendations to inform that consideration. Officers will advise on the constitutional validity of any motion that may be moved

4. CONTENT OF THE PETITION

- 4.1 A petition containing over 2,000 signatures has been received for consideration at the Council meeting on the subject of the introduction of new parking restrictions by Tower Hamlets Council.

The text of the petition is below:

To: Mayor of Tower Hamlets and London Borough of Tower Hamlets
We ask the Mayor and the Council to:

- 1) Immediately stop their flawed and inconsiderate proposal that will have a seriously negative impact on the residents and businesses;
- 2) consult properly - with more publicity, new consultation document and extended timelines for residents, businesses and local business holders to respond - and with a clear option of 'keep the parking restrictions as is';
- 3) Stop the predetermined decision to introduce such new parking restrictions and potential new charges for residents as it is evident from the options provided in the document; and
- 4) Take on board the concerns and points raised in this petition.
(Please note that this section must be read in conjunction with the paragraphs under the heading 'why is this important?' contained in the web link below.)

<https://you.38degrees.org.uk/petitions/no-to-new-parking-restrictions-for-residents-local-businesses-by-tower-hamlets-council>

APPENDICES ATTACHED

Appendix A – Extract from the Council's Petition Scheme.

APPENDIX A – EXTRACT FROM THE COUNCIL’S PETITION SCHEME:

5. PRESENTATION OF A PETITION TO ELECTED COUNCILLORS

Subject to your petition containing sufficient signatures as set out below, you may request to present the petition to a meeting of elected councillors. There are a number of ways in which this can be done.

Debate at a Council Meeting

If your petition includes the names, addresses and signatures of at least 2,000 persons who live, work or study in the borough you may request that a debate be held about the petition at the full Council meeting. The Council will endeavour to consider your petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. We will tell you the date of the meeting at which the debate will take place once this is confirmed.

At the meeting, the petition organiser or another signatory to the petition will be given three minutes to present the petition. The person who presents the petition must live, work or study within the borough. The petition will then be debated by Councillors for a maximum of 15 minutes. Following the debate, the Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee.

Where the issue is one on which the Council’s Executive (Cabinet) are required to make the final decision, the Council will decide whether to make recommendations to inform that decision. As the petition organiser, you will receive written confirmation of this decision, which will also be published on our website.

In the event that two or more petitions which are substantially the same are received from different petition organisers, the Chief Executive may aggregate the number of valid signatures in each petition for the purpose of determining whether the threshold to trigger a Council debate of the matters raised has been reached if that is the wish of the petition organisers.

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Agenda Item 6

Non-Executive Report of the: Council 20 September 2017	 TOWER HAMLETS
Report of: Asmat Hussain, Corporate Director, Governance	Classification: Unrestricted
Questions Submitted by the Public	

Originating Officer(s)	Matthew Mannion, Committee Services Manager, Democratic Services.
Wards affected	All wards

SUMMARY

1. Set out overleaf are any questions submitted by members of the public, for response by the Mayor or appropriate Cabinet Member at the Council Meeting on 20 September 2017.
2. The Council's Constitution sets a maximum time limit of twenty minutes for this item.
3. A questioner who has put a question in person may also put one brief supplementary question without notice to the Member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. Supplementary questions and Members' responses to written and supplementary questions are each limited to two minutes.
4. Any question which cannot be dealt with during the twenty minutes allocated for public questions, either because of lack of time or because of non-attendance of the questioner or the Member to whom it was put, will be dealt with by way of a written answer.
5. Unless the Speaker of Council decides otherwise, no discussion will take place on any question, but any Member of the Council may move, without discussion, that the matter raised by a question be referred for consideration by the Cabinet or the appropriate Committee or Sub-Committee.

QUESTIONS

5 public questions have been submitted as set out below:-

6.1 Question from Adam Allnutt

The Council recently announced funding for 14 new police officers – how will these officers be used in the borough?

6.2 Question from Shohidur Rahman

Many residents are concerned about anti-social behaviour associated with the use of laughing gas. What is the council doing about this?

6.3 Question from Abukor Essa


What action is the Council taking to address poor air quality in Tower Hamlets?

6.4 Question from Victoria Obaze

How many affordable homes were delivered in 2016?

6.5 Question from Dipa Das

How many residents in low income households in Tower Hamlets don't have access to WiFi?

Non-Executive Report of the: Council 20 September 2017	
Report of: Asmat Hussain, Corporate Director, Governance	Classification: Unrestricted
Questions submitted by Members of the Council	

Originating Officer(s)	Matthew Mannion, Committee Services Manager, Democratic Services.
Wards affected	All wards

SUMMARY

1. Set out overleaf are the questions that were submitted by Members of the Council for response by the Mayor, the Speaker or the Chair of a Committee or Sub-Committee at the Council meeting on Wednesday 20 September 2017
2. In accordance with Council Procedure Rule 12.2 as amended, questions relating to Executive functions and decisions taken by the Mayor are put to the Mayor unless he delegates such a decision to another Member, who will therefore be responsible for answering the question. In the absence of the Mayor, the Deputy Mayor will answer questions directed to the Mayor.
3. Questions are limited to one per Member per meeting, plus one supplementary question unless the Member has indicated that only a written reply is required and in these circumstances a supplementary question is not permitted. Oral responses are time limited to one minute. Supplementary questions and responses are also time limited to one minute each.
4. Council Procedure Rule 12.5 provides for an answer to take the form of a written answer circulated to the questioner, a reference to a published work or a direct oral answer.
5. There is a time limit of thirty minutes at the Council meeting for consideration of Members' questions with no extension of time allowed and any questions not put within this time are dealt with by way of written responses.
6. Members must confine their contributions to questions and answers and not make statements or attempt to debate.

MEMBERS' QUESTIONS

30 questions have been received from Members of the Council as follows:-

8.1 Question from Councillor Danny Hassell

Will the Mayor join me in thanking foster carers across the borough for their tireless work and dedication with some of our most vulnerable young people?

8.2 Question from Councillor Ohid Ahmed

In response to concerns raised about the potential closure of One Stop Shops in the borough, the Mayor stated "We are consulting residents on proposals to merge our One Stop Shop and Idea Stores. This is not, obviously, a proposal to shut One Stop Shops. Indeed a new one will open, it is planned, as part of the Isle of Dogs Idea Store site." Considering this comment, will the Mayor confirm that the 4 One Stop Shops (Bow, Crisp Street, Watney Market and Bethnal Green) will continue to operate as they are with stand-alone One Stop service for residents, and not close down?

8.3 Question from Councillor Rachael Saunders

How many care leavers living in and outside of Tower Hamlets will benefit from the Mayor's new policy to exempt care leavers from paying council tax?

8.4 Question from Councillor Andrew Wood

Did both foster parents of the little girl fostered in the news recently match the child's "religious persuasion, racial origin and cultural and linguistic background." Simple yes or no answers for each category and foster family would be sufficient given the reporting restrictions

8.5 Question from Councillor Shiria Khatun

Can the lead member update councillors on the latest exam results?

8.6 Question from Councillor Rabina Khan

Will the Mayor commit to Rent Controls in the Private Rented Sector throughout the borough?

8.7 Question from Councillor John Pierce

What assessment has been made of the cladding of the PFI block behind Poplar Baths?

8.8 Question from Councillor Oliur Rahman

Will the Mayor provide the latest update about the foster child, looked after by Tower Hamlets Council, about whom a front-page news story was recently published by a national newspaper, The Times, as well as other prominent media outlets?

8.9 Question from Councillor Ayas Miah

How many families are housed by the Council in B&B accommodation for longer than the legal 6 week limit?

8.10 Question from Councillor Chris Chapman

Did the little girl in contact centre reports provide a clear indication of her wishes as regards her fostering arrangements and did the Council give "due consideration.....to such wishes and feelings of the child as they have been able to ascertain

8.11 Question from Councillor Dave Chesterton

Can the cabinet member tell me what impact the Private Renters' Charter will make to residents in private rented accommodation?

8.12 Question from Councillor Abdul Asad

Why has the Mayor made an Individual Mayoral Decision outside of a Cabinet meeting to award a £3.5 million contract to consultants as part the transformation programme?

8.13 Question from Councillor Helal Uddin

What progress is being made to improve the quality of the Council's housing stock?

8.14 Question from Councillor Mahbub Alam

Will the Mayor update about the changes in his Cabinet which took place this year after the resignation of his both female Deputy Mayors who were also Cabinet members, will he tell us who are the 2 Deputy Mayors now?

8.15 Question from Councillor Rajib Ahmed

Can the cabinet member provide an update on the work of the Somali Task Force?

8.16 Question from Councillor Peter Golds

'Is the Mayor aware of the legal requirements as regards child fostering placements in the UK as well as the international norms established by the United Nations General Assembly in the 'Convention on the Rights of the Child'?

8.17 Question from Councillor Clare Harrison

Can the Mayor provide a brief update on recruitment to senior officer positions?

8.18 Question from Councillor Shah Alam

Will the Mayor keep the current operating parking times of 8.30am till 5.30pm Monday and Friday?

8.19 Question from Councillor Candida Ronald

What action is the Mayor taking to prevent noise pollution from events on the Greenwich Peninsula having an adverse impact on residents on the riverside in Blackwall and Cubitt Town?

8.20 Question from Councillor Maium Miah

Will the Mayor meet my ward residents of Kedge House, Winch House and Starboard Way, with me, who have been badly affected by the Westferry Printworks construction?

8.21 Question from Councillor Khales Uddin Ahmed

What support does the Council offer to local businesses to help them grow?

8.22 Question from Councillor Julia Dockerill

Can the Council update residents on progress on the planned development of the new secondary school on the News International/London Dock site in Wapping?

8.23 Question from Councillor Shafi Ahmed

Will the Mayor launch a campaign to recruit Foster Carers in the borough so foster placements can be sensitive to a child's ethnicity, culture and religion?

8.24 Question from Councillor Muhammad Mustaqim

When will the Mayor confirm if he has any plans to change the parking restrictions in any part of the borough this year or the next following the formal consultation conducted by the council about potential changes in various parking zones?

8.25 Question from Councillor Craig Aston

Large trucks routinely enter Narrow Street in Limehouse by accident blocking sections of road, can the Council update residents on its plan to improve signage on the key entry routes especially around the Rotherhithe tunnel entrance.

8.26 Question from Councillor Aminur Khan

Will the Mayor commit to not privatising, cutting or scrapping:

- nurseries
- the careers services
- the Tower Hamlets Youth Sports Foundation?

8.27 Question from Councillor Harun Miah

Following a huge petition by Chris Dunne and thousands of parents, carers and young people at the last council protesting the decision to stop its funding, will the Mayor provide details if any viable and concrete proposal has been put forward and agreed to save Tower Hamlets Youth Sports Foundation as it is one of the most successful sports programmes of its kind in the country?

8.28 Question from Councillor Kibria Choudhury

Following consistent complaints about crime and drug dealing, will the Mayor provide an update about what action has the council taken to deal with the serious problem of Nitrous Oxide being used as a drug across the borough including any cases that have been reported in the last two years?

8.29 Question from Councillor Gulam Robbani

Will the Mayor look into the persistent issue of why the written responses sent to Members Questions, asked and responded to at the full council meetings, are taking so long to come back to Members when most of the information and responses had already been prepared leading up to the meeting by officers and the Mayor's office or provided by the Mayor/Cabinet Members at the meeting?

8.30 Question from Councillor Suluk Ahmed

Will the Mayor provide the total number of people on the Council's housing waiting lists for each year since 2013 until now, and the number of furthest placements made in that time-period with details? Kindly, just provide facts please not the irrelevant details, which are not being requested and I am happy with written answer.

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Non-Executive Report of the: Council 20 September 2017	
Report of: Asmat Hussain, Corporate Director Governance & Monitoring Officer	Classification: Unrestricted
Standards (Advisory) Committee - Re-Appointment of Independent Co-opted Member	

Originating Officer(s)	Mark Norman – Legal Adviser & Deputy Monitoring Officer
Wards affected	(All Wards);

Summary:

Mr John Pulford MBE is an Independent Co-opted Member who is also the current Chair of the Standards (Advisory) Committee and this report recommends his re-appointment as a Co-opted Member of the Advisory Committee.

Recommendation:

The Council is recommended to:

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

1. REASONS FOR THE DECISIONS

- 1.1 The Council Constitution sets out the agreed membership of the Standards (Advisory) Committee which allows for the appointment of up to seven Independent Co-opted Members. There are currently two vacancies and the re- appointment of Mr Pulford is subject to approval by full Council.

2. ALTERNATIVE OPTIONS

- 2.1 The Council may choose not to re-appoint Mr Pulford and to vary the number of Independent Co-optees appointed to the Standards (Advisory) Committee. This course of action is not recommended.

3. DETAILS OF REPORT

- 3.1 The membership of the Standards (Advisory) Committee is subject to the annual reconstitution of the Committee at the Council's AGM. The membership of the Advisory Committee includes councillors and up to seven voting co-opted members. Councillors are appointed to the Committee annually in accordance with the requirements of political proportionality. The Council has specified that the Chair and Vice-Chair of the Committee should be drawn from amongst the co-opted members. Article 9 of the Council's Constitution, provides that the appointment of co-opted members must be approved by full Council and such appointments will generally be for 4 years.
- 3.2 There are currently five Independent Co-opted Members of the Advisory Committee whose terms of office expire as detailed below.

Mr John Pulford MBE (Chair) - September 2017

Ms Nafisa Adam (Vice- Chair) – February 2019

Mr Michael James Houston - February 2019

Mr Daniel Mc Laughlin - May 2019

Ms Fiona Browne – January 2021

- 3.3 Mr Pulford was first appointed as a Co-opted Member of the Advisory Committee in 2013. In accordance with Article 9 of the Constitution this was for a period of 4 years. Mr Pulford has contributed extensively to the business of the Advisory Committee, he was elected Chair of the Committee in July 2016 and has continued as Chair since that time.
- 5.4 As Mr Pulford has only served one full four year term of office as a Co-opted Member and given his more recent experience as Chair of the Committee, it is recommended that he is re-appointed as a Co-opted Member for a period of a further two years. This will also enable Mr Pulford to continue to Chair the Advisory Committee for the current municipal year.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There are no financial implications arising from the recommendations within this report. Any meeting expenses paid to members of the committee will be contained within existing budgets.

5. LEGAL COMMENTS

- 5.1 This report has been prepared by the Deputy Monitoring Officer and incorporates legal comments.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 There are no specific anti poverty or equal opportunity implications arising out of this report.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The re-appointment of Mr Pulford will create stability for the important work undertaken by the Advisory Committee and will assist in the continued efficiency and effectiveness of that work.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 This report has no immediate implications for the Council's policy of sustainable action for a greener environment.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The appointment of Independent Co-opted Members to the Advisory Committee assists in promoting and maintaining high standards of conduct and improving confidence in local democracy.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no specific crime and disorder reduction implications arising out of this report.

Linked Reports, Appendices and Background Documents

Linked Report

NONE

Appendices

NONE

Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report

NONE

Officer contact details for documents:

N/A

Decision Report Cover Sheet Council 20 September 2017	
Report of: Ann Sutcliffe, Acting Corporate Director, Place	Classification: Unrestricted
To reconsider the Late Night Levy consultation	

Lead Member	Councillor Asma Begum, Cabinet Member for Community Safety
Originating Officer(s)	Roy Ormsby – Divisional Director – Public Realm David Tolley – Head of Environmental Health and Trading Standards
Wards affected	All wards
Community Plan Theme	A Safe and Cohesive Community

Executive Summary

To consider whether a Late Night Levy (LNL) should be applied to those premises in the Borough that are authorised sell alcohol between a nominated period between midnight and 6.00am.

A further consultation has taken place after the Council was threatened with a Judicial Review after agreeing to adopt the levy on the 1st June 2017.

The consultation sought views on the following matters:

- If a levy should be introduced
- The commencement time that the levy shall be applied between midnight and 6.00am
- Views of the Mayor’s Office for Policing and Crime (MOPAC) for the introduction of a levy and seek agreement that the levy will be allocated within the Community Safety Partnership.
- To consult on any exemptions or reductions that may be applied to businesses.
- To determine, if the levy is to be adopted, it will commence on the 1st January 2018

Consultation was carried out by engaging with the public and businesses and variety of other groups, this report considers the consultation responses.

Recommendations:

Council is recommended to:

1. Adopt the Late Night Levy
2. If the decision is to adopt the levy, the commencement of the levy shall be from the 1st January 2018.
3. Agree that the commencement period of the levy should be from midnight every night.
4. Agree that the income from the levy, less collection costs, should be allocated through the Community Safety Partnership.
5. Agree that Members of the Best Bar None Scheme receive a 30% reduction from the levy.
6. Agree 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. Agree 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

1. REASONS FOR THE DECISIONS

- 1.1 The Council can agree to impose an additional financial levy on licensed premises that retail alcohol within the Borough, in order to make a contribution to the cost of managing the night time economy.
- 1.2 The income raised by the levy will be used to compliment the Councils Anti-Social Behaviour Blueprint and is intended to be managed through the Community Safety Partnership.
- 1.3 If a levy is determined to be adopted the proposal will need to be agreed at full Council.

2. ALTERNATIVE OPTIONS

- 2.1 The Council can determine to not to introduce a levy.

3. DETAILS OF REPORT

- 3.1 The Police Reform and Social Responsibility Act 2011 has introduced the provision for Councils to impose a late night levy for the sale of alcohol within their area.
- 3.2 The Regulations governing the introduction of the levy set the amount of levy that can be imposed in relation to the rateable value of the property; how the levy should be divided amongst the Metropolitan Police and Council; and the type of activities that the levy can be spent on within the Council. The levy is set by Government depending on the rateable value of the property that is licenced to retail alcohol. The levy is collected at the same time as the licence fee.
- 3.3 The levy enables the Council to raise a contribution from late opening alcohol suppliers towards managing the night-time economy. It is a provision which the Council has the power to adopt. The Council can also choose the period during which the levy applies every night, between midnight and 6.00am, but it must be the same for every day. There is also a possibility for specific exemptions and reductions to be granted with regards to the levy payment.
- 3.4 The aim of the levy is to empower Councils to charge businesses that supply alcohol late into the night, for the extra costs that the night-time economy generates for police and Councils (as licensing authorities). The Government consider it is right for businesses which profit by selling alcohol in the night time economy to contribute towards the costs of managing the night-time economy.
- 3.5 If the Council chooses to introduce the levy in their area, all licensed premises which are authorised to sell alcohol within the levy period will be able to make

- a free minor variation to their licence before the levy is introduced, so as to avoid the levy.
- 3.6 The Metropolitan Police (MOPAC) will receive 70% of the revenue. The net levy revenue amount due to MOPAC is reduced by the cost of collecting the payments, implementing the levy and publicising the statutory statements. MOPAC have agreed to have their allocation spent within the Borough through the current partnership arrangements.
- 3.7 The Council must allocate their proportion of the net levy amount on the following activities:
- Reduction or prevention of crime and disorder
 - Promotion of public safety
 - Reduction or prevention of public nuisance
 - Cleaning of any relevant highway or relevant land in its area
- 3.8 The estimate from the income of the LNL is detailed in Appendix 1, it must be noted that this is an estimate only and is dependent on the exemptions and reductions that may be granted. The provision of free minor variations during the lead to the introduction of the levy would have an impact on the estimate presented in this **Appendix 1**. As of June 2017 there are 310 licences that could be affected, pending applications for minor variations, the exemptions agreed and licence holders joining the Best Bar None scheme.
- 3.9 The increase in annual fee for the licence holder is shown in **Appendix 2**. It must be noted that the annual fee, without the levy component is set by Government depending on the rateable value of the property.
- 3.10 Other London Borough's such as Camden and Islington have also introduced a Late Night Levy and Hackney has undertaken a consultation with a proposal to introduce the levy on the 1st November 2017.
- 3.11 Initial reports from Islington, who introduced the levy in November 2014, are that it has had a positive impact on reducing incidents related to late night drinking and thus improved the night time economy.
- 3.12 The Council, as the Licensing Authority, must consider the desirability of introducing a levy in relation to the costs of policing and other arrangements for the reduction or prevention of crime and disorder.
- 3.13 The introduction of the levy will contribute to the Council's overall strategy in reducing anti-social behaviour within the Borough and will enable further projects to be undertaken to reduce impacts on residents and to ensure that visitors to the Borough have an enhanced safe experience. It also supports the recently adopted *Anti-social behaviour – A blue print for local action in Tower Hamlets*.
- 3.14 The Metropolitan Police and the Council would have to determine how they would wish to spend their allocation and detail the additional work that would

be carried out to police the night time economy. Projects that could be funded through the Partnership include:

- Taxi Marshalls
- Street Pastors
- Street Cleaning
- Enforcement Initiatives – Night time enforcement officers
- Personal Safety Initiatives
- Health Care Facilities
- Additional Police or private security
- Financial support could be provided to assist schemes that promote improved management of licenced premises, such as Best Bar None or Pub watch

3.15 Based on the current number of premises opening between midnight and 6am, and using midnight as the point the levy commences, the additional income would be in the region of £293,377. This figure will vary if premises apply to reduce their operating hours. The Council is able to deduct from the income the costs of applying and collecting the levy and it is estimated that this will be in the region of £50,000.

Considerations

3.16 There are potential operational and efficiency benefits for the local community extending to the Ambulance Service, local accident and emergency provision in hospitals, the Courts and wider justice system and the Local Economy resulting from a more effectively managed night time economy brought about by the additional resource generated by the scheme.

3.17 The legislation dictates how a levy is to be introduced and notices to be displayed at the appropriate time. Thereafter, on an annual basis, a Council as the Licensing Authority must publish before the beginning of the year a statement of its estimate of the amount of deductions permitted under regulation to be made in respect of the year. At the end of the year, a statement of the net amount of levy payments for the year showing actual deductions will need to be published.

3.18 The estimated proportion of the net levy must be paid to the Metropolitan Police at the start of the levy year.

3.19 As the levy does not apply to Temporary Event Notifications, it is possible that licence holders will apply for (TENS), rather than pay the additional charge for the levy. This potentially reduces the regulatory control Licensing Officers would have over the premises as premises licence conditions are not automatically transferred to the TENS. Under this regime a premises can have 12 events or 21 days-worth of TENS within a rolling twelve months, involving less than 500 persons.

3.20 The Council is not committed to adopting the Late Night Levy after undertaking a consultation. It is committed to making a determination though.

