



Meeting of the

TOWER HAMLETS COUNCIL

Wednesday, 22 November 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

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**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, 22 NOVEMBER 2017**

Will Tuckley
Chief Executive

Public Information

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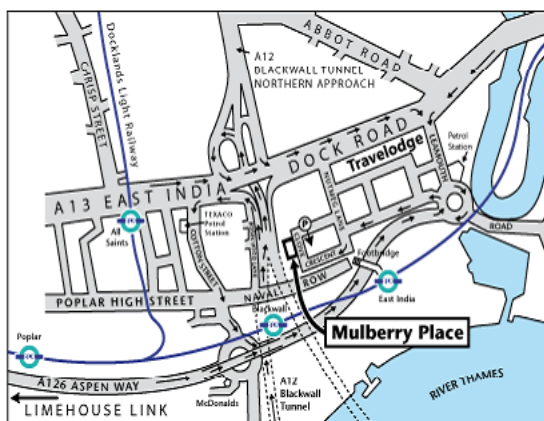
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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL

WEDNESDAY, 22 NOVEMBER 2017

7.00 p.m.

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| 1. APOLOGIES FOR ABSENCE | |