However, if it does it would have to provide clear justified reasons why it feels that a levy is required. Any decision of this nature undertaken by the Council is open for Judicial Review. The recorded crime data would support the justification for the levy. See Appendix 8

Consultation

- 3.22 The main method of consultation was to direct residents and businesses to complete an online survey which was accessed via the Council's website, **Appendix 3**. All 1134 affected licensed premises were written to. The consultation ran from 24th May 2017 to midnight on 23rd August 2017.
- 3.23 A total of 52 responses were received from the on line survey, 78% being members of the public, 21% being a Business/Commercial Entity.
- 3.24 As well as the online survey, the Council also received responses via email, letters and through two public meetings as a result of directly writing to licensees and interested groups, **Appendix 4** lists the groups consulted. These responses were from licensees, a resident, trade organisations, and national companies.
- 3.25 This brings the total responses received to 71. **Appendix 5** summarises the responses from the attendees at the two public meetings and written responses.
- 3.26 The online consultation showed that 73% of those who completed the survey were in favour of the Council's proposal to introduce the Levy. Comparing this to the other results summarised in Appendix 5 where most responders were not being favour of the proposal. Most of the respondents were Licensees, Trade Associations or companies with Licensed Premises in the borough.
- 3.27 A graphical breakdown of all the results from the online survey can be found in **Appendix 6**.

Statutory Exemptions Proposed

- 3.28 Chart D in Appendix 6 shows the results relating to proposed statutory exemptions. Most of the proposed exemptions were agreed with; however 2 of these were disagreed with in the consultation. These were:
- Exemption for Country Village Pubs
There are currently none of these within the borough.
(The definition of a country pub is that are solely designated in rural settlements with a population less than 3000)
 - Overnight accommodation
Hotels/hostels where alcohol is supplied only to persons staying at the premises during midnight to 6am for consumption on the premises
(This exemption is not applicable to any premises which serve alcohol to members of the public who are not staying overnight at the

premises, such as a hotel bar which can be accessed by the general public.)

Where the money raised should be spent?

- 3.29 Chart E in Appendix 6 identified that the majority of respondents to the online survey wanted the revenue raised by the levy to be spent on prevention of Public Nuisance and prevention of Crime & Disorder
- 3.30 In terms of the other responses including the public meetings agreed the revenue should be invested in prevention of crime and disorder and cleaning of relevant highways and land.

Additional Comments Raised

- 3.31 A number of additional comments were raised during the consultation from both members of the public, licensee, companies, and trade associations etc. These are listed in **Appendix 7**.
- 3.32 The majority of comments made were that the Late Night Levy (LNL) would be detrimental to small/independent businesses within the borough and is detrimental to the late night economy as it can be seen as an unfair blanket tax because it does not differentiate between responsible and irresponsible businesses. A number also stated the Levy charge should start at 23:00/23:30, which is not possible as the levied hours a Council can choose are set between 00:00 and 06:00 hours. Other comments receiving a high majority agreed that with the polluter pays principal of the Levy, whilst others particularly the Business and Trade Organisations said that it would be a detriment to the Late Night Economy. The Business and Trade Organisations also mention the House of Lords Select Committee Report on the Licensing Act 2003, and suggests that Councils should consider use Business Improvement Districts (BIDs) as an alternative to the Late Night Levy.

Metropolitan Police

- 3.33 The Chief Inspector for Tower Hamlets supports the Council's proposal stating that if introduced, this would enable the Community Safety Partnership Board to consider and fund initiatives offering additional support to address the increased enforcement requirements that are generated by the night time economy.

MOPAC

- 3.34 MOPAC has agreed to this arrangement because both Islington and Camden, who have introduced a Late Night Levy, has similar agreement in place.

Tower Hamlets Clinical Commissioning Group

3.35 Tower Hamlets Clinical Commissioning Group who are part of the NHS support the Council's proposal stating that they were pleased on the proposal to tackle issues around the sale of alcohol after midnight and support for street police safety in the borough. They welcomed the opportunity to share their views on the proposal and discussed how the levy could help to reduce the number of alcohol-related A&E attendances late at night and during the early hours, as well as benefitting the health and wellbeing of the wider population of Tower Hamlets.

Incidents

3.36 **Appendix 8** demonstrates the incidents that have been reported to the Police and Council, linked to licensed premises during 2016/17 at hourly intervals. The majority of incidents were occurring between midnight and 1 am.

Premises to be affected

3.37 **Appendix 9** shows a table of the estimated number of premises type/usage that are likely to be affected by the introduction of a late night levy. The total number of premises will vary in relation to the estimated income due to the time frame of running the reports.

Late Night Levy Proposal

3.38 If the levy was to be adopted by the Council the following would be recommended to Members.

- The levy commences at midnight for all premises that retail alcohol
- Members of Business-led schemes to receive a 30% reduction – Best Bar None only
- The following licenced premises not to be exempt
 - Country Village Pubs
 - Business Improvement Districts
 - Small Business Rate Relief premises not to receive a reduction
- The following activities would be exempt from the levy
 - Premises with overnight accommodation – see 3.28 above
 - 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 open late for New Year's Eve applicable to premises which are authorised to sell alcohol between midnight and 6am, only applies on New Years day
- 3.39 An Equalities Analysis Quality assurance Checklist has been carried out and is detailed at **Appendix 10**.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The report seeks adoption of the Late Night Levy scheme by the Council from midnight of the 1st January 2018. The introduction of the levy will generate estimated annual Income of £293,377 based on the current operating hours of the premises selling alcohol after midnight. This figure will vary as it is dependent on premises not changing operating hours. The cost to the Council of administering the levy is expected to be £50,000 which will be revenue neutral, i.e. the cost of any additional services including any potential reduction in the levy offered to businesses, will be met from the levy and will not impact the General Fund.
- 4.2 The fee for the introduction of a levy is set by the Government and the amount payable will be determined by the rateable value of the property where the alcohol is sold. The Council as the licensing authority can retain up to 30 per cent of the net levy revenue, but must pay at least 70 per cent to the police. The portion of the net levy revenue due to the police can be amended in future levy years. This decision must be subject to consultation in the same way as a decision to introduce the levy.
- 4.3 The income generated from the levy has been earmarked for allocation to projects funded through a pooled budget administered by the Council through the Community Safety Partnership. The projects will deal with managing the effects of the late night economy in support of community safety objectives. The delay implementing the levy is not expected to have any significant impact other than the timeframe being revised for the pooled budget to be set up to be administered through the Partnership.

5. LEGAL COMMENTS

- 5.1 The late night levy ("the levy") is a power, conferred on licensing authorities by provision in Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011. This power allows licensing authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority's area, as a means of raising a contribution towards the costs of policing the late-night economy.
- 5.2 The levy must cover the whole of the licensing authority's area. However, the Council will also choose the period during which the levy applies every night,

between midnight and 6am, and decide what exemptions and reductions should apply from a list set out in regulations.

- 5.3 If the Council chooses to introduce the levy in its area, then all licensed premises which are authorised to supply alcohol in the levy period will be affected although the Council does have the discretion to offer an exemption from the levy. All other relevant premises that do not wish to operate in the levy period will be able to make a free minor variation to their licence before the levy is introduced.
- 5.4 The Council also has the discretion to offer a 30% reduction from the levy to premises that are either a member of a relevant best practice scheme or in receipt of Small Business Rate Relief and have a rateable value of less than £12,000. The report proposes the reduction for Best Bar None awarded premises but no reduction for premises in receipt of Small Business Rate Relief. In considering such reduction, the best practice scheme must meet the criteria specified in the Late Night Levy (Expenses, Exemptions and Reductions) Regulations 2012 as follows:
- A clear rationale as to why the scheme's objectives and activities will, or are likely to, result in a reduction of alcohol-related crime and disorder;
 - A requirement for active participation in the scheme by members; and
 - A mechanism to identify and remove in a timely manner those members who do not participate appropriately.
- 5.5 With regard to the levy revenue, the police will receive 70% of the net levy revenue. The Council can retain up to 30% of the net levy revenue to fund other activities besides policing and the split proposed is 70%/30%.
- 5.6 There are restrictions on the types of services that licensing authorities can fund with the levy revenue to ensure that levy is spent on tackling alcohol related crime and disorder and services connected to the management of the night-time economy. The Council can deduct permitted administration, collection and enforcement costs from the gross levy revenue.
- 5.7 As to consultation, the Council firstly has to discuss the need for a levy with Mayor's Office for Policing and Crime (MOPAC) and the relevant chief officer of police and which has been undertaken. The Licensing Authority then decided to move to the next stage in the process and which was to consult on its proposal to introduce a late night levy. The consultation document is required to state the Council's intention to introduce a levy, its proposed design (including the late night supply period and proposed exemption and/or reduction categories) and the services that the licensing authority intends to fund with its share of the levy revenue.
- 5.8 The consultation must comply with the following common law criteria:
(a) it should be at a time when proposals are still at a formative stage;
(b) the Council must give sufficient reasons for any proposal to permit intelligent consideration and response;

- (c) adequate time must be given for consideration and response; and
- (d) the product of consultation must be conscientiously taken into account.

5.9 Consultation has been carried out as referred to in paragraphs 3.22 through to 3.36 of the report and the responses set out in Appendices 5 to 7 to the report and paragraphs (a) to (c) above has been complied with. Cabinet must now take full and proper account of the consultation responses in deciding whether to recommend to full Council the introduction of the levy and if so, the design of that levy.

5.10 If the Council decides to adopt the levy it must notify the Chief Officer of Police and all holders of licences which permit the supply of alcohol within the late night supply period. The Home Office Amended Guidance on the Late Night Levy recommends that the start date of the levy is set no less than three (3) months after the notifications are sent. This will allow sufficient time for holders with a relevant late night authorisation to make a free variation to their licence to reduce their licensed hours to avoid operating within the late night supply period and thus avoid paying the levy. The date proposed being 1st January 2018 will comply with this Guidance.

5.11 Pursuant to Local Authorities (Functions and Responsibilities) (England) Regulations 2000, powers and functions relating to late night levy requirements cannot be the responsibility of the Executive. This is therefore a function of full Council unless it has been delegated by it. This function has not been delegated and therefore the final decision about the introduction of the levy will be for full Council. Therefore, the Mayor in Cabinet can only recommend adopting the levy to Full Council. The Levy however, does not fall within the Council's Budget and Policy Framework Procedure Rules and it is not a matter that is specified budget and policy framework as set out in Part 2, Article 4 of the Constitution.

5.12 When making decisions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). A proportionate level of equality analysis is required to discharge the duty and an Assurance Checklist is in Appendix 10.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 The Equality Analysis Quality Assurance Checklist has been completed in respect of this policy in order to comply with our Public Sector Equality Duty and no adverse issues have been identified, but will be kept under review.

7. BEST VALUE (BV) IMPLICATIONS

7.1 The adoption of levy will enable the Council to impose an additional fee on those that contribute to some of the costs of managing the night time economy.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no environmental impacts with regards to this scheme.

9. RISK MANAGEMENT IMPLICATIONS

9.1 There are no risk management issues with the scheme.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 One of the key licensing objectives is to prevent licensed premises from being a source of crime and disorder. The adoption of the levy and assists with crime and disorder reduction by providing funding for joint projects through the Community Safety Partnership.

11. SAFEGUARDING IMPLICATIONS

11.1 The adoption of the levy may provide additional funding for safe guarding projects such as underage drinking, supporting the Community Alcohol Partnership and Best Bar None schemes.

Linked Reports, Appendices and Background Documents

Linked Report

None

Appendices

Appendix One: Estimated Income
Appendix Two: Increased fee estimate
Appendix Three: Consultation document
Appendix Four: Consultees
Appendix Five: Public Meeting responses and written responses
Appendix Six: On line survey responses
Appendix Seven: Additional Comments
Appendix Eight: Hot Spot Maps
Appendix Nine: Estimate of numbers of premises type affected by the levy
Appendix Ten: Equalities Assessment

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

None

Officer contact details for documents:

N/A

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Appendix 1 : Estimated Income

Late Night Levy income: Estimated Number of premises (levy charge)

Operating Hours	Band A Levy charge (£299)	Band B Levy charge (£768)	Band C Levy charge (£1259)	Band D Levy charge (£1365)	Band D Multiplier Levy charge (£2730)	Band E Levy charge (£1493)	Band E Multiplier Levy charge (£4440)
Midnight – 1.00am	12 (£3,588)	81 (£62,208)	31 (£39029)	4 (£5,460)	-	20 (£29,860)	1 (£4,440)
1.00am - 2.00am	8 (£2,392)	45 (£34,560)	21 (£26,439)	1 (£1,365)	-	10 (£14,930)	-
2.00am - 3.00am	1 (£299)	14 (£10,752)	9 (£11,331)		-	3 (£4,479)	-
3.00am - 4.00am	2 (£598)	2 (£1,536)	2 (£2,518)	-	-	-	-
4.00am – 5.00am	-	3 (£2,304)	2 (£2,518)	-	-	-	-
5.00am – 6.00am	-	-	1 (£1,259)	-	-	-	-
24 hours	15 (£4,485)	11 (£8,448)	3 (£3,777)	1 (£1,365)	-	9 (£13,437)	-

The multiplier applies to premises in rateable value Band D and E that primarily or exclusively sell alcohol

Total Levy income: dependent of commencement of levy hour

Commencement of Levy period	Estimated levy income (£) per Hour slot (incl. 24 hours premises)
Midnight – 6.00am	£293,377
1.00am - 6.00am	£148,792
2.00am -6.00am	£69,106
3.00am -6.00am	£42,245
4.00am – 6.00am	£37,593
5.00am – 6.00am	£32,771

Appendix 2

Increase of licence fee per rateable band

Rateable Band	Annual Fee (£)	Levy Charge (£)	Total Annual Fee with Levy charge (£)	Number of premises affected if levy commences at midnight
A	100	299	399	38
B	190	768	958	154
C	315	1,259	1,574	69
D	450	1,365	1,815	6
D with multiplier	900	2,730	3,630	0
E	635	1,493	2,128	42
E with multiplier	1905	4,440	6,345	1

Total Number of Premises 310

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Late Night Levy

The Police Reform and Social Responsibility Act 2011 introduced an adoptive power whereby the Council may impose a late night levy on businesses that are licensed to sell/supply alcohol between midnight and 06:00am (00:00 and 06:00). Other London Boroughs who have introduced a Late Night Levy have reported a positive impact on reducing incidents relating to late night drinking of alcohol.

The aim of the levy is to empower local authorities to charge businesses that are licensed to sell/supply alcohol between midnight and 06:00am (00:00 and 06:00). The charge applies whether these licensed (permitted) hours are used or not. The levy will help pay for the extra enforcement costs that the night-time economy generates for police and licensing authorities.

The Government considers that businesses who are licensed to, and profit from selling/supplying of alcohol between 00:00 and 06:00 hours should contribute towards the costs of managing the night-time economy, rather than relying on other taxpayers in the community to bear the full costs.

The London Borough of Tower Hamlets determined to adopt the provisions to raise a late night levy. The determination to introduce the levy was made by Full Council on 20 January 2017 with an implementation date of 1 June 2017. Due to errors in the consultation process last year it has been decided not to introduce the Late Night Levy on 1st June 2017.

The Council will now be re-launching the consultation and is hereby consulting on the introduction of a late night levy for premises authorised to sell/supply alcohol between midnight and 6am to be introduced on 1st January 2018.

Full details of our proposals can be found below. Please also see our formal Notice of Intention to Introduce a Late Night Levy within the London Borough of Tower Hamlets, which summarises the proposals.

About the Consultation

The Consultation is intended to be targeted at those who could be affected by the introduction of a Late Night Levy, in particular:

- Businesses, e.g. those who hold or are considering applying for a licence to sell/supply alcohol,
- The Police,
- Residents, and
- Any other interested party e.g. any business/organisation/person who has an interest in the night time economy.

The Council is legally required to consult with the Mayor's Office for Policing and Crime (MOPAC), the Chief Officer of Police for this borough, and all premises licence and club premises certificate holders whose authorised to

sell/supply alcohol between the times the levy is proposed to apply, i.e. 00:00 and 06:00 hours.

The purpose of the consultation is to seek the stakeholders' comments and views on the proposed Levy. We are therefore keen to have maximum engagement from consultees.

Please note as mentioned above this is a new consultation therefore all comments received during the last consultation will not be included in this one. Persons who provided comments previously should do so again during this new consultation.

Proposal

Why is a Late Night Levy being consulted on?

The Metropolitan Police post additional staff every Friday and Saturday night to deal with specific night-time economy issues. Under a special services agreement the cost of this to the council is in the region of £336,752 a year.

There are approximately 200 alcohol related ambulance call-outs per month in the borough. In relation to all ambulance call-outs in Tower Hamlets, on average 17% a week take place between midnight and 06:00am. At weekends this figure is 22%. A report by the Institute of Licensing in October 2015 (Alcohol's Impact on Emergency Services) found during their survey that an estimated 37% of ambulance time is alcohol related.

The Maps a – f, (to view all maps a to f please click [here](#)), plot anti-social behaviour complaints in 2016/17 related to licensed premises, and the time period of the licence.

How long will the Consultation run for?

The Council will run the consultation from Wednesday 24th May 2017 to 00:00 hours on Wednesday 23rd August 2017.

How can the money raised by the levy be used?

The Council can recover all costs associated with the administration of the levy system. These are the costs that the Council incurs with the introduction or variation, administration, collection and enforcement of the levy.

The amount leftover (the net levy revenue) must be split between the council and the Mayor's Office of Policing and Crime (MOPAC), but MOPAC must receive at least 70% of the total collected. MOPAC has agreed that the whole amount will be held in a central trading account. The allocation of this funding will then be managed through our current Community Safety Partnership arrangements. The Licensing and Safety Team has responsibility for liaison with both public and voluntary sector on community safety issues. Use of the

levy in this way will provide transparency and allow greater flexibility in the use of the funds from year to year.

The council is restricted as to what it can use the funds for; the levy must be used to fund services to tackle late night alcohol-related crime and disorder and services connected to the management of the night-time economy. The Council can only spend the money on the following measure:

- Reduction of crime and disorder,
- Promotion of public safety,
- Reduction or prevention of public nuisance,
- Cleaning of any relevant highway or relevant land within the Borough.

The Community Safety Partnership will decide how the money will be spent. Current measures being considered are:

- Taxi Marshalls,
- Street Pastors,
- Street Cleaning,
- Enforcement Initiatives - Night time enforcement officers,
- Personal Safety Initiatives,
- Health Care Facilities,
- Additional Police or private security,
- Financial to assist schemes that promote improved management of licenced premises, such as Best Bar None.

How much will licensees pay?

The levy is dependent on the rateable value of the premises and the levy amounts are set by the Government as below:

Rateable Value	Annual Levy	Cost per week
Band A (Nil - £4,300)	£299	£5.75
Band B (£4,301-£33,000)	£768	£14.76
Band C (£33,001-£87,000)	£1,259	£24.21
Band D (£87,001-£125,000)	£1,365* (£2,730)	£26.25 (£52.50)
Band E (£125,001 and above)	£1,493* (£4,440)	£28.71 (£85.38)

**Those that are band D or E where the main use is the sale of alcohol for consumption on the premises will pay an additional fee.*

The majority of premises in Tower Hamlets are rated as band B or C.

Every licensed premise permitted to sell/supply alcohol between the times of the levy set by the council, will have to pay the levy. The council has some discretion to either exempt or allow a reduction in the amount of levy in some specific cases. All possible exemptions and reductions included in the current proposal are detailed below.

How much money will the late night levy raise?

The final amount is difficult to estimate but will depend on how many premises continue to hold a licence during the late night levied hours, and the exemptions and reductions to be applied. Due to the number of potential exemptions or reductions and the option for licences to be varied, it is difficult to provide an exact figure if the levy is introduced. Theoretically it may range from £20,000 to £350,000 per year subject to all of these variables.

Will there be a transition period and when will it start?

The levy must be approved by Full Council. If adopted, the levy will be implemented from **1st January 2018**.

Prior to the implementation of the levy any licensee who wishes to vary their licensable hours for the sale/supply of alcohol on their licence and reduce them to before the levied hours can do so via a free minor variation. We propose a 2-month period for these free variations to be provided. The free application period will run from the formal decision notice date to adopt the levy, if the Council determines to adopt following consultation.

How will the levy be collected?

The council will collect the levy at the same time as the annual licence annual fee. However for premises who apply for a Licence after the levy has been introduced their fee will be collected 14 days following the granting of their licence.

What happens if a licensee doesn't pay?

The money can be recovered as a civil debt, but it would also result in the premises licence being suspended; this scenario would mean that the business could not carry out any licensable activities until the levy has been paid.

Will the need for the levy be reviewed?

All aspects of the levy will be reconsidered at least every five years to ensure that the policies are still appropriate

What time will the levy apply to?

The council proposes to set the late-night levy period to run from midnight to 6am (00:00 to 06:00 hours). It is considered that all premises operating or able to operate during these hours impact on the need for additional resources to address the consequences of the night time economy and so should contribute to the costs incurred.

Who will be exempt from the levy?

There may be some premises which the council feels should not have to pay the levy.

The Council proposes the following exemption to be applied:

- **Premises with overnight accommodation** – This exemption does not however apply if alcohol is served during levied hours to members of the public who are not staying overnight (it is not considered that these premises contribute significantly to the detrimental effects of the late night economy).
- **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. It is not considered that these premises will contribute significantly to the detrimental effects of the late night economy.
- **Bingo Halls** – These premises must have licenses under the Gambling Act 2005 and the playing of bingo must be the primary activity. It is not considered that these premises will contribute significantly to the detrimental effects of the late night economy.
- **Community Amateur Sports Club** – These are clubs registered as Community Amateur Sports Clubs (CASC) that are entitled to various tax concessions including relief from business rates. The type of premises covered by CASC range from table tennis, cricket to rugby. Overall it is not considered that these premises will contribute significantly to the problems of the late night economy and their exemption will have minimal impact on the levy.
- **Community Premises** – These are premises that form part of the church hall, chapel hall, village hall, parish hall, community hall or other similar buildings. It is not considered that these premises will contribute significantly to the detrimental effects of the late night economy.
- **New Year's Eve** – Applicable to premises which are authorised to sell alcohol between midnight and 6am, ONLY on New Year's Day. The operation of licensed premises beyond midnight on only one day in each year will have minimal impact on the overall operation and costs of the late night economy. If there is no exemption, licensed premises will need to apply for a temporary event notice, which will not attract any levy and will add administrative burdens on businesses and the council to process these applications.

The Council proposes the following exemptions will not be applied:

- **Business Improvement Districts** – there are no Business Improvement Districts in Tower Hamlets
- **Country Village Pubs** – Tower Hamlets does not have any premises that fall into this definition

What premises are entitled to a reduction in the levy?

The council can allow a 30 per cent reduction of the levy for two types of premises; there can only be one reduction, however, even for premises that fall within both categories.

These categories are:

Small business rate relief

A reduction can be granted in respect of premises that only supply alcohol for consumption on the premises, where the rateable value is £12000 or less, and which receive Small Business Rate Relief. It is proposed by the council not to provide a reduction to these premises. These premises receive business rate relief to assist in their viability. However, if they operate in the levied hours, there is no reason to suggest that they are less likely than similar businesses to contribute to the detrimental effects of the late night economy. As the levy fees are dependent on the rateable value of the premises small businesses are likely to fall in its lower bands and be liable for the lower levy amounts.

Members of business-led best practice schemes

A reduction can be granted in respect of premises that participate in business led best practice schemes, such as the national Best Bar None scheme. In this way, the levy can be used to promote and support participation in such schemes. The scheme has to comply with benchmarks specified in regulations and statutory guidance.

Reduction to be applied:

The council proposes a conditional reduction for those premises that are part of the Best Bar None scheme. The scheme aims to raise standards in self-regulation and is considered to be beneficial to the management of the late night economy. It is essential that any scheme has robust and stringent standards with disciplinary mechanisms to remove non-compliant businesses.

Temporary Event Notices (TENs)

The levy does not apply to Temporary Event Notifications (TENs).

Consultation Survey

Now you have read our proposal please provide your views and comments by completing our online survey which can be accessed here.

If you cannot access the survey please email the Licensing Team via: licensing@towerhamlets.gov.uk or send a letter to the below address:

Licensing and Safety Team
Environmental Health and Trading Standards
John Onslow House
1 Ewart Place
London
E3 5EQ

Further Guidance

Home Office Guidance on the Late Night Levy can be found at:
<https://www.gov.uk/government/publications/amended-late-night-levy-guidance>

Consultation Form (Questions)

We would like your views on the following the late night levy consultation:

Do you believe it is appropriate for the council to introduce the levy?

Yes/No

Do you agree with premises that obtain the Best Bar None Award being given a 30% reduction on the levy?

Yes/No

Do you agree the Levy should start at midnight?

Yes/No

Do you agree with the proposed exemption and reductions?

Premises with overnight accommodation?

Proposal: EXEMPT

Yes/No

Theatre and cinemas

Proposals: EXEMPT

Yes/No

Bingo Halls

Proposal: EXEMPT

Yes/No

Community Amateur Sports Club
Proposal: EXEMPT
Yes/No

Community Premises
Proposal: EXEMPT
Yes/No

Country Village Pubs
Proposal: NOT TO BE EXEMPT
Yes/No

Business Improvement Districts (BIDs)
Proposal: NOT EXEMPT
Yes/No

New Year's Eve
Proposal: EXEMPT
Yes/No

Small Business Rate Relief
Proposal: NOT TO PROVIDE A REDUCTION
Yes/No

Members of Business-led Best Practice Schemes
Proposal: CONDITIONAL REDUCTION FOR BEST BAR NONE SCHEME
Yes/No

Do you have any comments or suggestions not already covered?

How do you propose the levy is target on the following areas?

- | | |
|--|---------------|
| <i>- Reduction or prevention of crime and disorder</i> | <i>Yes No</i> |
| <i>- Promotion of public safety</i> | <i>Yes No</i> |
| <i>- Reduction or prevention of public nuisance</i> | <i>Yes No</i> |
| <i>- Cleaning of any relevant highway or relevant land</i> | <i>Yes No</i> |

Are you:

- A licensed business with a licence to all alcohol from midnight – 6am*
- A licensed business with a licence that does not permit the sale of alcohol*
- A non-licenced business*
- A member of the public*
- Other*

Appendix 4

Groups Consulted

1. Best Bar None
2. Her Majesty's Revenue and Customs (HMRC)
3. Institute of Licensing (IoL)
4. Met Police
5. MOPAC
6. Public Health England
7. All Licensees of Premises Licensed for on and off sales of alcohol
8. London Borough of Hackney Licensing Team
9. London Borough of Southwark Licensing Team
10. City of London Licensing Team
11. London Borough of Lewisham Licensing Team
12. Royal Borough of Greenwich Licensing Team
13. London Borough of Newham Licensing Team
14. St George's Residents Association
15. Spitalfields Regeneration (SPIRE)
16. Members of the Public

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Appendix 5

Late Night Levy Consultation – Summary of Responses Received via Letter/Email/Public Meeting

Do you believe it is appropriate for the Council to introduce the Levy?

Companies

- Whitbread PLC: No
- Punch Taverns Plc: No
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: No
- British Beer and Pub Association: No
- The ALMR: No. A petition against the levy also submitted with 21 signatures from various venues in LBTH.

Local Business/Organisation

- Public House: No
- Bethnal Green Pubwatch: No (response rec'd 24/8/17, 1 day after close)

Members of Business-led Best Practice (BBN) Schemes (conditional reduction for Best Bar None):

Companies

- Whitbread PLC: Yes
- Punch Taverns Plc: Qualified Agreement – other scheme that can be shown to meet the criteria to improve standards should be considered for a reduction.
- JD Wetherspoon Plc: Yes. Consideration also for Pubwatch Members

Trade Associations

- Campaign for Real Ale: Yes
- British Beer and Pub Association: Yes
- The ALMR: yes. Full exemption for BBN, consideration also for Pubwatch members and discount for BID

Do you agree the Levy should start at midnight?

Companies

- Whitbread PLC: No
- Punch Taverns Plc: No
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No

- The ALMR: No. Unfair on those with special occasions such as Christmas Eve, Bank Holidays

Exemptions and Reductions

Premises with overnight accommodation:

Companies

- Whitbread PLC: Yes, but believe Hotel's should be exempted as a whole.
- Punch Taverns Plc: Yes
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: No

Theatres and Cinemas:

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: Yes
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: No

Bingo Halls:

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: Yes
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: No

Community Amateur Sports Club:

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: No
- JD Wetherspoon Plc: No, do suggest exemptions for members of qualifying Business Improvement Districts (BIDs)

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: No

Community Premises:

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: No
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: No

Country Village Pubs (Not Applicable to LBTH) (not to provide a reduction):

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: No
- JD Wetherspoon Plc: No

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: Yes
- The ALMR: No

Business Improvement Districts (Currently none in LBTH) (not to provide a reduction):

Companies:

- Whitbread PLC: No
- Punch Taverns Plc: Provisional no – specific BIDs that deal with the night time economy (NTE) should qualify for a reduction.
- JD Wetherspoon Plc: no

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: No

New Year's Eve:

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: Yes
- JD Wetherspoon Plc: yes, obtained rights through Grandfather permissions, even if unused. Burden on licensees to pay levy or apply for minor variation for a single nights trading.

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No

- The ALMR: yes. All incidental hours such as Bank Holidays, Christmas eve, Saints Days etc should be exempt.

Small Business Rate Relief (not to provide a reduction):

Companies

- Whitbread PLC: Not answered
- Punch Taverns Plc: No, these types of premises are least likely to be able to afford the levy.

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: No
- The ALMR: Not answered however should consider reducing business rates burden that are affected by levy.

What areas should the levy income be spent on?

Companies

- Whitbread PLC: Cannot Answer, as do not agree with LNL
- Punch Taverns Plc: Cleaning of relevant highway or land; Crime and disorder through additional policing; they query whether income can be spent on Public Safety or Prevention of Public Nuisance under the Levy Legislation.
- JD Wetherspoon Plc: Wider leisure industry should have input in all decisions as to how proceeds are spent as well as accountability and transparency.

Trade Associations

- Campaign for Real Ale: Not answered
- British Beer and Pub Association: Not Answered
- The ALMR: Not answered

Public Consultation Meetings

Though generally businesses were not generally in support of the Levy many of the questions/comments raised related to concerns over transparency of where the revenue would be spent and whether businesses would see any benefit from the levy revenue. There was also a comment raised by some which was agreed by most present asking whether there could be a system in place to allow businesses to feed into where and how the revenue is spent.

Summary of Points Raised:

1. Meeting found that not all businesses were aware of Best Bar None (BBN) scheme, or the proposed discount of 30% off the levy to those businesses who have achieved BBN accreditation.
2. Concern that businesses that close at 00:00 hours will not have to pay levy yet they may still be contributing to issues that levy is designed to tackle.

3. Businesses Licensed for Late Night Refreshment are not covered by the levy, yet are likely to contribute to issues the levy revenue will be used to tackle. Therefore they will see a benefit from the levy without paying it.
4. Concern raised about transparency in terms of where and how the revenue from the levy would be spent. Business wanted to be assured that there are system in place to ensure transparency as to Council spending of the levy revenue. The Council's Transparency Policy explained.
5. Business would like to have a link into the Community Safety Partnership arrangements in determining how the revenue for the levy is spent. This would ensure revenue spent in the right areas. Business asked if a business group for similar could be part of the Community Partnership Scheme.
6. Businesses would like to see the benefits of the Levy in terms improving the Night Time Economy and asked if the borough produce any reports etc. on what the levy revenue has achieved.
7. Businesses wanted to be assured that there were process/procedures in place to hold Council to account where businesses/residents felt the money raised by the levy was not being spent correctly.
8. Concern raised that this is yet another tax on businesses and the levy charge would have a negative effect on smaller businesses.
9. Concern raised that businesses already pay a large amount for Licence Fees (annual) and do not see anything for this.
10. Businesses asked if they could reduce their hours and then use TENs if they wanted to undertake sale/supply of alcohol within the Levied hours.
11. Some businesses raise the point that a reduction in licensable hours for sale/supply of alcohol would not be a viable option.
12. Concern raise about what systems/rules are in place to stop the Council making the levy revenue part of the Licensing Budget, i.e. it is seen as regular revenue that can be relied upon year on year.
13. It was asked what exemptions were in place for charities and hotels; this was explained as detailed in the proposal.
14. Some businesses felt that they would not receive any benefit from the levy as their customers are of such a clientele that they do contribute to Crime and Disorder, Public Safety, Public Nuisance or cleanliness of the streets/highways. Due to this they feel they are being penalised by having to pay the levy at the same amount as those premises/areas of the borough with recorded issues.
15. Businesses asked if they would be able to increase their licensable hours for sale/supply of alcohol, it was explained that they could apply but that normal

charges would apply and only applications for reductions would be free as per the proposal. Guarantees could not be made on whether those who apply to increase licensable hours would be granted as this would depend on a number of factors similar to any Licensing application.

16. Businesses wanted to know why the Council is going through another consultation process regarding the Late Night Levy as they thought it was due to be introduced this year. It was explained about the Judicial Review and that it was decided not to introduce and to go back to consultation.
17. Businesses asked if they would be liable to pay the Levy where the only have levied hours on a few days i.e. nonstandard times, e.g. Friday only. This was explained that they would be liable as per the proposal.
18. Businesses asked if the Council are likely to increase the levy charge on Licensees. It was explained that the levy charge is set by local government and cannot currently be set or change locally.
19. Businesses asked what the estimated revenue expected from the levy were; this figure was given as per the proposal £300,000 to £350,000.
20. Businesses asked about the geographic location the levy would affect; it was explained that if introduced the levy would affect the borough as a whole as the Council cannot currently target the levy via geographic locations e.g. ward based.

Attendance:

Meeting 1:

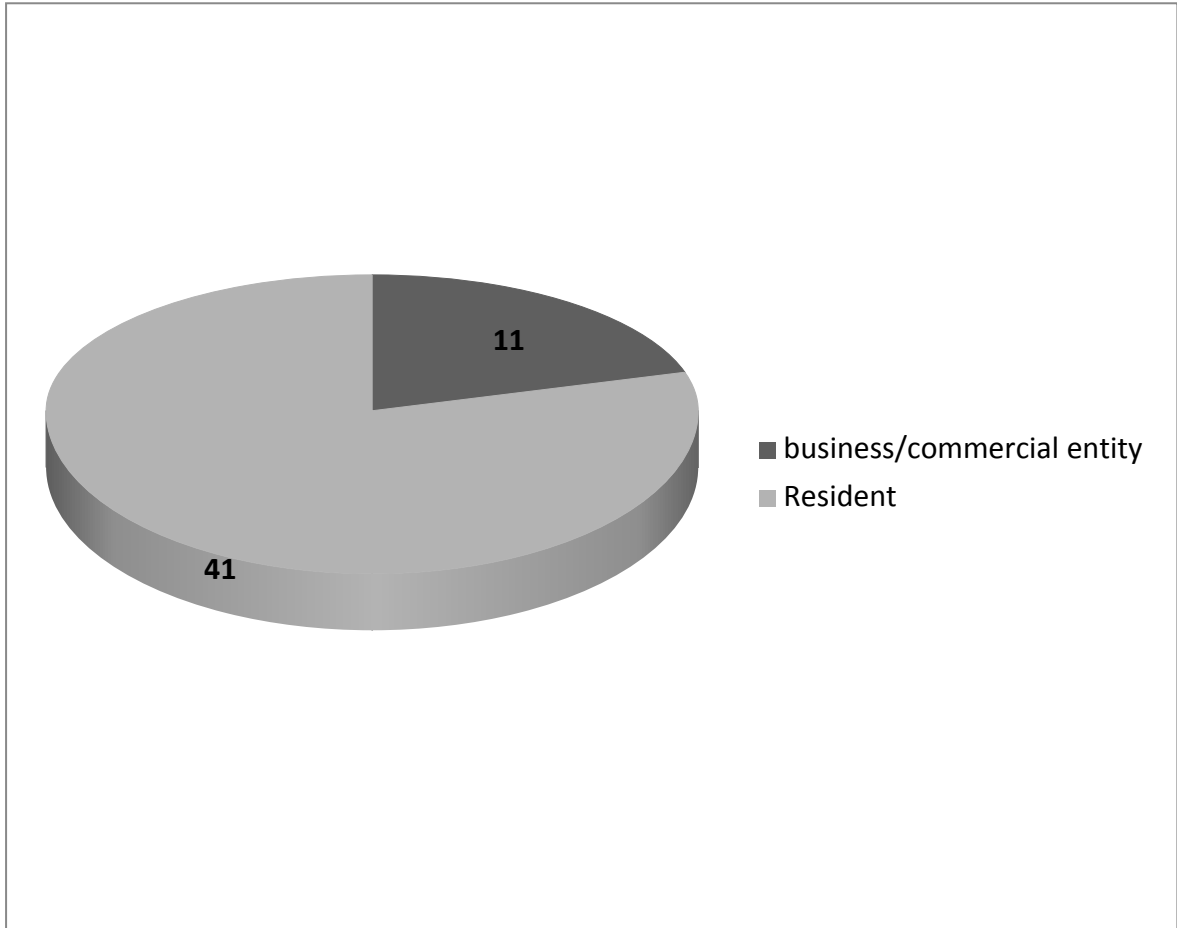
1. The Backstreet Nightclub, Wentworth Mews, London E3
2. The London Cocktail Club, 253 Paradise Row, Bethnal Green, London E2 9LE & 29 Sclater St, London E1 6HR
3. Sultan Sofrasi Restaurant, 72 Parnel Road, London E3 2RU

Meeting 2

1. Rich Mix, 35-47 Bethnal Green Road, London E1 6LA
2. All Seasons Food and Wine, 799-801 Commercial Rd, London E14 7HG
3. The Green Light Youth Club, 223 Bow Road, London E3 2SJ
4. BewDog Bar, 51-55 Bethnal Green Road, London E1 6LA
5. Hilton
6. Soho House and Co
7. White Hart, 1 Mile End Road, London E1 4TP

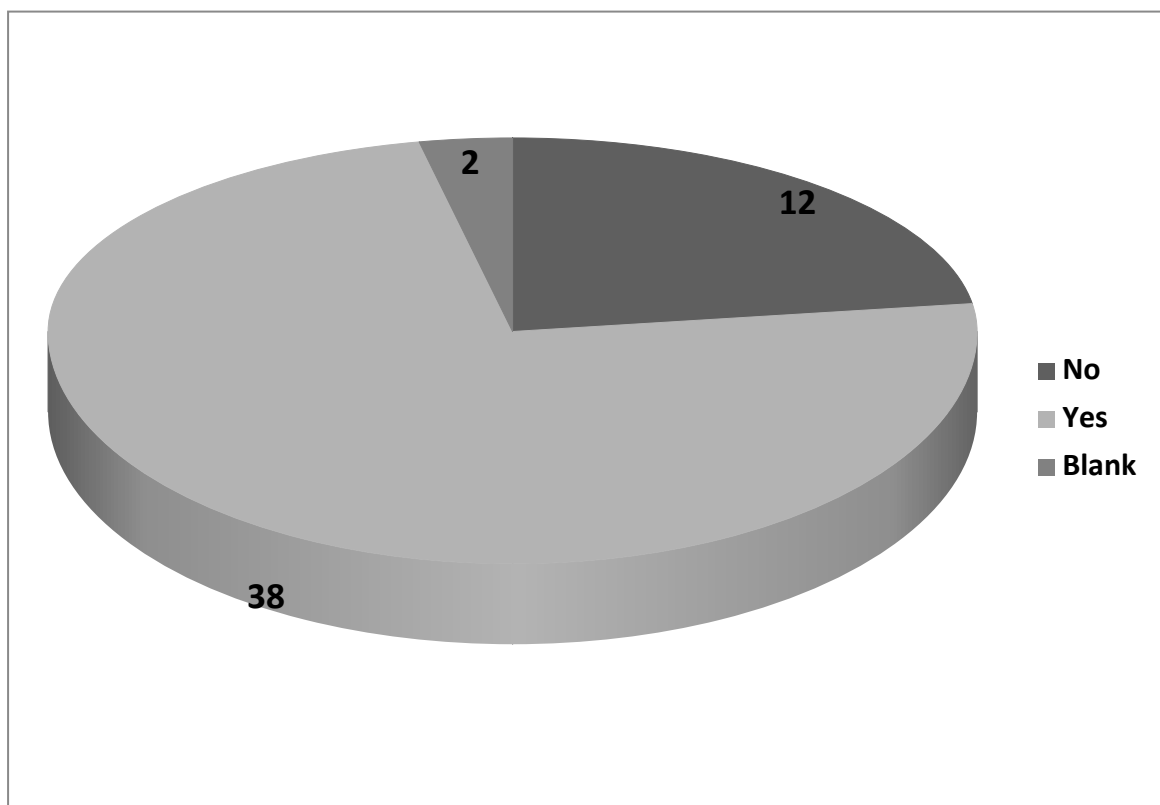
Appendix 6: On Line Responses

The Chart A below gives a graphical breakdown of the responses received from the on line survey. The key is in ascending order of high to low.



Do you believe it is appropriate for the Council to introduce the Levy?

Chart B above shows how many respondents were in favour of the Council introducing the levy.



Do you agree the Levy should start at midnight?

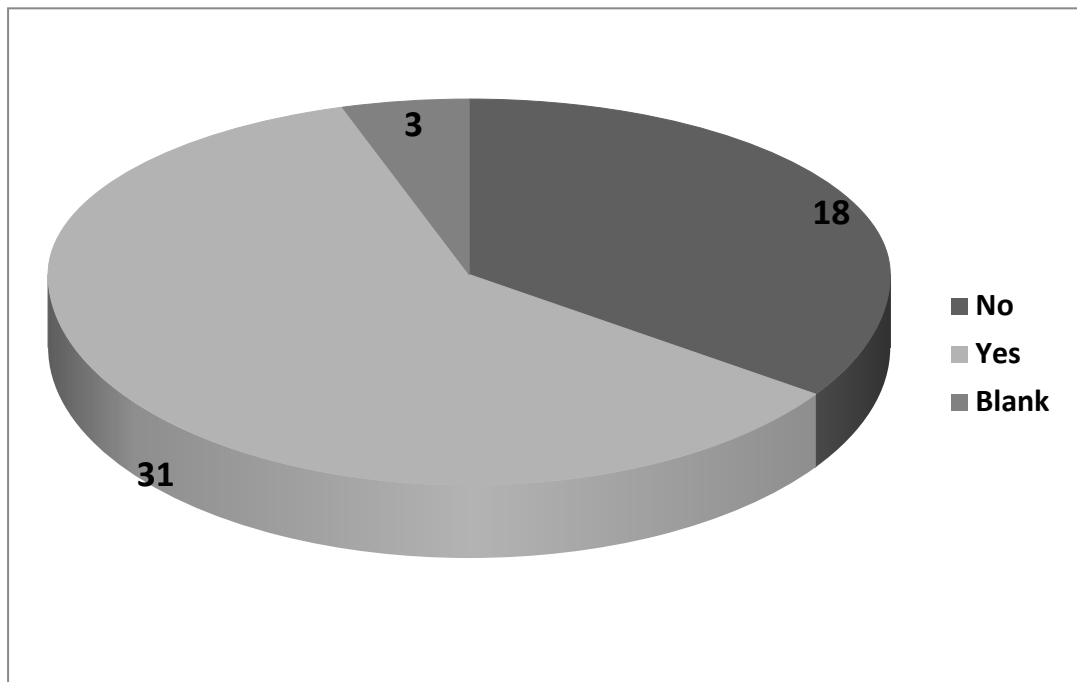
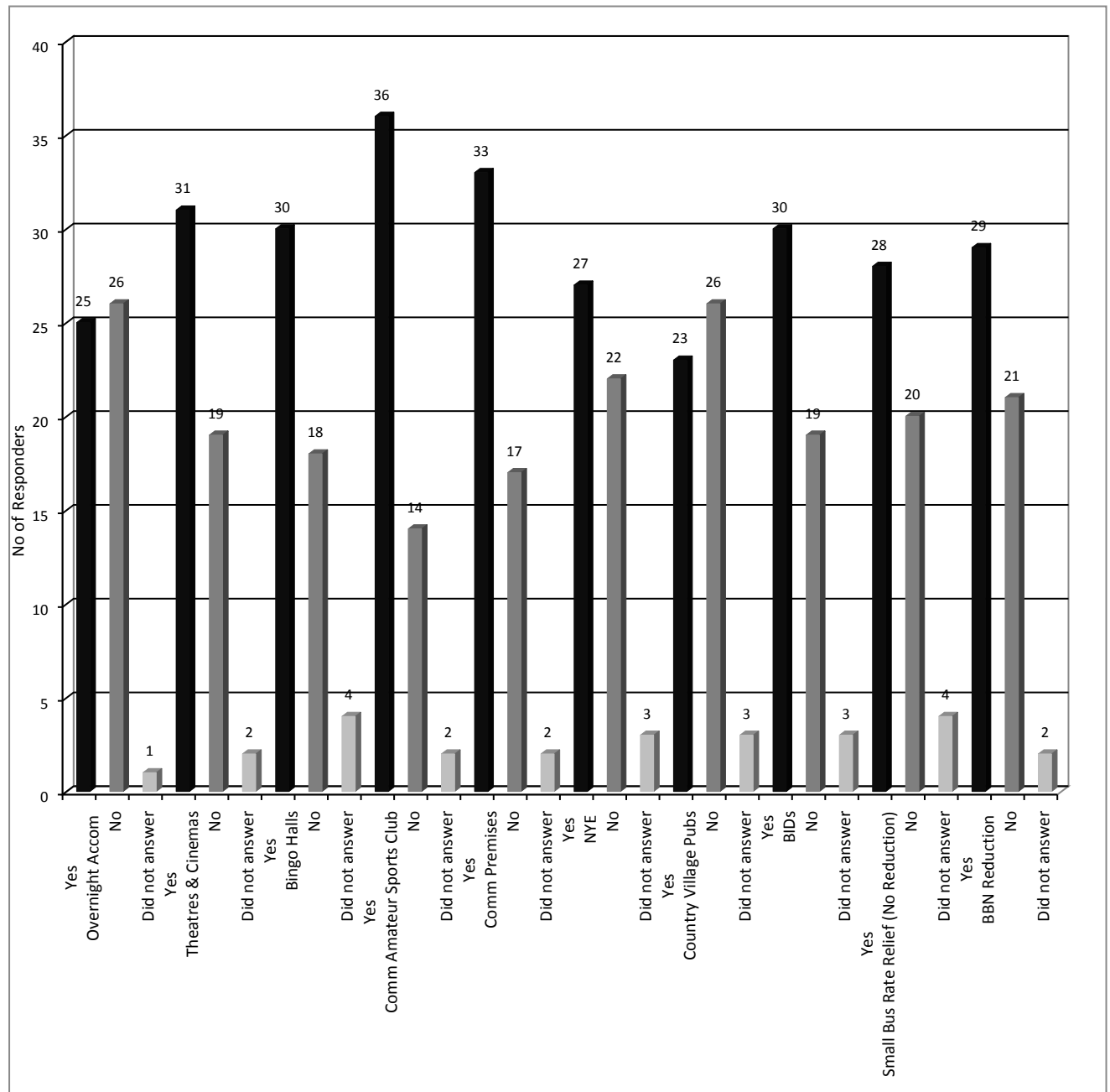


Chart C above shows the majority were in favour of the Levy starting at midnight. The key is in descending order of low to high.

Do you agree with the proposed exemption/non reductions?



From Chart D above it is clear that most were in favour of the proposed exemptions/reductions/no reductions. However two of these were disagreed with, although as can be seen the difference between yes and no on the chart is slim between these results.

What should the revenue be spent on?

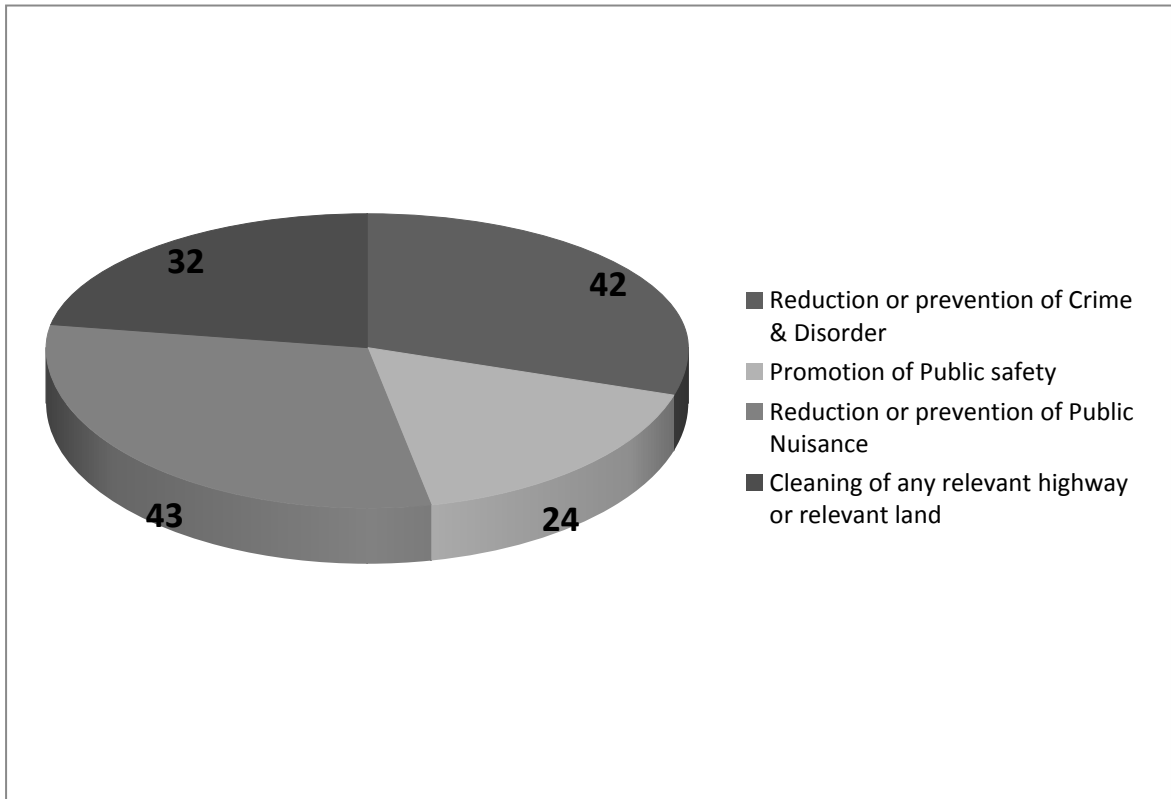


Chart E above shows the number of respondents who wanted the money raised by the levy (should it be introduced) spent in these areas.

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Appendix 7

Additional Comments Received

These have all been summarised from the on line survey and letters/email responses received. They listed in order of frequency of being raised and the numerical figure at the end of each comment identifies the number of responds that mentioned this type of comment. As you will note some of the comments refer to the House of Lords Select Committee Report, which looked into the Licensing Act 2003 and associated legislations such as the Late Night Levy. The full House of Lords Select Committee Report can be read via this link <http://www.parliament.uk/business/committees/committees-a-z/lords-select/licensing-act-2003/news-parliament-2015/licensing-act-report-published/>

1. Detrimental effect on small/independent businesses **x7**.
2. Blanket Tax targeting all businesses not just bad ones **x5**.
3. Late Night Levy should start at 23:00 to 23:30 hours **x4**.
4. Detrimental effect on Late Night Economy within the borough **x4**.
5. Those who profit from the Late Night Economy should pay to tackle issues it creates **x3**.
6. Business Improvement Districts (BIDs) are a better alternative to LNL **x5**:
 - View supported by the House of Lords Select Committee Report,
 - Other LA's have opted for them over LNL.More business lead
7. Revenue for the LNL likely to be significantly less than estimated especially when considering free minor variations to reduce hours and increase in TENs **x4**.
8. LNL 30/70 split for LAs and Police means large proportion can be spent on other jurisdictions **x3**.
9. Consider recommendations of House of Lords Select Committee **x5**.
10. Too many taxes especially in light of current economic climate **x3**.
11. Due to premises being likely to reduce their hours this would mean more people out on the street after 00:00 hours and this is likely to have negative effect on Late Night Economy **x2**.
12. LNL revenue not guaranteed to be used to improve Late Night Economy for both all particularly business who pay the levy **x3**.

13. LNL to start as late as possible x2.
14. Council should postpone implementation of Levy until the Government announces plans for current Licensing Fees.
15. Small businesses/restaurants should be exempt.
16. Consultation proposal has not mentioned the recommendation of the House of Lords Select Committee.
17. Licensing Act 2003 and associated relevant legislation can be used to address issues with Licensed Premises levy not required.
18. LNL charge should be higher.
19. Premises licensed to sale/supply alcohol past 00:00 hours usually have conditions such as CCTV and Door Supervision, which is additional expense, these conditions will remain even if they reduce their hours through free minor variation.
20. Less shops selling alcohol.
21. Consultation skewed towards introduction of the Levy.
22. No evidence to support need or desirability for the Levy.
23. Unfair way for Local Authorities (LAs) to be funded.
24. Consultation does not highlight current premises with licensed hours within the proposed levied hours.
25. Data on ambulance call outs in the consultation is not necessary link to licensed premises.
26. No evidence for proposed levied hours.
27. It is wrong for premises licensed to sell/supply alcohol after 00:00 hours to pay for tackling the problems in the night time economy as it is not possible to distinguish between ones linked to them and other one not linked to them.
28. Evidence suggest best way to tackle alcohol-related crime etc. is by targeted training and education.
29. LNL likely to have a negative effect on employment in this business sector.

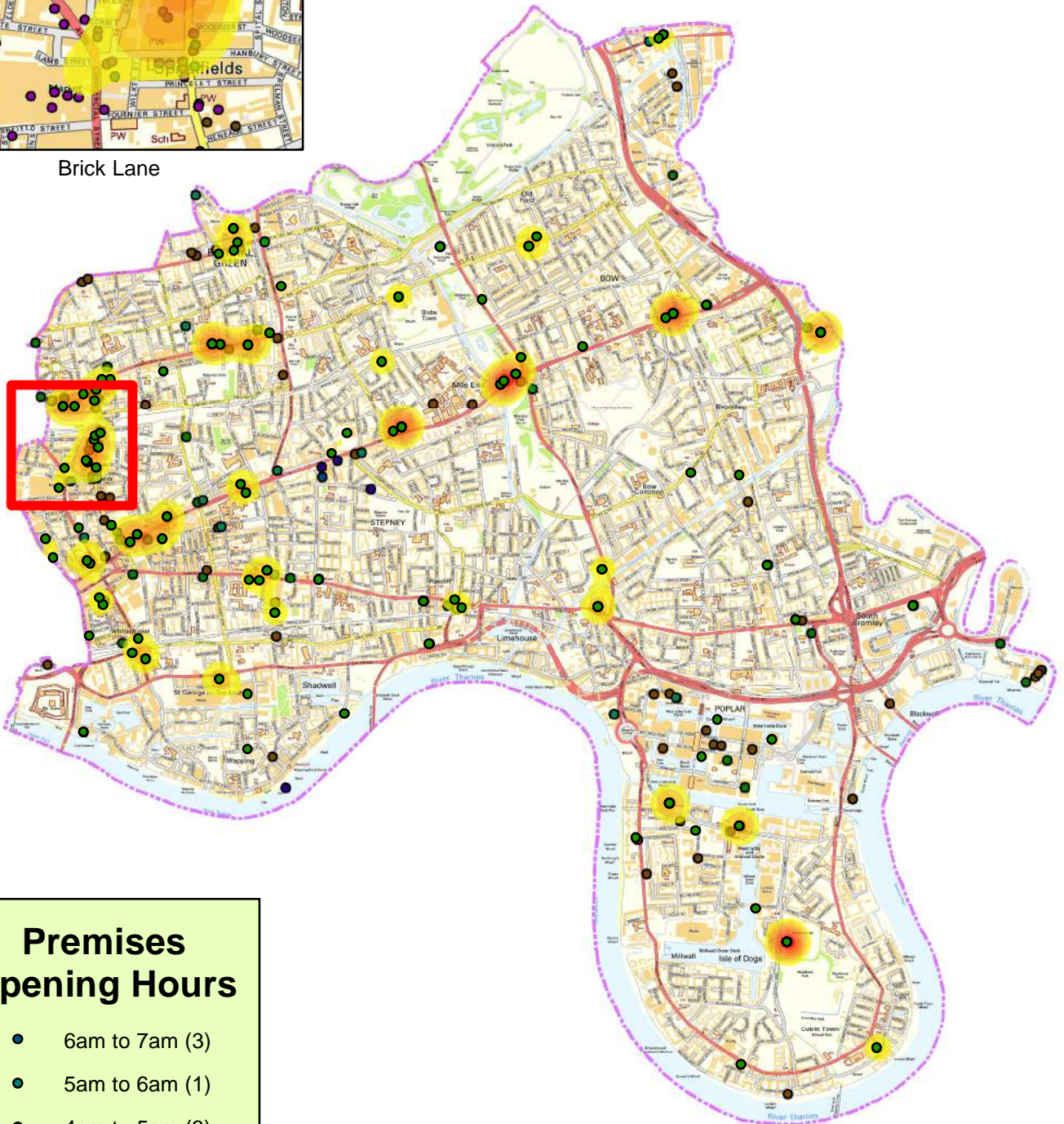
30. LNL inflexible and counter-productive.
31. There should be no exemptions as all licensed premises are likely to contribute to issues with the Late Night Economy.
32. There should be a reduction for Small Business Relief.
33. Small independent Cafés should be exempt for small number of community events a year.
34. Revenue must be used to promote a safe and prosperous night time economy.
35. Revenue should be used for extra community police.
36. Revenue should be used for street lighting (reduce street urination).
37. Many issues with Late Night Economy stem from drugs and street drinking.
38. Increase Parking Restrictions to reduce traffic.
39. Support business-led best practice schemes i.e. Best Bar None/Pub Watch as alternative to LNL.
40. Exemptions for those with special occasion permission, such as Bank Holidays, Christmas Eve, Saints days, etc.
41. Transparency of where money is spent.
42. Late Night Refreshment venues impact on crime, they should pay levy.
43. Venues have conditions such as SIA that control crime, why those venues also pay levy.
44. Levy should be imposed on off licences/supermarkets where people pre-load.
45. Some premises are controlled by Freeholders who would not agree to them applying to reduce their hours to avoid the levy due to financial interest on property.
46. No guarantee to reduce crime.

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Apr 16 to Mar 17 ASB/Crime hotspot map for licensed premises between midnight and 1am



Brick Lane



Premises Opening Hours

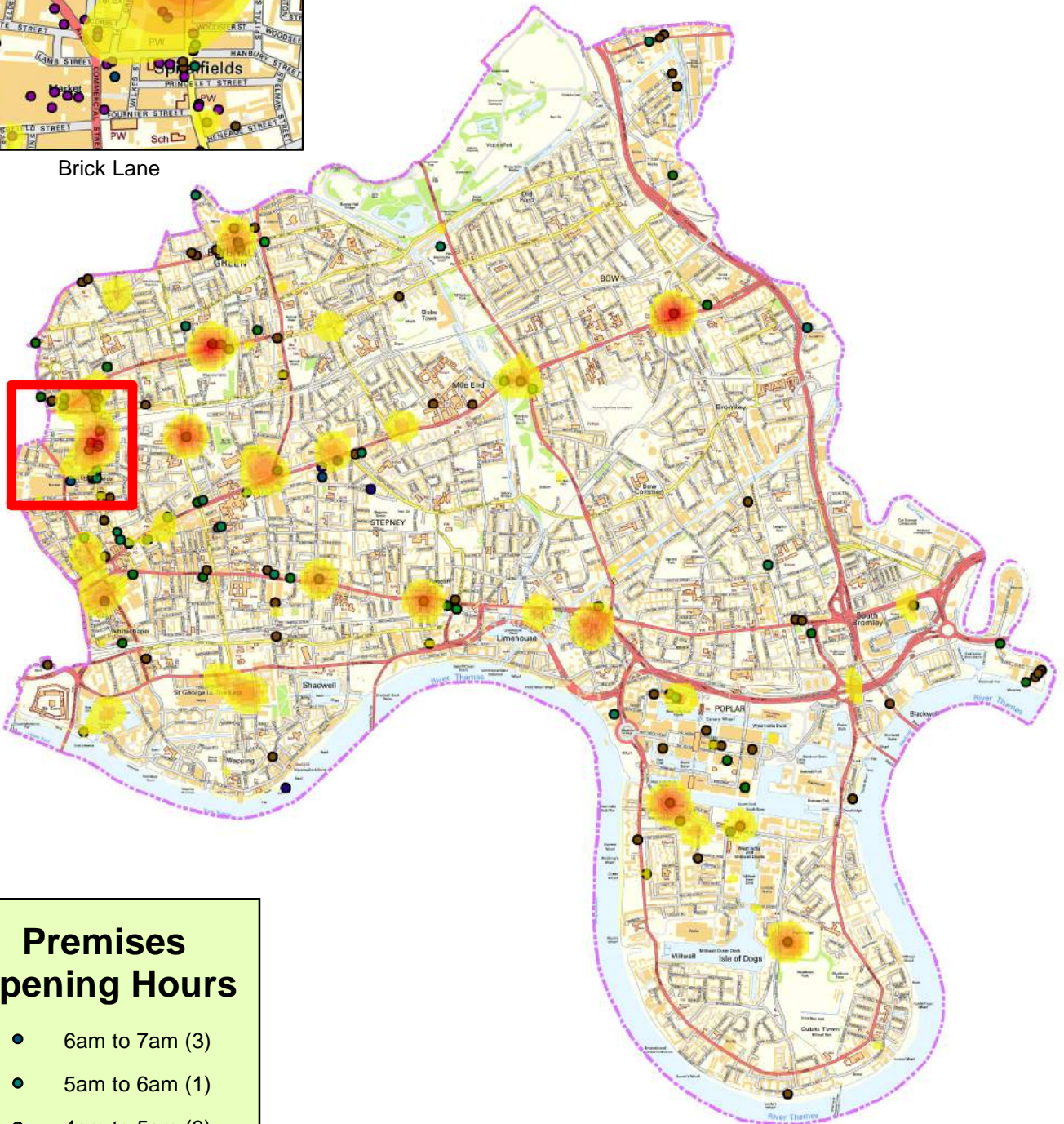
- 6am to 7am (3)
- 5am to 6am (1)
- 4am to 5am (3)
- 3am to 4am (6)
- 2am to 3am (27)
- 1am to 2am (82)
- 24 Hour (39)

Between April 2016 and March 2017 there has been 162 incidents reported to the Council or Police relating to a licensed premises between the hours of midnight to 1am. Brick Lane has the highest concentration of incidents with a total of 20 incidents which equates to 12.3% of all incidents in the borough. There were also 10 reported incidents by fast food restaurants in close proximity to Mile End Tube Station.

Apr 16 to Mar 17 ASB/Crime hotspot map for licensed premises between 1am and 2am



Brick Lane

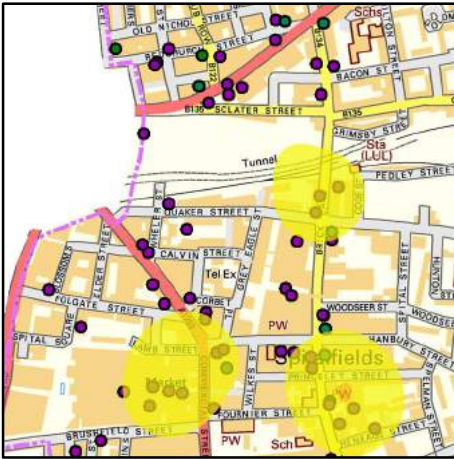


Premises Opening Hours

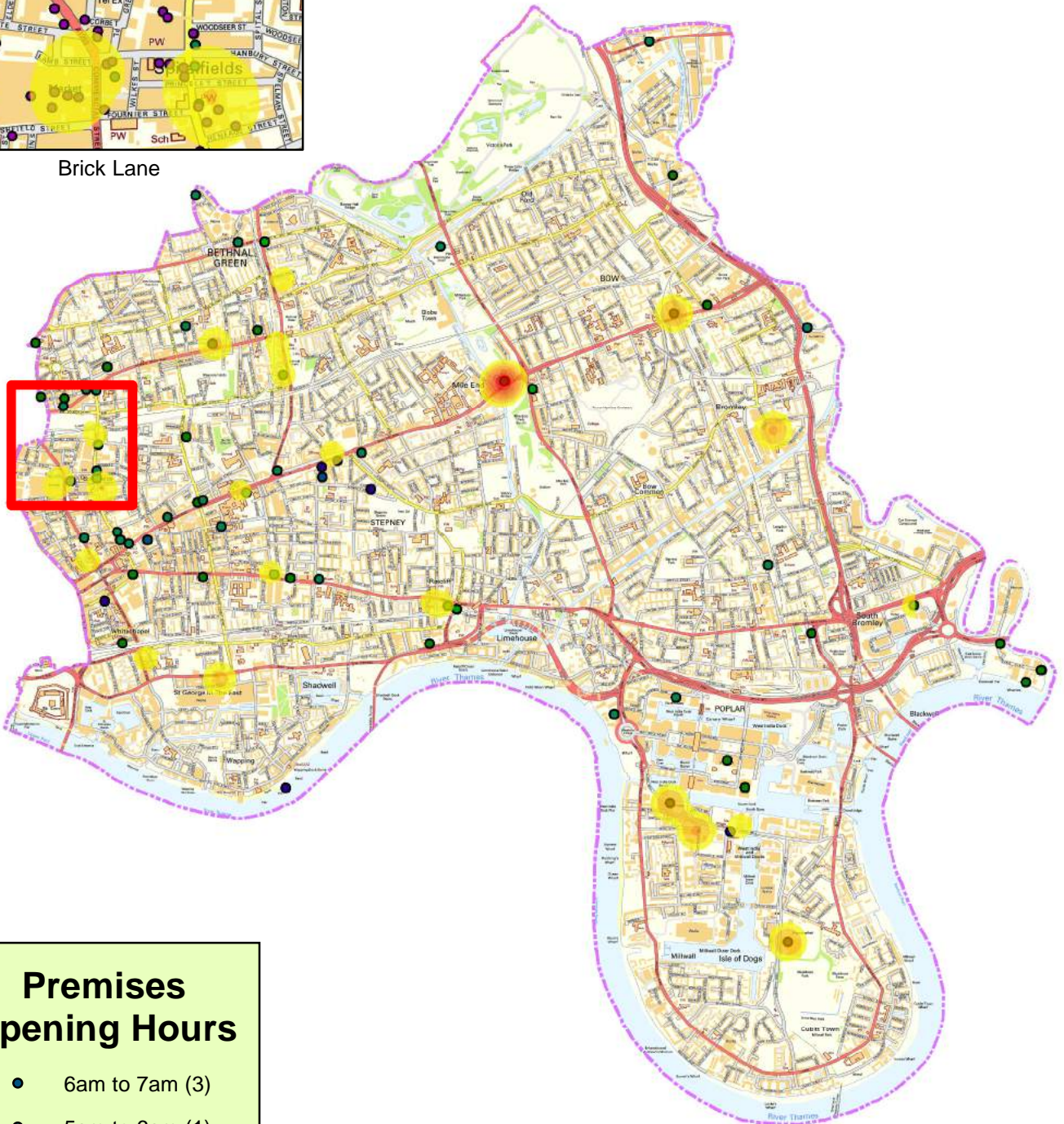
- 6am to 7am (3)
- 5am to 6am (1)
- 4am to 5am (3)
- 3am to 4am (6)
- 2am to 3am (27)
- 1am to 2am (82)
- 24 Hour (39)

Between April 2016 and March 2017 there has been 124 incidents reported to the Council or Police relating to a licensed premises between the hours of 1am to 2am. Brick Lane has the highest concentration of incidents with a total of 20 incidents which equates to 16.1% of all incidents in the borough.

Apr 16 to Mar 17 ASB/Crime hotspot map for licensed premises between 2am and 3am



Brick Lane

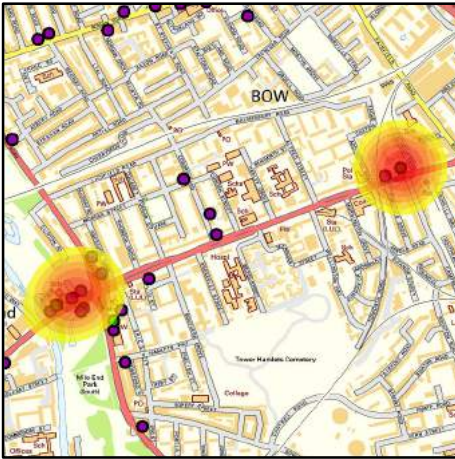


Premises Opening Hours

- 6am to 7am (3)
- 5am to 6am (1)
- 4am to 5am (3)
- 3am to 4am (6)
- 2am to 3am (27)
- 24 Hour (39)

Between April 2016 and March 2017 there has been 124 incidents reported to the Council or Police relating to a licensed premises between the hours of 2am to 3am. Brick Lane and the area around Mile End tube Station had the highest concentration of incidents with a total of 9 incidents each which equates to 20.2% of all incidents in the borough.

Apr 16 to Mar 17 ASB/Crime hotspot map for licensed premises between 3am and 4am



Mile End to Bow Road



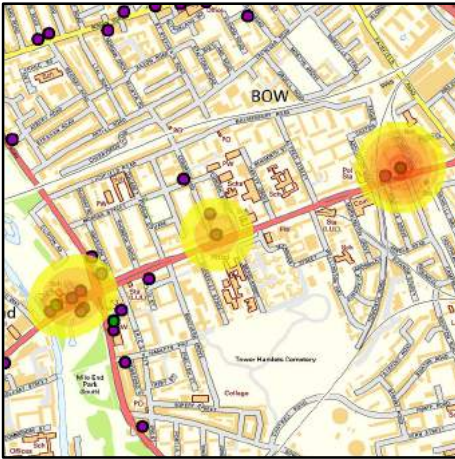
Premises Opening Hours

- 6am to 7am (3)
- 5am to 6am (1)
- 4am to 5am (3)
- 3am to 4am (6)
- 24 Hour (39)

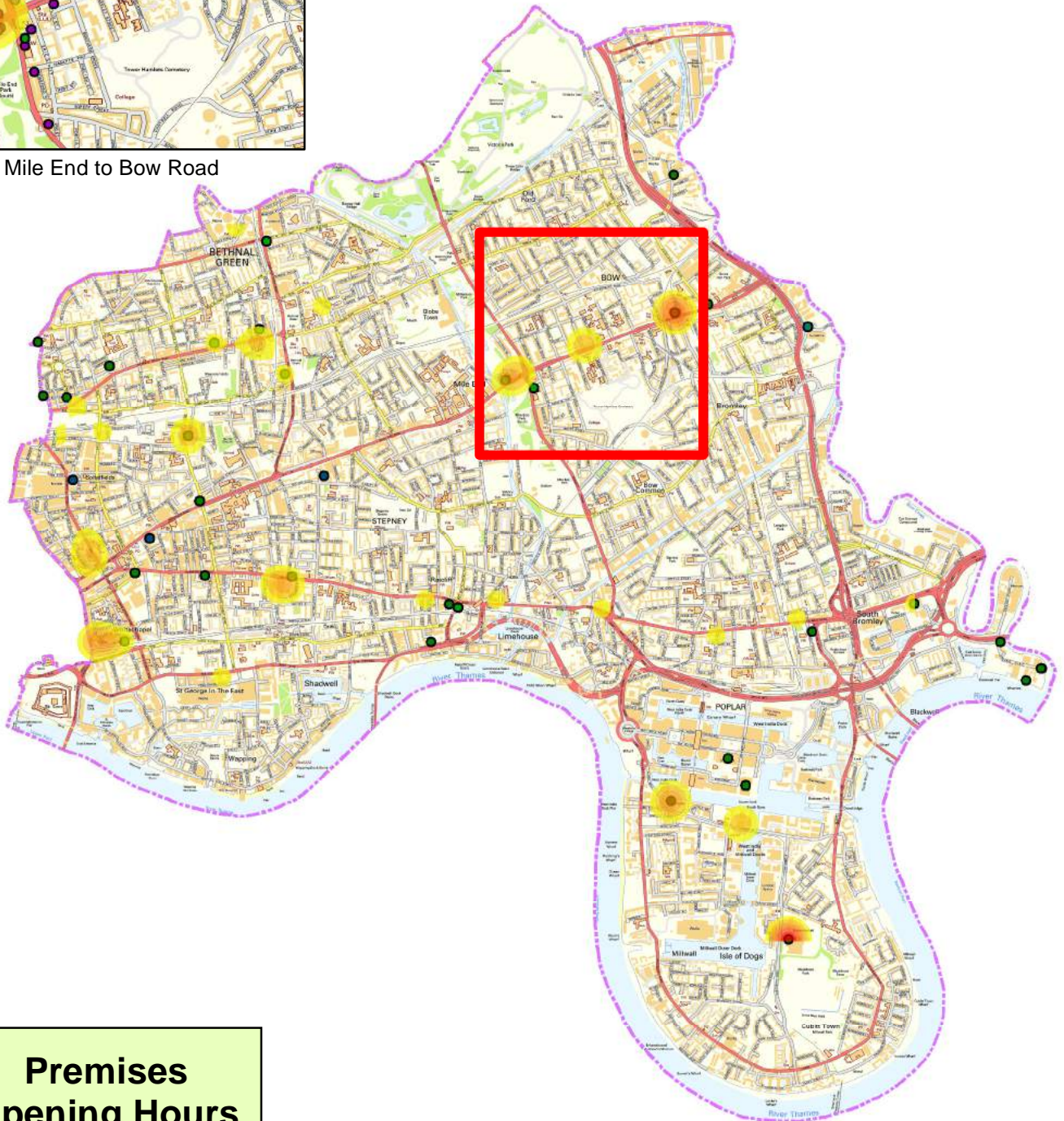
Between April 2016 and March 2017 there has been 77 incidents reported to the Council or Police relating to a licensed premises between the hours of 3am to 4am.

Mile End to Bow Road had the highest concentration of incidents with a total of 8 incidents each, which equates to 20.6% of all incidents in the borough. 14 of the reported incidents occurred at a Co-operative supermarket

Apr 16 to Mar 17 ASB/Crime hotspot map for licensed premises between 4am and 5am



Mile End to Bow Road



Premises Opening Hours

- 6am to 7am (3)
- 5am to 6am (1)
- 4am to 5am (3)
- 24 Hour (39)

Between April 2016 and March 2017 there has been 47 incidents reported to the Council or Police relating to a licensed premises between the hours of 4am to 5am. Mile End to Bow Road had the highest concentration of incidents with a total of 9 which equates to 19.1% of all incidents in the borough. 9 of the reported incidents occurred at a supermarket or petrol station

Apr 16 to Mar 17 ASB/Crime hotspot map for licensed premises between 5am and 6am



Premises Opening Hours

- 6am to 7am (3)
- 5am to 6am (1)
- 24 Hour (39)

Between April 2016 and March 2017 there has been 45 incidents reported to the Council or Police relating to a licensed premises between the hours of 5am to 6am.

type and time band	Band						
	Band A	Band B	Band C	Band D	Band E	Band E (with multiplier)	Grand Total
Arena/Theatre/Cinema		2	1				3
1am - 2am		1					1
2am - 3am		1					1
3am - 4am			1				1
Art Gallery/Arts Venue/Museum/Exhibition		3			1		4
1am - 2am		1			1		2
6am - 7am		1					1
Midnight - 1am		1					1
Auction/Sale Rooms/Internet sales		1					1
24 hours		1					1
Bowling Alley		1					1
Midnight - 1am		1					1
Brewery/winery			1				1
Midnight - 1am			1				1
Church Hall / Community Centre/Hall	1						1
Midnight - 1am	1						1
Community/Charity Organisation			1				1
Midnight - 1am			1				1
Conference/function rooms					3		3
1am - 2am					1		1
Midnight - 1am					2		2
Finance Service Industry office					1		1
24 hours					1		1
Fish Products Manufacturer			1				1
Midnight - 1am			1				1
Gun Proofing House		1					1
7am - 8am		1					1
Hospitality			1				1
Midnight - 1am			1				1
Hostel - purpose built	1						1
1am - 2am	1						1
Hotel			6	1	14		21
1am - 2am			5		2		7
24 hours				1	5		6
2am - 3am					2		2
Midnight - 1am			1		5		6
Members/Social Club	1	1	3				5
1am - 2am		1					1
2am - 3am			2				2
Midnight - 1am	1		1				2
Mini-Market/Grocer	4	36	2				42
1am - 2am	1	12	1				14
24 hours	1	8	1				10
3am - 4am	1	1					2
Midnight - 1am	1	15					16
Newsagent/Sweet Shop/Tobacconist		4					4
Midnight - 1am		4					4
Night Club/Comedy Club		2	2				4
3am - 4am		1	1				2
4am - 5am		1					1
5am - 6am			1				1
Off Licence/Wine Merchants		2					2

1am - 2am		1					1
2am - 3am		1					1
Outside Caterer		1					1
6am - 7am		1					1
Premise for hire - various events/function	1	1	6		2		10
1am - 2am		1	3				4
7am - 8am			1				1
Midnight - 1am	1		2		2		5
Public House/Wine Bar-catering	2	57	22	5	6	1	93
1am - 2am		14	4	1	2		21
24 hours		2					2
2am - 3am	1	7	4		1		13
4am - 5am			1				1
Midnight - 1am	1	34	13	4	3	1	56
Public House/Wine Bar-no catering		1	1				2
4am - 5am			1				1
Midnight - 1am		1					1
Rental/serviced apartments/aparhotel			1				1
24 hours			1				1
Restaurant/Cafe	7	39	18		10		74
1am - 2am	2	13	8		4		27
2am - 3am		4	3				7
6am - 7am		1					1
Midnight - 1am	5	21	7		6		39
Ship/boat	21						21
1am - 2am	4						4
24 hours	14						14
3am - 4am	1						1
Midnight - 1am	2						2
Shopping Area Common Parts					1		1
Midnight - 1am					1		1
Solicitors/Legal Adviser/Immigration Specialist					1		1
24 hours					1		1
Sports Club			1				1
Midnight - 1am			1				1
Student Hall of Residence		1					1
Midnight - 1am		1					1
Supermarket / Hypermarket		2	3		3		8
24 hours			1		2		3
Midnight - 1am		2	2		1		5
Takeaway Food		2					2
1am - 2am		1					1
2am - 3am		1					1
Youth Club		1					1
Midnight - 1am		1					1
Grand Total	38	158	70	6	42	1	315

Appendix Ten: EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

Name of 'proposal' and how has it been implemented (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)	Late Night Levy (LNL)
Directorate / Service	Place/ Environmental Health and Trading Standards
Lead Officer	David Tolley, Head of Environmental Health and Trading Standards
Signed Off By (inc date)	
Summary – to be completed at the end of completing the QA (using Appendix A) (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities)	<div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="width: 20px; height: 20px; background-color: #008000; margin-right: 10px;"></div> <p>Proceed with implementation</p> </div> <p>As a result of performing the QA checklist, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p> <p>This proposal is to ask Council to consider whether a Late Night Levy (LNL) should be adopted in the Borough.</p>

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Stage	Checklist Area / Question	Yes / No / Unsure	Comment (If the answer is no/unsure, please ask the question to the SPP Service Manager or nominated equality lead to clarify)
1	Overview of Proposal		
a	Are the outcomes of the proposals clear?	Yes	The Council can agree to impose an additional financial levy on licensed premises that retail alcohol within the Borough, to

pay for managing the night time economy. This report asks for consider whether a Late Night Levy (LNL) should be applied to those premises in the Borough that sell alcohol between a selected period of midnight and 6.00am, and make recommendations.

- When the levy shall be applied between midnight and 6.00am
- To consult with the Mayor's Office for Policing and Crime (MOPAC) for the introduction of a levy on how the levy will be allocated
- To consider any exemptions or reductions that may be applied to businesses
- To consider how the extra income for the LNL will be allocated within the Licensing Team.

The aim of LNL is to empower local authorities to charge businesses that supply alcohol late into the night for the extra enforcement costs that the night-time economy generates for police and licensing authorities. The levy fee is set by Government and is determined by the rateable value of the property where the alcohol sales take place. The fee is split between the Metropolitan Police and Local Authority on a 70:30 basis. This levy enables the Local Authority to raise a contribution from late opening alcohol suppliers towards policing the night-time economy.

The local authority must allocate their proportion of the net levy amount on the following activities:


- Reduction or prevention of crime and disorder
- Promotion of public safety
- Reduction or prevention of public nuisance
- Cleaning of any relevant highway or relevant land in its area.

			<p>If the local authority chooses to introduce the levy in their area, all licensed premises which are authorised to sell alcohol within the levy period will be able to make a free minor variation to their licence before the levy is introduced, so as to avoid the levy.</p>
b	<p>Is it clear who will be or is likely to be affected by what is being proposed (inc service users and staff)? Is there information about the equality profile of those affected?</p>	Yes	<p><u>Improvement of safety and public realm</u> LNL is to enable the Council to better respond to the safety and street-cleaning requirements generated by the night-time economy. The levy must cover the whole of the licensing authorities' area. If this is introduced, responding to the requirements generated by the night-time economy will be better resourced and the neighbourhoods will be safer and cleaner. This will benefit residents, especially those who live in the vicinity of the areas having strong night-time economy. Data of the 2011 Census and other ONS data provide the equalities profile of the residents.</p> <p>There is no data on protected characteristics of customers who buy alcohol during the midnight and 6am. However, some data (e.g. London ambulance alcohol-related calls and enforcement data on street drinking perpetrators) may inform the impact of this proposal on customers.</p> <p><u>Licensed premises</u> All licensed premises that are permitted alcohol for the times when the levy will apply (between midnight and 6am) will be charged for late night opening. These licensed premises will be allowed to make a free minor variation to their licence and avoid the levy, before the levy is introduced.</p> <p>The majority of the license holders are companies, who may be owned by people in different equality strands from those who operate the business premises in the Borough. The</p>

			technical implications in developing an equalities strand of the Council's business database has been reviewed by Place who have corporate lead responsibility for Business related data.
2	Monitoring / Collecting Evidence / Data and Consultation		
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	Yes	As above, the data for ASB, crime and alcohol related calls will be analysed. The consultation responses will be reviewed and are part of the report.
	Is there sufficient evidence of local/regional/national research that can inform the analysis?	Yes	Appendix One identifies the number of premises that would be affected by the proposal and estimates the total levy income depending on commencement of levy hour. The impact of the night-time economy on the community has been widely researched. For example, GLA and Camden Council published 'Camden Town Night Time Economy Research' in 2004. Locally, the service has researched and analysed the issue for a number of years. For example, the Cumulative Impact Policy – Brick Lane Area report submitted to Council in July 2013 includes the impact of the night-time economy on the community.
b	Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?	Yes	Yes, through the consultation process
c	Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?	Yes	Consultation is required to be held prior to the introduction of the levy.
3	Assessing Impact and Analysis		
a	Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics?	Yes	As above, performance indicator data including London ambulance alcohol-related calls, the enforcement data on street drinking perpetrators may inform the impact of this proposal.

b	Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?	Yes	As above, the majority of the license holders are companies, who may be owned by people in different equality strands from those who operate the business premises in the Borough. Although the technical implications in developing an equalities strand of the Council's business database has been reviewed by Place, a consultation process may identify unequal impact on different groups of affected businesses.
4	Mitigation and Improvement Action Plan		
a	Is there an agreed action plan?	Yes	This proposal is submitted to full Council for adoption.
b	Have alternative options been explored	Yes	'Do nothing' option has been considered.
5	Quality Assurance and Monitoring		
a	Are there arrangements in place to review or audit the implementation of the proposal?	Yes	If Cabinet agree this proposal, it will be considered by full Council.
b	Is it clear how the progress will be monitored to track impact across the protected characteristics??	Yes	If this proposal is agreed and implemented, relevant performance indicators will be monitored to identify the impact of this proposal.
6	Reporting Outcomes and Action Plan		
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	Yes	

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<p>Report of the:</p> <p>CABINET</p> <p>Tuesday 19 September 2017</p> <p>COUNCIL</p> <p>Wednesday 20 September 2017</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer</p>	<p>Classification: Unrestricted</p>
<p>Mayor's Cabinet and Executive Arrangements - Update</p>	

Originating Officer(s)	David Courcoux, Head of the Mayor's Office
Wards affected	All wards

SUMMARY

As set out in the Council's Constitution Council Procedure Rules at Part 4.1, the Council's Annual General Meeting will receive a report noting the Executive Mayor's Cabinet Appointments and other arrangements in respect of Executive Decision Making.

The Mayor may amend or revoke any delegation of an executive function at any time and this report provides notice of an update to the scheme presented at the Council's AGM on 17 May 2017.

Recommendations:

The Mayor in Cabinet is recommended to agree to:

- 1) Note the report

That Council agrees:

- 1) To note the updated Mayor's Executive Decision Making Scheme

1. REASONS FOR THE DECISIONS

- 1.1 To note the updated Mayor's Executive Scheme of Delegation.

2. ALTERNATIVE OPTIONS

2.1 None.

3. DETAILS OF THE REPORT

3.1 The Executive Scheme of Delegation is at Appendix A and the Mayor has made the following changes:

- (a) Cllr Denise Jones is replacing Cllr Rachael Saunders as Cabinet Member for Health and Adults Services; and
- (b) On the Individual Mayoral Decision Proforma where the Corporate Director signs to confirm that s/he approves the report and the proposed decision, the following words have been added “I confirm that the Mayor and/or Lead Member have agreed to this decision being taken using this process.” The reason for this change is to clarify that when the Corporate Director signs the Individual Mayoral Decision (IMD) that they are sure the Lead Member/Mayor is content for the decision to be taken as an IMD.

5. COMMENTS OF THE CHIEF FINANCE OFFICER

5.1 There are no direct financial considerations arising from this report.

6. LEGAL COMMENTS

6.1 The Mayor may amend or revoke any delegation of an executive function at any time but, in doing so, must within 5 working days of agreeing any change, the Mayor shall present a written record of the change that s/he has agreed, together with the reasons for that change, to the Monitoring Officer. Whenever the Monitoring Officer receives notification from the Mayor of any change(s) to the Executive Scheme of Delegation, Cabinet appointment(s) or portfolio(s), the Monitoring Officer will inform all Councillors of the change(s) made and any reasons given by the Mayor.

6.2 It was previously agreed with the Mayor’s office that the Mayor’s Scheme of Delegation should go to the next meetings of Council and Cabinet for noting the change and this report is in accordance with that Agreement. This report is also the Monitoring Officer’s notification to all Councillors of the change.

Appendices

Appendix 1 – The Mayor’s Executive Scheme of Delegation

APPENDIX 1

THE MAYOR'S EXECUTIVE SCHEME OF DELEGATION

With effect from xxxxxxxx

PART A - EXECUTIVE SCHEME OF DELEGATION

1. PURPOSE

1.1 The purpose of this Executive Scheme of Delegation is to:-

- (a) be clear about who can make which executive decisions including Key Decisions;
- (b) facilitate the smooth running of Council business;
- (c) ensure that the Mayor is able to provide effective strategic leadership for the overall policy direction of the Council and to promote partnership working with other agencies; and that officers take responsibility for operational matters and policy implementation.

2. THE CONSTITUTION

2.1 Once presented by the Mayor to the Annual Council Meeting or to the Monitoring Officer, this Executive Scheme of Delegation will form part of the Council's Constitution and will be appended to it. Its provisions apply alongside the Council Procedure Rules (Part 4.1) and Access to Information Procedure Rules (Part 4.2) provisions included in the Constitution.

3. AMENDMENTS TO THE EXECUTIVE SCHEME OF DELEGATION

3.1 This Scheme of Delegation remains in force for the term of office of the Mayor unless and until it is amended or revoked by the Mayor in accordance with Rule 1.2 of the Executive Procedure Rules.

4. NON-EXECUTIVE DECISIONS

4.1 No delegated power in this Executive Scheme of Delegation applies to any decision that relates to a matter that is not an Executive function either by law or by the allocation of local choice functions under the Council's Constitution.

5. THE COMPOSITION OF THE EXECUTIVE

5.1 The Executive shall consist of ten (10) people, namely the Mayor and nine (9) Councillors as set out below:-

Name	Portfolio
Mayor John Biggs	Executive Mayor Specific responsibility for <ul style="list-style-type: none"> - Strategy, Policy and Performance - Partnerships - Equalities
Cllr Sirajul Islam Statutory Deputy Mayor	Cabinet Member for Housing Deputy Mayor also responsible for: <ul style="list-style-type: none"> - Work with Faith Communities - Welfare Reform Response - Community Language Service
Cllr Denise Jones	Cabinet Member for Health & Adult Services
Cllr Joshua Peck	Cabinet Member for Work and Economic Growth
Cllr Asma Begum	Cabinet Member for Community Safety
Cllr Rachel Blake	Cabinet Member for Strategic Development and Waste Also leading joint work on air quality
Cllr Amy Whitelock Gibbs	Cabinet Member for Education and Children's Services
Cllr David Edgar	Cabinet Member for Resources
Cllr Abdul Mukit	Cabinet Member for Culture and Youth
Cllr Amina Ali	Cabinet Member for Environment Cabinet member responsible also for: <ul style="list-style-type: none"> - Somali Task Force implementation

6. DELEGATIONS TO THE EXECUTIVE

- 6.1 The Mayor has not delegated any decision-making powers to the Executive acting collectively.
- 6.2 The Mayor may, in accordance with Rule 1.2 of the Executive Procedure Rules, appoint such committees of the Executive as he considers appropriate from time to time and he appoints the following at this time:
- King George's Fields Charity Board
 - The Grants Determination Sub-Committee
- 6.3 Subject to the Mayor's prerogative to make decisions on all matters relating to all his statutory powers, the Mayor delegates to each Cabinet Member individually the power to make decisions on matters within their portfolio after consultation with the Mayor and subject to the Mayor raising no objection to the proposed decision. Any such decision by a cabinet member will be subject to a written report and the same procedure as applies to mayoral executive decisions.
- 6.4 In accordance with section 14(6) of the Local Government Act 2000 (as amended), any arrangements made by the Mayor for the discharge of an executive function by an executive member, committee or officer are not to prevent the Mayor from exercising that function.

7. DELEGATIONS TO OFFICERS

- 7.1 The Mayor has delegated to officers decision making powers in relation to Executive functions as set out at Parts 3 and 8 of the Council's Constitution.

8. OTHER DELEGATIONS

- 8.1 The Mayor has not delegated any powers to any area committee, or to any ward Councillor in accordance with section 236 of the Local Government and Public Involvement in Health Act 2007.
- 8.2 The Mayor has delegated powers to joint arrangements with other local authorities as set out in Part 2, Article 11 and Part 3.3.22 of the Council's Constitution
- 8.3 Subject to paragraph 8.2 above, the Mayor has not delegated any powers to any other local authority.

**PART B - PROCESS FOR EXECUTIVE DECISION MAKING
BY THE MAYOR OR A CABINET MEMBER**

1. Where an Executive decision, including a Key Decision, falls to be made and either:-
 - (a) authority to make that decision has not been delegated by the Mayor under this Executive Scheme of Delegation; or
 - (b) authority has been delegated but the person or body with delegated powers declines to exercise those powers; or
 - (c) authority has been delegated but the Mayor nevertheless decides to take the decision himself,

the decision shall be made by the Mayor individually, after consultation with the Monitoring Officer, the Chief Finance Officer and such other Corporate Director(s), the Head of Paid Service or Cabinet Member(s) as required.
2. Executive decisions (including Key Decisions) to be taken by the Mayor in accordance with paragraph 1 above shall either be taken:-
 - (a) at a formal meeting of the Executive, notice of which has been given in accordance with the Executive Procedure Rules (Part 4.4) of the Constitution and to which the Access to Information Rules (Part 4.2) of the Constitution shall apply; or
 - (b) in accordance with the procedure at paragraph 5 below.
3. In the case of a decision taken at a formal meeting of the Executive, the Mayor will take the decision having received written and oral advice from appropriate officers and consulted those members of the Executive present. In the event that a meeting of the Executive is not quorate, the Mayor may still take any necessary decisions having consulted any Executive members present. All Mayoral decisions taken at a formal meeting of the Executive shall be recorded in the minutes of the meeting.
4. The Cabinet Meeting is not authorised to exercise the Mayor's powers in the absence of the Mayor. If the Mayor is unable to act for any reason, and only in those circumstances, the Deputy Mayor is authorised to exercise the Mayor's powers.
5. The Mayor may at his discretion make a decision in relation to an Executive function, including a Key Decision, alone and outside the context of a meeting of the Executive. In relation to any decision made by the Mayor under this provision:-
 - (a) The decision may only be made following consideration by the Mayor of a full report by the relevant officer(s) containing all relevant information, options

and recommendations in the same format as would be required if the decision were to be taken at a meeting of the Executive;

- (b) The provisions of the Overview and Scrutiny Procedure Rules in relation to call-in, including the rules regarding urgent decisions, shall apply;
- (c) In the case of a Key Decision as defined in Part 2, Article 13 of the Constitution, the provisions of the Access to Information Procedure Rules in relation to prior publication on the Forward Plan shall apply; and
- (d) The decision shall not be made until the Mayor has confirmed his agreement by signing a Mayoral Decision Proforma (example attached) which has first been completed with all relevant information and signed by the relevant Chief Officers.


6. All Mayoral decisions taken in accordance with paragraph 5 above shall be:-

- (a) Recorded in a log held by the Democratic Services Manager and available for public inspection; and
- (b) Published on the Council's website;

save that no information that in the opinion of the Corporate Director, Law, Probity and Governance is 'exempt' or 'confidential' as defined in the Council's Access to Information Procedure Rules (Part 4.2) shall be published, included in the decision notice or available for public inspection.

7. Any decision taken by an individual Cabinet Member in relation to any matter delegated to him/her in accordance with paragraph 6 of the Mayor's Executive Scheme of Delegation shall:-

- (a) be subject to the same process and rules as a Mayoral decision in accordance with paragraphs 5 and 6 above; and
- (b) not be made until the Mayor has confirmed in writing that he has no objection to the decision.

Individual Mayoral Decision Proforma	 TOWER HAMLETS
Decision Log No: (To be inserted by Democratic Services)	
Report of: [Insert name and title of corporate director]	Classification: [Unrestricted or Exempt]
[Insert title here]	

Is this a Key Decision?	Yes / No (Report author to delete as applicable)
Decision Notice Publication Date:	(Report author to state date of decision notice – either individual notice or within the Forward Plan)
General Exception or Urgency Notice published?	Yes (give details) / Not required (Report author to delete as applicable)
Restrictions:	(If restricted state which of the exempt/confidential criteria applies)

EXECUTIVE SUMMARY

(To be completed by Chief Officer seeking the decision)

.....

Full details of the decision sought, including reasons for the recommendations and (where applicable) each of the options put forward; other options considered; background information; the comments of the Chief Finance Officer; the concurrent report of the Corporate Director, Law, Probity and Governance; implications for One Tower Hamlets; Risk Assessment; Background Documents; and other relevant matters are set out in the attached report.

DECISION

(Proposed decision to be entered here)

.....

APPROVALS

1. (If applicable) Corporate Director proposing the decision or his/her deputy

I approve the attached report and proposed decision above for submission to the Mayor. I confirm that the Mayor and/or Lead Member have agreed to this decision being taken using this process.

Signed Date

2. Chief Finance Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

Signed Date

3. Monitoring Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

(For Key Decision only – delete as applicable)

I confirm that this decision:-

- (a) has been published in advance on the Council’s Forward Plan OR
- (b) is urgent and subject to the ‘General Exception’ or ‘Special Urgency’ provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.

Signed Date

4. (If the proposed decision relates to matters for which the Head of Paid Service has responsibility) Head of Paid Service

I have been consulted on the content of the attached report which includes my comments where necessary.


Signed Date

5. Mayor

I agree the decision proposed at above for the reasons set out in paragraph of the attached report.

Signed Date

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Non-Executive Report of the: Council 20 September 2017	
Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer	Classification: Unrestricted
APPOINTMENT OF A CHAIR FOR THE OVERVIEW AND SCRUTINY COMMITTEE	

Originating Officer(s)	Matthew Mannion, Committee Services Manager
Wards affected	All wards

Summary

At the Council's AGM on 17 May 2017 recommendations were agreed setting up an Overview and Scrutiny Committee for the Council and appointing Members and a Chair to the Committee.

Following Councillor Denise Jones' appointment to the Cabinet, a vacancy has now arisen for Chair of the Overview and Scrutiny Committee.

As set out in Article 6 of the Constitution (Overview and Scrutiny Committee and Scrutiny Sub-Committees/Panels) it is for Council itself to appoint the Chair to the Committee.

This report therefore requests Council make a new appointment to the Chair of the Committee. The nomination can be of any Member of the Overview and Scrutiny Committee.

Recommendations:

The Council is recommended to:

1. Appoint a Chair of the Overview and Scrutiny Committee from nominations received at the Council meeting.

1. REASONS FOR THE DECISIONS

- 1.1 The Constitution sets out that it is for the Council to appoint a Chair to the Overview and Scrutiny Committee.

2. ALTERNATIVE OPTIONS

- 2.1 There are no alternative options.

3. DETAILS OF REPORT

- 3.1 At the Council's AGM on 17 May 2017 recommendations were agreed setting up an Overview and Scrutiny Committee for the Council and appointing Members and a Chair to the Committee.
- 3.2 Following Councillor Denise Jones' appointment to the Cabinet, a vacancy has now arisen for Chair of the Overview and Scrutiny Committee.
- 3.3 As set out in Article 6 of the Constitution (Overview and Scrutiny Committee and Scrutiny Sub-Committees/Panels) it is for Council itself to appoint the Chair to the Committee.
- 3.4 This report therefore requests Council make a new appointment to the Chair of the Committee. The nomination can be of any Member of the Overview and Scrutiny Committee.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There are no specific financial comments arising from this report.

5. LEGAL COMMENTS

- 5.1 This report complies with statutory requirements regarding the establishment and appointment of committees and sub-committees. There are no other immediate legal implications arising from this report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 No implications arising from this report.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 No implications arising from this report.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 No implications arising from this report.

9. RISK MANAGEMENT IMPLICATIONS

9.1 The Council needs Committee meeting arrangements to ensure effective and efficient decision-making.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 No implications arising from this report.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- None.

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.


- None.

Officer contact details for documents:

- N/A

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Agenda Item 12

Non-Executive Report of the: COUNCIL 20 September 2017	 TOWER HAMLETS
Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer	Classification: Unrestricted
Motions submitted by Members of the Council	

Originating Officer(s)	Matthew Mannion, Committee Services Manager, Democratic Services.
Wards affected	All wards

SUMMARY

1. Nineteen motions have been submitted by Members of the Council under Council Procedure Rule 13 for debate at the Council meeting on Wednesday 20 September 2017.
2. The motions submitted are listed overleaf. In accordance with the protocol agreed by the Council on 21st May 2008, the motions are listed by turns, one from each group, continuing in rotation until all motions submitted are included. The rotation starts with any group(s) whose motion(s) were not reached at the previous meeting.
3. Motions must be about matters for which the Council has a responsibility or which affect the Borough. A motion may not be moved which is substantially the same as a motion which has been put at a meeting of the Council in the previous six months; or which proposes that a decision of the Council taken in the previous six months be rescinded; unless notice of the motion is given signed by at least twenty Members.
4. There is no specific duration set for this agenda item and consideration of the attached motions may continue until the time limit for the meeting is reached. The guillotine procedure at Council Procedure Rule 9.2 does not apply to motions on notice and any of the attached motions which have not been put to the vote when the time limit for the meeting is reached will be deemed to have fallen. A motion which is not put to the vote at the current meeting may be resubmitted for the next meeting but is not automatically carried forward.

MOTIONS

Set out overleaf are the motions that have been submitted.

12.1 Motion regarding the future of the Tower Hamlets Youth Service

Proposer: Councillor Gulam Robbani

Secunder: Councillor Oliur Rahman

This Council notes that:

1. Former Mayor Lutfur Rahman had a positive vision for the Youth Service which was expressed, for example, at the Cabinet in April 2012:

“He considered that what really mattered were the young people of Tower Hamlets who represented the future of the Borough and that youth services were provided that benefited them. It was his intention as Mayor that young people in Tower Hamlets received the best youth services and best education possible.”

2. That the main motivations of bringing the Youth Service back in-house were:
 - to save money on duplicating management functions and re-invest it in the front line of the service;
 - to respond to the Government’s localism agenda;
 - to strengthen the Council’s partnership agenda;
 - to obtain extra value by, for example, the youth service working effectively.
3. That although bringing the Service back in-house was a decision of the Executive Mayor, councillors were able to discuss the transfer openly within Council structures – for example, Councillor Oliur Rahman was able to explain the decision to the April meeting of the Overview and Scrutiny Committee, at which Councillor Rachael Saunders declared a personal interest on this item as she had “been in receipt of information from some of the service providers managing the contract in question.”

This Council further notes that:

1. The current Mayor’s intention to make a fundamental change in the way that the Youth Service is run (initially on an interim basis) was not mentioned at the Cabinet on 10th May 2016, although planning must have been well underway by then.
2. The Mayor’s intention to make this fundamental change was set out in a briefing paper from the Mayor’s office dated 12th May 2016 which was circulated to all councillors.
3. This paper stated that the interim delivery plan would begin in July, which clearly precludes any wider member involvement (indeed, the paper refers to the decision having been developed in discussion with John Biggs and Councillor Saunders) and a future delivery model will be in place from April 2017 (and there will be full member involvement in options for this model, but how this will happen is not explained).
4. This paper also stated that a gap analysis is underway with a view to there being a programme of procurement and commissioning in June 2016 targeted at local third sector organisations.

5. This paper also states that it is the intention to offer youth services for the rest of this financial year from only eight venues in the borough – despite the fact that youth are often very reluctant to travel far to a formal provision. The paper states that the Council intends to offer an outreach service to encourage you to travel to the formal provision and also to rely, in the interim, on whatever additional services are provided in an un-co-ordinated manner by local charities or voluntary organisations.

This Council further notes that:

1. The Mayor's decision was revealed at the Council's Annual Meeting on 18th May 2016 by Councillor Rachael Saunders in what appeared to be an unplanned announcement. This included Councillor Saunders reading out an email from her mobile phone but not saying who had sent her the email (in sad contrast to her previous openness about who was briefing her).
2. Councillor Saunders stated that "The service has faced allegations of fraud and corruption" and other serious allegations. She also said that "Investigations into these serious allegations are ongoing," and that the Youth Service does not have the capacity to deliver as much as it has in the past. She stated that "we" were working out a service plan which would be based on reduced capacity and on when that had been developed would consideration be given to identifying and filling gaps. She expected the identification of gaps to be finished by June (a couple of weeks after she was speaking) – but did not mention John Biggs's intention to fill these gaps by contracting out parts of the service to third sector organisations (or who, in the event of this being done, would manage these organisations).
3. The Council Communications Office issued a press release on 26th May referring to the change only having been prompted by "historic shortcoming". This announced that an interim delivery model would be adopted "by the summer". It gave details of the interim delivery model and stated that young people's views had been listened to throughout the review process. (The members have yet to see a concrete tangible and evidence of that)
4. There have been a number of reports in the local press since the Council AGM which have reported the detail of various allegations – presumably either on the basis of their own imaginations or on the basis of briefings from unknown parties in the Council which have not been shared with all councillors.
5. That as a result of the way the Mayor and relevant Cabinet Members have dealt with this issue, it is entirely unclear what is happening to the youth service – which has led to a great deal of serious concern among service users and in the wider community.

This Council believes that:

1. If and when there are allegations of corruption or other serious malpractice, these should be investigated in accordance with Council procedures and individuals should be dealt with appropriately. (Independent Group fully supports this approach and have publicly offered to work together for the benefit of young people of Tower Hamlets).
2. That if a service is to be reviewed in order to spend or save money by cutting certain provisions, and/or deliver the service more efficiently or effectively, this

should be discussed openly, including with councillors and services users and the wider community rather than playing politics or blame-game.

3. (1) and (2) above should not be confused.

This Council further believes that:

1. The current position, in which the Administration appears to have responded to allegations against individuals by pre-emptively altering the service as a whole, and in which the Youth Service is to be run on an interim delivery model based on reduced capacity and enhanced by some sort of ad-hoc procurement, is ill thought out and poorly planned.
2. The interim service delivery model will, for the rest of this financial year, lead to an increase in Anti-Social Behaviour across the Borough – to the irritation of the whole community, for whom this is already a massive problem.
3. The interim service delivery model will, for the rest of this financial year, incur a risk of extra spending on management and quality assurance of the service – risks which have not been addressed in the little documentation available or in such public statements as have emerged.

This Council resolves that:

1. The current Mayor, John Biggs, should honour his commitment to govern in a transparent manner and he should put on the public record a full account of what has been going on, including what allegations have been made, when these were made, by whom and how - and critically how these are being investigated (releasing as much information as is possible without compromising the investigations or the individuals concerned); what prompted the service review and how it took place; and what his intentions are towards the service.
2. The current Mayor, John Biggs, to immediately stop any further work to drastically reduce and cut the Youth Service provision in the name of interim delivery model and engage in a serious, open, transparent consultation with the young people, residents and stakeholders.
3. The current Mayor, John Biggs, to reverse the decision to close unprecedented number of Youth Centres and look for an alternative way to provide effective, efficient and fit-for-purpose Borough-wide localised youth service provision.
4. The current Mayor, John Biggs, must keep the Youth Service in-house rather than privatising or contracting it out.
5. In the event that the current Mayor, John Biggs, should not agree to do think again, he must issue a statement clarifying how he intends to procure a service to fill in the gaps from the third sector, given that the Commissioners have been running grant-making functions; and he must also issue a comprehensive statement covering which of his chosen eight venues will pick up delivering the service previously provided by centres which John Biggs and Councillor Saunders have closed and how service users whose centres have been closed are expected to access the replacement services, including details of travel arrangements, etc.

12.2 Motion regarding the recently reported Child AB in Foster Care

Proposer: Councillor Andrew Wood

Seconded: Councillor Chris Chapman

[Note – please also see the Appendix for background information on this motion.]

The Council notes:

This Council first notes the following Acts of Parliament and Regulations which are the statutory requirements for cases like this.

- 1) Children Act 1989 (c. 41) Part III – SUPPORT FOR CHILDREN AND FAMILIES PROVIDED BY LOCAL AUTHORITIES IN ENGLAND
- 2) The Fostering Services (England) Regulations 2011

That the following is also relevant;

- 3) United Nations - Convention on the Rights of the Child 1990
- 4) The Children and Families Act 2014

This Council also notes the articles written by Andrew Norfolk, the Chief Investigative Reporter for The Times newspaper published between August 28th and 30th.

In addition, on the 29th August Judge HHJ Sapnara released a Case Management Report

Andrew Norfolk, The Times reporter was instrumental in the exposure of the Rotherham sex abuse scandal for which we won awards including Journalist of the Year.

In summary, these are the allegations made in the newspaper reports;

- Arabic routinely spoken at home of first carer which the child did not understand
- a necklace containing a cross was removed by the carer and not returned
- Child regularly expected to eat meals on the floor
- Child encouraged to learn Arabic, child told mother that she needs to ask her social worker if she can learn Arabic
- "The social services employee heard the child whispering Arabic words to her mother that she was allegedly told must be said aloud to ensure that "when you die you go to heaven".
- Both foster families, the women concealed their faces when outside
- Not allowed to eat pork (her birth mother had cooked her Carbonara with pork to take home)
- Child allegedly told 'Christmas and Easter are stupid'
- Child allegedly told 'European women are stupid and alcoholic'
- Girl was distressed at the end of each meeting
- Both foster families were practising Muslims
- That the child expressed a clear wish not to return to the foster family in reports seen by the Council

This Council further notes

That OFSTED failed Tower Hamlets Children's Services earlier this year and that these events started in between the inspection in late January and early February and the publication of their report on the 7th April. The OFSTED report starts with these sentences;

"There are widespread and serious failures in the services provided to children who need help and protection in Tower Hamlets. As a result, too many children remain in situations of actual or potential harm for too long. Insufficient scrutiny by the chief executive, the director of children's services (DCS) and politicians has meant that they did not know about the extent of the failures to protect children until this inspection."

We are concerned that while the OFSTED identified more than 25 cases where OFSTED had to intervene to ensure children were safe they were only here for three weeks and their primary objective was to write a report on Tower Hamlets not to check that every single child was safe.

This Council remains deeply concerned that the actions of Children's Services may have resulted in harm to other children which has not yet been uncovered and that children are still suffering.

This Council is disappointed in that the first response of the Council was to ask Councillors to be '*united at expressing our anger at the implicit and in some cases explicit Islamophobia of the articles written.*' Email to Councillors 29th August. Anger is not the appropriate response to a serious and complex issue like this.

The Council has a statutory duty to children and that by trying to create an emotional response to reporting based on internal Council documents it does not serve the interests of children under its care.

This Council is further disappointed that the Council's public statement refers to only one set of foster parents when both the Court papers and newspaper articles refer to two sets of foster parents. Which is which?

"For example, the child was in fact fostered by an English speaking family of mixed race."

This Council believes

That the publication of the Times photographs even though cropped, pixelated and from the rear were inappropriate and that the use of models could have conveyed the information they wished to provide.

This Council has the following question;

Did Tower Hamlets Council observe an Act of Parliament which says

- (5) *In making any such decision a local authority shall give due consideration—*
- a) *having regard to his age and understanding, to such wishes and feelings of the child as they have been able to ascertain;*
 - b) *to such wishes and feelings of any person mentioned in subsection (4)(b) to(d) as they have been able to ascertain; and*
 - c) *to the child's religious persuasion, racial origin and cultural and linguistic background.*

This Council proposes;

We have submitted twenty-seven detailed questions to the Council, the answers to which we expect after the deadline for motions so as an interim measure we propose the following while we wait for answers;

- a) The Council appoint an independent expert to investigate individual cases like this. Based on what Rotherham Council did in 2013 when they appointed Professor Alexis Jay as an independent expert to investigate issues there.
- b) We also call on the Council ask the independent expert to investigate other cases which will be identified through a campaign of contact with parents, LBTH and school staff recommendations (in confidence), OFSTED reports and recommendations by Councillors
- c) That the Council make available (redacted where necessary) the statement provided to the Court, requested on the 27th June on the cultural appropriateness of the foster care placement and any subsequent updates
- d) To review all current fostering arrangements to ensure that all fostering arrangements match the requirements laid down by law and to categorise where they are not by indicating on the grounds of religion, culture, race and linguistic where they do not match in summary format
- e) That if not enough foster parents are available to provide all our children with the appropriate matches that a public campaign be launched to recruit more foster carers
- f) That any evidence of proselytising by any carer should result in their removal from register of approved foster parents. Similarly, any foster families where English is not the dominant home language unless the child's main language is not English.

12.3 Motion regarding Tower Hamlets Rent Control in the Private Rented Sector

Proposer: Councillor Rabina Khan

Secunder: Councillor Abdul Asad

The Council Notes;

1. The 2011 census revealed there were 67,209 **private sector** homes in **Tower Hamlets**; 41,670 (62%) of these were in the **private rented sector**.
2. The **Private rented sector** is now the largest tenure in the borough with 39% of the housing stock, far higher than the London average of 25%.
3. Lower quartile rents in the borough are £365 per week for a two bedroom and £462 for a three bedroom flat. The weekly Local Housing Allowance rate for a family needing two bedrooms is £302.33, and for three bedrooms it is £354.46.
4. The median rent for a room in a Tower Hamlets shared flat or House in Multiple Occupation is £147 per week. Single people under 35 have a weekly Local Housing Allowance of £102.99.
5. Median rents have increased by around a quarter in the last five years, to £1430 pcm (£330 pw) for one bedroom and £1750 pcm (£403.85 pw) for two bedroom flats. As of 2013, nearly half of all households in Tower Hamlets have an annual income less than £30,000.
6. Shelter said; "For many people the private rented sector is not a tenure of choice, but a tenure of necessity. The high cost of buying a home and the shortage of social housing means many families have no choice but to rent privately for the medium to long term".

The Council further notes;

1. The standard of living in the private rented sector is poor and hugely substandard cited from research by Shelter and the Joseph Rowntree Foundation.
2. About 40 per cent of the income of private renters – who now outnumber those renting social housing – goes on rent. This unsustainably high percentage helps to explain why the proportion of housing benefit paid to the private sector is rocketing upwards, from 25 per cent 10 years ago to 40 per cent today.

The Council welcomes;

1. The 2013 tribunal judgement in favour of a private tenant in Chapman House who had been subjected to a revenge eviction after reporting unacceptable living conditions to the ward councillor.
2. The council's work on Chapman House since that case, including extensive visits from Environmental Health Officers, including two who worked very hard to compile a comprehensive report on the fire, risks and hazards arising from the substandard quality of housing in the block between 2013 and 2015.
3. The 20 Improvement Notices and 8 Prohibition Notices that the council has issued in respect of this block, having found that the landlord had breached building regulations (whilst noting that the landlord has continued to increase the rent for tenants of this unsafe housing despite not having complied with the notices and addressing the breach of regulations).
4. The landlord has cladded the building but did not submit a statutory notice to the Local Authority Building Control, under The Building Regulations 2010 (Amended) prior to cladding the building.

5. A poll commissioned for the campaigning organisation Generation Rent showing about 60 per cent of respondents back some form of rent control.

The Council Resolves;

1. To research, develop and introduce a Tower Hamlets policy for more secure tenancy agreements for private tenants, including stabilising rent controls to prevent landlords raising rents each year by more than an inflationary index
2. To research, develop and introduce a Tower Hamlets Policy to make three year tenancies in the private rented sector standard across the sector, with rent caps linked to inflation, the standard of the private dwelling and whether the landlord is compliant with EHO Notices.
3. If the Landlord of Chapman House fails to address the outstanding notices and breach of building regulation notices that have been served on him to seek prosecution.
4. *To uses its powers under the Housing and Planning Act 2016 to tackle problems created by rogue landlords. A Rent Repayment Order, for example, can be issued to a landlord, requiring him or her to repay rent (up to a year in some cases) to a tenant.*
5. To use its power to issue Fixed Penalty Notices of up to £30,000 if a landlord does not comply with the terms of an Improvement Notice.
6. Engage with the best landlords to encourage self-regulation; recognising that the most responsible landlords have an interest in promoting better standards to raise the standing of the whole sector and avoid the need for further regulation, local authorities should better incentivise landlord 'PRS Champions' to work closely in partnership with the council and the wider landlord community.

12.4 Motion in support of foster carers

Proposer: Mayor John Biggs

Seconded: Councillor Amy Whitelock Gibbs

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 many will 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.

12.5 Motion regarding Housing Achievements in Tower Hamlets – setting the record straight

Proposer: Councillor Ohid Ahmed

Seconded: Councillor Maium Miah

The Council Notes:

It has become more difficult than any time before for people in inner City boroughs like Tower Hamlets to find a decent home to rent or buy. Today many essential workers; teachers, nurses, fire fighters and other public service workers find it nearly impossible to buy or rent in Tower Hamlets.

The former Mayor Lutfur Rahman's administration embarked on an ambitious journey to tackle the housing issues locally in a two-prong strategy:

1. Building affordable houses in Tower Hamlets; and
2. Improving the standard for private properties.

For example, to deal with the poor standards of maintenance and upkeep within the private sector, then Mayor Lutfur Rahman and his Deputy Mayor Ohid Ahmed introduced 'licensing for private rented sector housing' under the Housing Act 2004.

The achievements of the Rahman Mayoral policies and the leadership between 2010 and 2015 were recognised by people and commentators across the UK. With Cllr. Ohid Ahmed he also led building the highest number of affordable homes in the country. Figures released by the Department of Communities and Local Government (DCLG) showed that between 2010/11 and 2015, Tower Hamlets delivered a record 5,590 affordable homes.

In addition, as Cabinet Lead Member for Regeneration, Cllr Ohid Ahmed led two major regeneration programmes, Ocean Estate and Blackwall Reach.

The Independent Group's success under the leadership of former Mayor Lutfur Rahman, his Deputy, Cllr Ohid Ahmed, and his team was further acknowledged by the Government, who released £24.2 million in 2015 alone from the 'New Homes Bonus' scheme, which has enabled the current administration to continue that legacy of our housing delivery. By 2015, the council had secured the total of £53m in New Homes Bonus - the highest in the country.

A recent City Hall report further acknowledged our administration's achievement that Tower Hamlets had built more affordable housing than anywhere else in the capital.

There were other regeneration projects – approved by the previous administration - for example 148 homes in Watts Grove with £26.33m funding approved by Mayor Lutfur Rahman on 5 November 2014. The London Docks regeneration project not only secured invaluable affordable housing but also a space for a 1,500 spaces strong secondary school in Wapping.

The Whitechapel Vision along with its Master Plan was the brainchild of the former Mayor Lutfur Rahman and his then Cabinet Member Alibor Choudhury. Both were approved by the previous administration and adopted by the Council. This historic regeneration of

Whitechapel is the former administration's hard work and a testament to their commitment and ambition to improve the Borough which included local businesses, the agreed 'tech city' and the expansion of medical research facilities.

The Whitechapel Vision, its Master Plan and including associated regeneration will also provide:

- At least 3,500 new homes
- 5,000 new local jobs
- School improvements
- Transformed public spaces
- Enhanced local heritage
- A civic centre in the heart of the community

We have proposed a 'local community-led forum of grass-root stakeholders' to add value to get it right in the implementation phase which has been ignored by John Biggs.

The Council Believes:

John Biggs, his allies, and other opportunists have sought to take credit for what Mayor Lutfur Rahman, his Deputy Ohid Ahmed, former Cabinet member Alibor Choudhury and other cabinet members worked hard to deliver for residents.

John Biggs promised to build a thousand more houses in his manifesto, in reality he has built none save to carry on Lutfur Rahman's commitments as this was tied to the projects previously started and the funding previously secured and approved by us.

In the 2014 mayoral election, the previous administration had a manifesto promise to deliver further 5,000 affordable housing for the next 4 years by 2018. Indeed, on top of the 5,590 homes already delivered by the previous administration, another 3,000 affordable homes were in the pipeline and were well on course to be delivered as the previous administration's manifesto promise of additional 5,000 local homes. It's disingenuous for John Biggs to take credit for affordable housing in Tower Hamlets in which his administration had no contribution.

Our administration had a clear vision and drive to deliver more social affordable housing in the borough to alleviate overcrowding and increase life chances of our young people. A vision and drive we fail to see in John Biggs administration. There are no new council or affordable homes built between June 2015 until now 'which were not started or approved by our previous administration under former Mayor Lutfur Rahman and his Deputy Mayor'.

John Biggs has yet to credibly name one big regeneration project which he has initiated and approved which will deliver substantial affordable housing but as usual, he tries to take credit for the success of our hard work.

The Council Resolves:

John Biggs should stop taking the credit for former Mayor Lutfur Rahman and Deputy Mayor Cllr Ohid Ahmed's achievements and learn to take responsibility for the series of catastrophic failures he has committed and to stop blaming anyone but him for easy political point scoring.

To acknowledge the historic achievements of the former Mayor, Deputy Mayor and their administration in delivering the record level of affordable housing as acknowledged by DCLG, the GLA and others.

12.6 Motion regarding the Greenwich and Woolwich Foot Tunnels

Proposer: Councillor Peter Golds

Seconder: Councillor Andrew Wood

This Council notes that the Royal Borough of Greenwich has voted to approve changes to the Bye Laws relating to the Greenwich and Woolwich Foot Tunnels which it has administered since 1986.

The Council further notes:

That such changes will only come into operation when approved by both the Council's of Newham and Tower Hamlets and the Secretary of State.

That whereas most of the amendments may be considered as updating bye laws which have remained unchanged for almost eighty years, that which relates to permitting cycling in the tunnel is a complete change.

That the Report to the Cabinet of the Royal Borough of Greenwich stated; "No consultation on the proposals has been undertaken, or considered necessary. The Friends of Greenwich and Woolwich Foot Tunnels are aware of the proposals."

That the Report to the Cabinet of the Royal Borough of Greenwich also stated;

"That with regard to Community Safety there are no significant implications arising from this Report."

"That with regard to Health and Safety there are no significant implications arising from this report."

"That with regard to Health and Wellbeing there are no significant implications arising from this Report."

That the Department of Transport guidance on shared facilities states:

"Converting a footway or footpath to allow use by cyclists should only be done after a rigorous assessment has been carried out. It is vital to ascertain whether it is the best option or not. This can only be done after all on-road solutions have been fully considered and rejected as unsuitable. If so, the conversion must be carefully designed to meet the needs, as far as is practicable, of all its intended users."

That it is obvious that no assessment, let alone a rigorous assessment, has been undertaken by the Royal Borough of Greenwich.

That the tunnel is designated as a foot tunnel.

That there is YouTube evidence of a Deliveroo driver on a moped has been riding through the tunnel and that motorised scooters and motorised unicycles have also been seen used.

That residents of Tower Hamlets are concerned about the safety implications of cyclists riding through the tunnel, which is extremely narrow in places and completely unsuited to joint usage by cyclists and pedestrians. Many residents have said they will no longer use the tunnel especially at rush hour.

The Council resolves to undertake a rigorous and impartial assessment as to Health and Safety implications of any change and the provisions of the Equality Act 2010 and fully consult the community before approving any changes to the byelaws relating to cycling in the foot tunnel.

12.7 Motion to Keep Tower Hamlets Current Parking Operating Times

Proposer: Cllr Shah Alam
Seconder: Cllr Aminur Khan

The Council Notes:

1. The Council document titled "Proposed Operational Hours" effecting parking should change in the Bow and Mile End areas (parking zones B1, B2 and B4).
2. The options offered for consideration affecting residents and businesses include the following;
 - Option 1: Monday - Saturday 7.30am to 10pm and Sunday 11am to 4pm
 - Option 2: Monday - Saturday 8.30am to 10pm and Sunday 10am to 10pm
 - Option 3: Monday - Sunday 8.30am to 10pm
3. The consultation did not include an option to keep current operating parking times of 8.30am till 5.30pm Monday and Friday.
4. The consultation is misleading and **disingenuous**.
5. By choosing between three slightly different variations, the Council is trying to get the public to endorse the whole approach.

The Council resolves;

1. To include and retain the current operating parking times of 8.30am till 5.30pm Monday and Friday until genuine consultation has taken place
2. To consult effectively and widely with a new consultation document for residents, businesses and local business holders to respond - and include current operating parking times of 8.30am till 5.30pm Monday and Friday.
3. Stop the backdoor change to the current operating parking times.

12.8 Motion regarding housing in Tower Hamlets

Proposer: Councillor Sirajul Islam
Seconder: Councillor Rachel Blake

This Council notes that:

1. The population of Tower Hamlets broke through the 300,000 mark last year. It is predicted there will be a further 87,400 people living in the Borough over the next 25 years.
2. A lack of affordable housing is now the main concern for residents, as highlighted by the Annual Residents Survey 2017.
3. The new Local Plan will set out how the Council intends to manage the scale and pace of development and ensure that all residents benefit from the opportunities growth brings to the borough and will deliver more schools, transport, GP surgeries and jobs alongside new housing.
4. Mayor Biggs pledged to deliver 1,000 council homes and the Council is on track to meet this target.
5. Council figures show Tower Hamlets delivered 1,070 affordable homes last year (2016/17) and another 1,073 the year before (2015/16).
6. Under Mayor Biggs' new Living Rent policy, rents for new affordable homes are far more affordable to those on low incomes, saving residents up to £6,000 a year. This was a recommendation of the Tower Hamlets Affordability Commission, which was set up by Mayor Biggs last year.
7. That Mayor Biggs unveiled 148 new council homes at Watts Grove this month; a scheme which was scrapped in 2013 by the previous administration but reinstated after a local Labour-led campaign to save the housing. The housing is covered by new rent levels, introduced by Mayor Biggs, which means that compared to the previous Mayor's rent levels, a family living in a new three bed property will be up to £5,791 better off.
8. The Mayor's Neighbourhood Refresh scheme will invest £3million in local neighbourhoods to make them safer, cleaner and greener. Practical improvements such as new lighting, more green space, traffic calming and new bins will make a positive difference to local areas.
9. The rights of private renters in Tower Hamlets are being protected with the launch of the Tower Hamlets Private Renters' Charter. This, alongside innovative new measures such as the landlord licensing scheme, means a better deal for private renters.
10. Families are no longer housed in B&B accommodation for longer than the 6 week legal limit, compared to the 174 families that were left to languish in B&Bs under the previous administration.
11. The Development Viability Supplementary Planning Document (SPD), which ensures transparency in the planning process and encourages reviewing viability at each phase of large schemes, aims to provide greater clarity to both applicants

and the public and ensures that the principles of sustainable development are at the forefront of decision-making in Tower Hamlets.

This Council believes:

1. Population growth will bring Tower Hamlets numerous benefits as well as challenges.
2. The Borough benefits from the approach of this Council administration which is meeting the challenge of the housing crisis head on by providing high quality affordable housing, a better deal for private renters, improved local environments and 1,000 council homes.
3. The 174 families left to live in B&B accommodation for over 6 weeks, and their original decision to scrap the Watts Grove development, illustrates the approach of the previous administration: a failure to serve residents; a failure to properly manage council budgets; and a failure to plan for the future.

This Council resolves:

1. To work with Mayor John Biggs to continue to deliver more affordable housing for local people.

12.9 Motion regarding Stop closure of one stop shops in Tower Hamlets

Proposer: Cllr Suluk Ahmed
Seconder: Cllr Oliur Rahman

The Council Notes:

John Biggs led Tower Hamlets administration is planning to shut down four One Stop Shops in their current form which provide invaluable services to many residents, including friends, family members and loved ones. This is being disguised as a “merger”.

The reason or ‘excuse’ given is the integration of the service with the Idea Stores and forcing the residents to use online services instead.

To force the service online will alienate the elderly, those who do not use a computer, find reading a challenge, have special needs or for whom the first language is not English.

This means there will no longer be ‘immediate’ face to face service in its current form about parking, housing benefits, council tax, welfare etc. for the residents in stand-alone One Stop Shops with face to face contact providing expert knowledge and support to help residents – many of whom would be vulnerable in a distressed situation or in need of ‘urgent’ help.

There is a genuine fear that the face to face service will completely disappear even if any ‘temporary stop-gap-measures’ or ‘a provisional promise’ to see complicated cases at a future date was made to some users to get the changes approved now in order to ‘manage’ any protest or to negate the complaints from the residents/users, staff, elected representatives and others. The ‘if needed’ assistance and a possible face to face meetings in complicated cases at a ‘future’ date leave a lot to be desired and are meaningless rhetoric for residents who need immediate face to face help.

Independent Group’s Shadow Cabinet Member for Community Safety and Partnerships, Cllr Ohid Ahmed, has raised this important issue and is campaigning to save the service. If approved this proposal will mean there will no longer be any stand-alone One Stop Shops with immediate face to face service using ‘ticket and wait’ provision currently in place in the borough.

It is also important to ensure that the Council does not allow the new wifi service to provide an opportunity for hackers and others in respect of data breaches and access to confidential information.

Approximately 1,000 residents visit the One Stop Shops services on daily basis – many of whom are from the ethnic minorities or the most vulnerable groups due to a variety of factors.

The Council Resolves:

To ask Mayor John Biggs to stop his proposed cut and closure of four One Stops Shops in Tower Hamlets due to its detrimental impact on residents who already feel besieged by his brutal cuts as well as a record 9% increase in the council tax while the Mayor enjoys an 11.7% pay rise at more than £10,000 extra in his pay packet.

12.10 Motion OFSTED School inspection results over time

Proposer: Councillor Julia Dockerill
Seconder: Councillor Andrew Wood

This Council notes that;

That OFSTED provide a snapshot every year of the relative performance of schools across the country. It is based on OFSTED school inspection results aggregated by region, local authority and constituency. That school inspections inspect the school and not pupils or their results but school management and teaching,

The table shows where Tower Hamlets fits in relative to other London boroughs for local authority maintained schools.

As can be seen Tower Hamlets schools are no longer the best in the country nor even the best in London despite receiving the highest funding per pupil in the country.

As can be seen many of our neighbours rank more highly than us especially at the primary school level.

	Rank August 2012	Rank August 2014	Rank March 2017	Boroughs which rate more highly – neighbours only
Primary – Tower Hamlets total	19 th	12 th	18 th	Hackney, Lewisham, Greenwich, Lewisham
Secondary – Tower Hamlets total	12 th	12 th	19 th	Southwark, Hackney
All schools – Tower Hamlets	15 th	7 th	15 th	Hackney

Our nurseries and special schools rank very highly offsetting weaknesses at primary and secondary level.

The Council further notes;

That this issue has been raised twice in full Council in the last three years and that no investigation or action has taken place. The result continuing relative decline.

This Council further notes that while the OFSTED Children's Services inspection did not inspect schools nor their management it did have this to say

“Insufficient scrutiny by the chief executive, the director of children's services (DCS) and politicians has meant that they did not know about the extent of the failures”

The Council calls on the Mayor to;

1. Scrutinise the OFSTED inspection results and to get an understanding of why other Boroughs seem to be doing better
2. To investigate the reasons for the relative decline over the last few years

3. To investigate why the highest per pupil funding in the country has not helped achieve better results given that similarly deprived boroughs with much less funding per pupil seem to do as well as or better than us.

This information is publicly available here

<https://public.tableau.com/profile/ofsted#!/vizhome/Dataview/Viewregionalperformanceovertime>

Select Explore national, regional and local data

Then Phase – Primary, Secondary or All

Then Provider Type – Local Authority maintained

Then select Percentage of Place/Learners

Split Outstanding and Good

Region click on London

Select ‘Showing local authority area’

Sort areas by “Overall effectiveness”

Change date as required

12.11 Motion regarding Tower Hamlets Communities to shape neighbourhoods and council services in decision making NOT an Individual Mayoral Decision outside of Cabinet of £3.5 million contract to consultants to transform our services and communities

Proposer: Councillor Aminur Khan

Seconder: Councillor Abdul Asad

The Council Notes:

1. It has developed a new strategy to encourage local communities to play a bigger and more active role in shaping their neighbourhoods and council services.
2. A wide programme of consultation was done with key stakeholders to develop the current priorities in the strategy, and to help define the council's vision for involving the community and consultation closed on 5th September 2017
3. **Labour Mayor Biggs said:** "I want our council to draw on all the talent and experience of our community and to include more local people in our decision making. With government continuing to cut council funding each year it's more important than ever that residents are at the heart of everything we do. Working together to identify local priorities and develop solutions to the challenges we face is vital."
4. A number of campaigners, community groups and organisations have addressed the council following Mayor Biggs's cuts to frontline services providing talent and experience of how decisions could be made without impacting on the children, young people, families, working people, the elderly, disabled and vulnerable.
5. Mayor Biggs has not listened and included local communities in his decision making but instead made a £3.5 million Mayoral Decision on the 18th August 2017 to provide a contract to Grant Thornton Consortia as the strategic partner to transform the council services effecting Tower Hamlets communities.
6. Mayor Biggs chose not to make Tower Hamlets residents his strategic partner.

The Council resolves;

1. To stop the privatisation of council nurseries.
2. Increase the number of Youth Centres per ward to deliver a comprehensive plan of detached and outreach work.
3. Reinstate all council funded Police Officers cut by Mayor John Biggs.
4. Fund the Tower Hamlets Youth Sports Foundation with the council working in partnership with the THYSF Business Plan.
5. Fund the Careers Service adequately so that young people aged 16-17 can be supported into higher and education and employment.
6. Hold a Public Inquiry by Overview and Scrutiny to hear from all parties affected by the damning Ofsted report.
7. To introduce Rent Control in the Private Rented Sector.
8. The closed decision of Mayor John Biggs to sign off £3.5 million to a private contractor will need to be made accountable to the communities in Tower Hamlets.

12.12 Labour Group Motion on NJC Pay

Proposer: Councillor Rachel Blake
Seconder: Councillor Danny Hassell

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.

12.13 Independent group motion Fire Safety in Tower Hamlets for Residents

Proposer: Councillor Kibria Choudhury

Secunder: Councillor Md. Maium Miah

The Council notes:

Prime Minister Theresa May has admitted in the Parliament that there are other buildings with 'combustible' cladding - like Grenfell Tower - across the country. She stated that that the Department for Communities and Local Government will inform the relevant local authorities and checks were being carried out.

The fire in Grenfell Tower in London was a national tragedy - with 80 people presumed dead but the accurate figure is likely to be more - to widespread public anger, dismay and a national search for answers. They all should have been safe when they went to sleep at night. In the 21st century Britain, one of the richest countries in the world, in the richest city in the country, nobody should be living in a home that risks their life.

It's heartbreaking when you consider that this devastating fire was eminently avoidable. The allegedly unnecessary cost cutting measures by Kensington and Chelsea (K&C) Council or its agencies to reportedly save £5,000 by installing cheaper but more flammable cladding and non-existence of sprinklers did not help the poor people, which included very young children, who were trapped and died in the fire. This becomes even more devastating when you consider the fact that the K&C Council is sitting on a shocking £209 million reserves in their coffers – surplus to their requirements, and offered a £100 council tax rebate to residents just before the local election in 2014.

The Chief Executive, Leader and Deputy Leader have of K&C council had to resign from their positions after initial reluctance. The Government is being urged to send commissioners to the K&C council.

The Boss - Director of Grenfell Tower insulation provider - 'is government adviser'. Technical director of Saint Gobain UK, which makes Celotex insulation, is reportedly also on the Building Regulations Advisory Committee (BRAC), which advises Sajid Javid, Secretary of State for Communities and Local Government.

In Tower Hamlets, we have many similar towers and residents are genuinely worried and have concerns. We have seen many fires in Tower Hamlets in recent weeks with many families evacuated.

On 3 July, a young teenage girl – 17 years old – tragically died after trying to escape a burning fire in her home in Mile End, with 50 people evacuated and four suffering smoke inhalations. Our thoughts and prayers are with her family and loved ones, as well as all the victims and loved ones of Grenfell Tower and other fires in the capital.

A large blaze tore through the roof of a multi-million-pound development next to Regent's Canal, Bow Wharf in Tower Hamlets where eighty firefighters were dispatched to tackle the fire at the five-storey building in Bow Wharf, Wennington Road – luckily no one was yet living in the building.

Following Grenfell fire tragedy, John Biggs issued a statement citing Tower Hamlets Homes (THH), Council's Arms-length Housing provider, about the Fire Risk Assessments (FRAs) of its THH managed tower blocks in the Borough but has failed to publish the FRAs despite requests by the residents and the Independent Group.

John Biggs has yet to confirm the final details about the safety of the buildings and towers managed by Registered Social Landlords (RSLs) and private landlords.

Labour administration in Tower Hamlets sold off the family silver – our social housing stock – to private companies or RSLs – so John Biggs cannot simply absolve himself of his utmost responsibility of keeping all our residents safe in light of the tragedy that befell on the poor people of Grenfell Tower in west London at night.

Independent Group in London Borough of Tower Hamlets had officially written to John Biggs highlighting the concerns and asking for reassurance and specific answers for residents, still awaiting a reply.

The Council believes:

Everyone deserves to know if their home is safe when they go to sleep at night.

All Landlords - including local authorities, RSLs, Arm's Length Housing Management Organisations (ALMOs) like THH and private landlords - have a legal obligation to provide safe and secure buildings for our residents and where they cannot do so they must provide alternative accommodation.

People need assurance and answers and Biggs must ensure that 'all' our buildings in Tower Hamlets are safe for our residents.

The Council resolves:

1. Install up to date sprinklers and smoke alarms that are regularly checked – **retrofitted if needed without any exception**, and implement all relevant recommendations made by Lakanal House fire inquiry.
2. A clear public assurance that none of our buildings, not just THH tower blocks, is fitted with the cladding that contains '**flammable polyethylene**' used in Grenfell Tower or **have 'any combustible material'** that may spread instead of containing the fire.
3. The most appropriate fire safety doors that can at least withstand the fire for 60 minutes, retrofitted if necessary, in consultation with the residents.
4. Comply with the best practice and official advice from the Fire Brigade and other relevant authorities on fire safety.
5. Comply with the advice from The Department for Communities and Local Government which state: "**Cladding using a composite aluminium panel with a 'polyethylene core' would be non-compliant with current Building Regulations guidance.**"
6. Use the Council's position and power directly, or through appointed board members sitting on RSL boards and other influential places, to ensure that the above is complied with by the RSLs, the Council and THH.
7. Publish all Fire Risk Assessments carried out by the Council, THH and RSLs.
8. Keep all local ward councillors inform of any local issues in this regard.
9. With the Independent Group and others who may wish to join, write to the Government for urgent changes in the fire safety laws. Use the Council's reserves and/or contingency funds to ensure all our buildings - particularly high rise and tower blocks - are safe and are properly maintained.

Motion 12.14 Motion regarding additional security against terrorism

Proposer: Councillor Chris Chapman

Seconder: Councillor Peter Golds

This Council notes that;

Terror attacks in London which have included the use of vehicles to knock down and kill vulnerable pedestrians either in well visited areas or outside a Mosque. The presence within Tower Hamlets of a number of dense streets with large numbers of pedestrians present.

That the City of London is once again investing in physical security measures and intends to build a £5 million 'ring of steel' around the City to protect it from future terrorist attacks. This will include manned checkpoints, rising street bollards, restricted roads and crash-proof barricades. These precautions come after MI5 warned that the "eastern cluster" of towers planned or being built around Bishopsgate is "highly sensitive to the threat of a hostile, vehicle-borne" attack and will replace the previous ring of steel installed to ward off IRA attacks.

That the City of London is seeking S106 funds from developers in order to help fund this work.

That at within Tower Hamlets only the Canary Wharf estate has a similar level of physical protection.

The installation on London's bridges of concrete barriers to protect pedestrians from vehicle attacks.

The Council further notes;

That in February 1996 the IRA bombed Marsh Wall which killed two and injured and maimed many more, some who died of their wounds years later. This location was deliberately chosen as a softer target than Canary Wharf estate to the immediate north but one with the same level of publicity value.

That like the City of London Tower Hamlets has emerging clusters of tall towers in Aldgate, Blackwall, Marsh Wall and the areas to the north of Canary Wharf. None have any form of physical security built in or in the immediate area except for some ANPR cameras on some (but not all) of the approach routes. There is not even a publicly funded CCTV network in place in most of these areas.

The location in Tower Hamlets of several high-profile locations such as Brick Lane, Whitechapel, Marsh Wall, Roman Road and the Blackwall Tunnel Approach.

This Council believes that;

We also need to review our security measures in line with the City of London and have appropriate security measures in place to protect and deter potential attacks. And with so many tall buildings close together we may be perceived as a softer target especially as so many buildings are residential in nature.

The Council calls on the Mayor to;

Initiate a full security and safety review of the Borough which will be submitted to Cabinet, Overview and Scrutiny and the full council for consideration and final recommendations.
And;

1. Consult with MI5 on the potential security threats to Tower Hamlets given its strategic location and national assets
2. Consider adding to future S106 agreements additional funding for additional security measures over and above those funded through CIL
3. Identify in advance likely targets and consider what steps would be required to mitigate the impact of any future attack using vehicles or other methods
4. Publicise such preparation where appropriate, in order to reassure residents and deter potential attackers
5. Work with the City of London Corporation to ensure that any security cordon
6. includes developments physically located in Tower Hamlets but which are an extension of the City Fringe. That the same happens in the areas adjoining Canary Wharf or other possible targets like Whitechapel Mosque.

12.15 Motion Condemning Bigotry and Islamophobia in the reporting of the recent fostering story

Proposer: Councillor Shafi Ahmed
Seconded: Councillor Rabina Khan

The Council Notes:

1. The Times published the story headlined "Christian child forced into Muslim foster care" on 28th August 2017.
2. The article reported that a little Christian girl had been forced into foster care who sought to turn her against her own religion and culture. It was reported that the foster parents did not speak English, and confiscated the girl's crucifix necklace.
3. The story was also picked up by the Daily Mail and became a preoccupation of the national media.
4. That there are currently 52,000 children in foster care, 77% white & 22% BEM backgrounds."
5. Earlier this month, the Local Government Association warned that children's social care is at breaking point after the latest round of Government funding cuts.

The Council Further Notes:

1. That the coverage of the foster care story had undertones of Islamophobia, bigotry and xenophobia.
2. Like many fostering cases it is a complex case that needed to the facts to be portrayed carefully.
3. It later transpired that the child was only temporarily in the care of the Muslim family pending a successful assessment for her to be placed in the care of her grandmother who herself is reported to be from a Muslim background.
4. It is evident the fact that the foster family being Muslim is key to the criticism it has engendered.
5. Tower Hamlets Council responded to the articles, "While we cannot go into details of a case that would identify a child in foster care, there are inaccuracies in the reporting of it".
6. However it has since been reported that the supposed confiscation of the girl's crucifix, the foster mother's wearing a face veil rather than a simple headscarf, and the foster family not speaking English were among the inaccuracies.

This Council Believes:

1. Foster children are often highly vulnerable; perhaps orphaned, neglected or with ill parents, so desperately need to feel secure.
2. A foster placement should be sensitive to a child's ethnicity, culture and religion.
3. Safeguarding the welfare of the child is paramount and the primary concern for the

council.

4. It is unsurprising that there will at times be fraught rows between biological families (inherently in some kind of difficulty in a fostering scenario) and foster families, and that journalists should be responsible enough not to take advantage of this.

5. The identity of both the foster carers and child must at all times remain as confidential, and that this was placed at risk by the coverage.

6. The story is an example of Islamophobia, where any incident involving Muslims becomes a national story spun to engender ill feeling towards Muslims.

7. The story was underpinned by a warped narrative that there is suspicion of Muslims.

8. It is vital for the council to address directly the underlying Islamophobia, bigotry and aim of bashing of immigrants in this story.

9. Low representation of Muslim foster carers results in the greater likelihood of Muslim children being placed with non-Muslim families with increased risk of the loss of the Muslim child's religious and cultural identity.

10. Safeguarding children is more at risk from this underfunding than it is from cultural mismatches.

This Council resolves:

1. To condemn the bigotry and Islamophobia of the reporting of the foster care story.

2. To instruct the chief executive to make a formal complaint to IPSO in respect of inaccurate coverage of this story in any newspapers.

3. To launch a targeted and sensitive approach to recruit more foster carers in the borough and work with all religious faith communities and to increase recruiting within their respective communities

4. To make sure that safeguarding and children's needs are paramount to any fostering placement and a foster placement seeks to be sensitive to a child's religious and cultural background.

12.16 Motion regarding Acid Attacks

Proposer: Councillor Mahbub Alam

Seconded: Councillor Ohid Ahmed

The Council notes:

Senseless, tragic and bigoted acid attacks have become prevalent in London and all over the United Kingdom. This year the number of attacks doubled. Too many families and individuals are suffering and falling victim to this grievous and criminal act.

London is being dubbed as 'Acid attack capital of Britain'. Instances of acid attacks are on the sharp increase in 2016, a big increase on the year before.

On 21 June in east London, Resham Khan, a university student, was driving a car with her cousin Jameel Mukhtar when they were victims of a horrific acid attack by a white male. Without any provocation or logic, out of nowhere, both were attacked with acid thrown at their face and body. Both will have scars that will never leave them. Their lives have been changed forever. The pair strongly believe this was an Islamophobic hate crime.

Worryingly, a high percentage of these attacks have been concentrated in a small pocket of east London with a high Muslim population - 398 attacks in Newham, 134 in Barking and Dagenham and **84 acid attacks in Tower Hamlets in recent years.**

Two of the most recent attacks were on Commercial Road with the junction of Sidney Street, in Tower Hamlets on 29 June – another such attack on Burdett Road, E3 at 02:13hrs on 4 July 2017. A separate attack, possibly unreported, took place in Watney Market in the week before. There are quite a few other attacks which were neither reported to the police, nor appeared in the media.

The Council believes:

The attackers seem to specifically target Muslims and/or Asians but an attack like this could happen to anyone.

The horrific injuries often sustained from such attacks can leave victims with permanent scarring, psychological problems and destroy their lives.

These barbaric and inhumane attacks, the impact on those who suffer as well as the wider community relations and cohesion, should not be dumbed down or diluted by anyone.

It is about time that the law changes for the purchase of corrosive acid and dangerous chemicals - right now anyone can buy it easily from any hardware store. A person can easily walk into a store and purchase this lethal substance or similar chemical off the shelf.

Corrosive acids like sulphuric acid are very lethal and life damaging substances. You should only be allowed to purchase them with a licence to buy or verifiable professional/trade identification. The person purchasing should go through checks before.

Many attacks could have been stopped if there were controls that made it harder to buy, and meant we knew more about people buying it.

Acid attacks have become too common, the Home Office and the local authorities through trading standards and other means available at their disposal needs to do something to bring it under control. It is a disgusting criminal act. We need licensing laws and the use of existing regulatory powers now to deter this from happening.

John Biggs needs to strengthen the scope of community safety and enforcement, with more resources, to protect and support our residents. He can easily do so by reversing his illogical cuts in budgets for the community safety team, enforcement team of police officers and THEOs.

The Council resolves:

The assailants of such inhumane attacks need to be prosecuted and publicised for an effective deterrence and punishment. Critically, the victims and the families of these barbaric attacks be supported in every way possible.

To reverse the Mayor's decision to sack 34 dedicated local partnership police officers - a critically important frontline resource - appointed by the former Mayor and his team who could be used to work with and provide support to the community.

With the Independent Group and others who may wish to join, to write to the Home Secretary, the Prime Minister and the local MPs to do whatever they can to change the laws on the purchase of corrosive acid and dangerous chemicals used in acid attacks.

To explore local authority's powers to stop the sale of these dangerous substances other than to licenced or registered trade buyers with a clear database and checks.

John Biggs to ensure an accurate and up to date monitoring and publication of Islamophobic crimes in Tower Hamlets. *(something which the Independent Group has been urging the Mayor for more than a year but the Mayor has failed to listen or deliver the information despite a promise by his cabinet member)*

John Biggs need to reverse his catastrophic decisions: to cut community safety team; to stop CCTV upgrades, to sack 10 THEOs; to remove the community safety coordinator post; and to bring the teams up to the level under the former Mayor Lutfur Rahman and his cabinet.

There needs to be more THEOs and the Police on the beat. CCTV and surveillance need to be a lot more robust in order to apprehend the assailants which mean the planned CCTV upgrade by the previous administration - stopped by John Biggs - must go ahead immediately.

12.17 Motion regarding Knife Crime, Acid and Hate Attacks

Proposer: Councillor Shafi Ahmed

Seconder: Councillor Shah Alam

This Council Notes:

- Tower Hamlets has also seen a sharp rise in hate crime in the past year.
- Islamophobic hate crime has risen 59% to 86 reported incidents, while there were 122 reported homophobic incidents, a rise of 39%.
- Other racist and religious hate crimes increased by 43% to a total of 838 reported crimes.
- The borough has seen an increase in knife crime with figures with Tower Hamlets (1,087) been one of the highest in London.
- Tower Hamlets has also seen the rise of acid attacks with incidents in Shadwell and Mile End.
- That the Acid Survivors Trust International launched an education film on raising awareness of the history of Acid Attacks.

This Council Resolves:

- That a review of the Gangs Strategy is immediately undertaken with a comprehensive plan of detached and outreach youth work to take place.
- That the Mayor honours his commitment to the requests made by Syed Jamanoor Islam's family at the vigil held in Altab Ali Park in April 2017 following his death to tackle knife crime.
- That all Elected Member are given appropriate support to access the support of police and other agencies to tackle knife, acid and hate crime in their respective wards through additional policing and gang prevention work.
- This support must be developed with each elected member in their respective wards with their communities.
- Each ward in Tower Hamlets must now have its own youth centre that delivers a multi agency services to work with children and young people engage in positive activities but working in partnership with the police, local groups, schools and statutory agencies.
- The legal definition of an offensive weapon includes anything intended to be used to harm another person, like a sharpened comb. Acid must also now be seen as an offensive weapon.
- The Mayor to write a joint letter with all Group Leaders to Secretary of State to request a national study of Acid Attacks and the phenomenal rise of the attacks.
- That Trading Standards provide a review paper on the sale and access of Acid and corrosive substance in Tower Hamlets.

12.18 Motion regarding the Public Sector Pay Cap – including Tower Hamlets staff and emergency workers

Proposer: Councillor Oliur Rahman

Seconder: Councillor Gulam Robbani

The Council notes:

The political choice of austerity has failed miserably.

The Tory Government and their allies need to recognise that the economic approach of the past decade has been an abject failure. The recent economic data shows that growth has slowed, Inflation is rising. Wages - when adjusted for prices - are lower than they were when the last recession began in early 2008.

Britain has a cost-of-living crisis as well as a political crisis but most importantly it is affecting our residents, our staff, wider public sector workers, civil servants and their loved ones which in turn affect the local economy and the wider society.

Local Government is the most efficient part of the public sector according to Government. Tower Hamlets council staff have had their pay frozen or capped for nearly a decade.

Firefighters, Nurses, Police, Paramedics, all put their lives on the line to protect people, but right now they're suffering because of a pay cap which means that wages stay frozen while costs of living continue to go up.

MPs had their pay increased by 10%. John Biggs gave himself a 14.24% pay increase and granted a 40% increase to the pay packet of a local Tory councillor.

Stephen Crabb, the former Conservative Work and Pension Secretary, as well as, Government Cabinet Ministers, Michael Gove and Boris Johnson have called for the pay cap to be lifted. Regrettably and hypocritically, they did not vote for removal of the cap in the Parliament.

The Chancellor had previously claimed that the public is "weary" of austerity and wants to see an end to the "long slog" of cutbacks. The latest comments from within the Government's top brass about austerity and pay cap follow accusations of a Government "shambles" on the issue after a Number 10 source said the PM was ready to listen to the pay review bodies' recommendations, only for her official spokesman and the Treasury to insist "the policy has not changed".

Speaking to Panorama, a former Tory MP and now Theresa May's Chief of Staff at No 10 Downing Street, Mr Barwell said "There's a conversation I particularly remember with a teacher who had voted for me in 2010 and 2015 and said 'you know I understand the need for a pay freeze for a few years to deal with the deficit but you're now asking for that to go on potentially for 10 or 11 years and that's too much'.

The Council believes:

Given the outstanding job that our emergency services perform week in, week out, we feel that they deserve just reward for their efforts.

Given the recent tragedies and the incredible bravery and heroism these people and their colleagues across the country have shown, with little thought for their own lives, it is time

to find the money to make sure these brave and honourable men and women are being paid a decent wage for the incredible job they do.

We all saw the brave police tackling the terrorists at London Bridge, the firefighters rushing in to tackle the Grenfell fire, the paramedics running to help the people caught up in the Manchester terror attack. And every day nurses working round the clock to keep our NHS going. These people shouldn't have to worry about whether they can pay their rent or the electricity bill at the end of the month.

The Council resolves:

With the Independent Group, the Mayor to write to the Chancellor and Prime Minister asking them to remove the pay cap and officially end austerity in order to help the working people, the public-sector workers and local authorities including our hard-working council staff.

With the Independent Group, the Mayor to write to the local MPs and shadow chancellor John McDonnell requesting them to do whatever in their power to influence and force the Government to lift the pay cap - present an Early Day Motion or a joint opposition motion - and vote for it in the Parliament at the next possible opportunity in light of clear divisions in the Government at the highest level.

12.19 Motion regarding John Biggs failing the Borough and austerity axing the Olympic Legacy

Proposer: Councillor Maium Miah
Seconded: Councillor Oliur Rahman

The Council Notes:

Residents and Tower Hamlets Independent Group of councillors are disappointed to learn that the number of people playing a sport or taking another form of exercise at least once a week has fallen since the Olympic Games were held in east London.

Although participation in sport has risen since 2005, the Olympics were supposed to leave a legacy of greater participation in sport after the event – and it's not happening in East London. A particular worry is that the highest decline has been among ethnic minority communities (a drop of 1.4%) and least well-off sections of the community (a drop of 2.9%).

The Games cost £8.77 billion to stage – but already 8,700 fewer people are participating in sport or exercise at least once a week than were doing so in 2012. The main factors influencing whether people take exercise include whether they have facilities nearby and whether they can afford to use them. Sport England figures show that overall Council spending on local sports has fallen by over a quarter (£389 million) over the last five years – and this is thought to be contributing to the decline in participation rates.

Cllr Ohid Ahmed, Shadow Lead for Community Safety and Partnerships, said: "It is sad to see that the number of people participating in sports at a grassroots level has begun to fall. This is not the Olympic legacy we were hoping for – or that we were promised. With John Biggs creating uncertainty over the future of our youth clubs and other community centres, it's going to be difficult to keep our young people healthy."

In relation to Tower Hamlets Council, the Trustees of the Tower Hamlets Youth Sport Foundation (THYSF) are lobbying the Members for support after the breakdown of their discussions with the Mayor and Council last month - after they first raised the need for Council action with the Mayor in August 2015.

John Biggs inherited over £400m reserves from the former Mayor Lutfur Rahman and his administration which were put aside through robust and painstaking fiscal management to protect the residents and key local services from cuts and closures.

The Council Believes:

The Trustees of the THYSF are lobbying for the support of our residents and elected representatives to help them save what is currently the most successful youth sport partnership in the country.

Our children are in danger of losing, as the article by Seb Coe in the Evening Standard (15 May 2017), circulated by THYSF to Members, shows the alarming deterioration in youth sport in our country as a whole, the final page of this shows how everything Lord Coe would wish to see available nationally is currently still in place in Tower Hamlets - for some of the most economically deprived youngsters in the UK. **Not for much longer however, since the breakdown of our discussions with the Mayor and Council officers last month - after we first raised the need for Council action with the Mayor in August 2015 - now seems certain to result in the staff being made redundant and the organisation and its activities dismantled.**

The email from THYSF, among other facts and information, stated that **“For those of you unfamiliar with the organisation, the second attachment gives just a flavour of the range of activities and opportunities available to youngsters in Tower Hamlets right this minute. None of which is provided by or through the Council. Most of which will go if this organisation is allowed to go under.”**

“For historical reasons (this all started with the national School Sports Partnerships scheme in 2005) the staff of THYSF are all employed by Langdon Park School (where I was the Headteacher for 21 years until 2013), but they did this on behalf of the Borough’s schools and by agreement with the Council. Langdon Park, having done an extraordinary job for Tower Hamlets for 12 years, now quite understandably needs to be relieved of this responsibility. Trustees of THYSF believe the obvious answer is for the staff to be adopted as a business unit in the Council’s sports department, which currently and by design focuses nearly all of its work on adult provision. The Mayor disagrees, and wants Trustees to take responsibility for employing the staff, something we are very clear we do not have the capacity to do.”

The Council Resolves:

John Biggs should listen to THYSF, Tower Hamlets Independent Group, our young people and residents by transparently addressing the points raised herein.

John Biggs needs to act – beyond platitudes – and update the members and residents about the issues raised in this motion.

**Notes in relation to Motion 12.2 regarding the recently reported
Child AB in Foster Care**

The following Acts of Parliament and Regulations which are the statutory requirements for cases like this.

Children Act 1989 (c. 41)

***Part III – SUPPORT FOR CHILDREN AND FAMILIES PROVIDED BY LOCAL
AUTHORITIES IN ENGLAND***

(4) Before making any decision with respect to a child whom they are looking after, or proposing to look after, a local authority shall, so far as is reasonably practicable, ascertain the wishes and feelings of—

- a) the child;*
- b) his parents;*
- c) any person who is not a parent of his but who has parental responsibility for him; and*
- d) any other person whose wishes and feelings the authority consider to be relevant, regarding the matter to be decided.*

(5) In making any such decision a local authority shall give due consideration—

- a) having regard to his age and understanding, to such wishes and feelings of the child as they have been able to ascertain;*
- b) to such wishes and feelings of any person mentioned in subsection (4)(b) to(d) as they have been able to ascertain; and*
- c) to the child's religious persuasion, racial origin and cultural and linguistic background.*

The Fostering Services (England) Regulations 2011

Part 4

11. The registered person in respect of an independent fostering agency must ensure that—

(a) the welfare of children placed or to be placed with foster parents is safeguarded and promoted at all times, and

(b) before making any decision affecting a child placed or to be placed with a foster parent

due consideration is given to the child's—

- (i) wishes and feelings (having regard to the child's age and understanding), and***
- (ii) religious persuasion, racial origin and cultural and linguistic background.***

That the following is also relevant;

United Nations - Convention on the Rights of the Child 1990

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration

Article 20

3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

The Children and Families Act 2014 amended these rules in the case of adoption cases and not for fostering and still has this to say;

“These provisions, therefore, mean that the adoption agency is already and will remain under a duty to have regard to the child’s religious persuasion, racial origin and cultural and linguistic background, amongst other factors, where relevant.”

Reports Published

This Council notes that the following in italics are direct quotes from the articles written by Andrew Norfolk, the Chief Investigative Reporter for The Times newspaper published between August 28th and 30th. There is a degree of duplication as they are taken from six separate news reports and are a summary only of the key points. Tower Hamlets Council disputes some of these reports.

In confidential local authority reports seen by The Times, a social services supervisor describes the child sobbing and begging not to be returned to the foster carer’s home because “they don’t speak English”.

It is understood that the child told her mother that when she was given her favourite Italian food to take home, the foster carer would not allow her to eat it because the carbonara meal contained bacon.

More recently, the girl is said to have told her mother that “Christmas and Easter are stupid” and that “European women are stupid and alcoholic”.

The Times revealed yesterday that the five-year-old girl, a native English speaker from a Christian family, has spent six months with Muslim foster carers who allegedly removed her necklace, which had a cross, and refused to allow her to eat bacon.

A social services supervisor for Tower Hamlets in east London described the child sobbing and begging not to be returned to the foster family because “she doesn’t understand the Arabic”. The girl is also understood to have said that she was regularly expected to eat meals on the floor.

A Tower Hamlets employee who supervised regular meetings between the child and her family recorded the child’s distress, at the conclusion of each meeting, when she was handed over to the carer.

In a written report of one meeting, the contact supervisor described the girl as “very emotional and tearful”.

“She said they don’t speak English at the home, she doesn’t understand the Arabic words where she is. [The girl] said she wants to go back home to her [mother].”

The social services employee heard the child whispering Arabic words to her mother that she was allegedly told must be said aloud to ensure that “when you die you go to heaven”.

Her reports also describe the child’s account of her necklace, which carried a Christian cross, having been removed, and not returned, by the first foster carer.

After another supervised meeting, the council worker heard the child explaining to her mother that the foster carer “said she needs to ask [her social worker] if she can learn Arabic”.

At the end of the meeting, the girl “started crying and saying that she doesn’t want to go back”.

On the 29th August Judge HHJ Sapnara released a Case Management Report

It had these relevant sections’

Documents including the assessment of the maternal grandparents state that they are of a Muslim background but are non-practising. The child’s mother says they are of Christian heritage.

The child’s Guardian has undertaken enquiries and visited the child in the current foster carer’s home and spoken to the child alone. The Guardian has no concerns as to the child’s welfare and she reports that the child is settled and well cared for by the foster carer

There was no culturally matched foster placement available at the time. There was a temporary change of foster carer in the summer to enable the original foster carer to go on holiday

On 27th June 2017, the court directed the Local Authority to produce a statement to address the cultural appropriateness of the foster care placement.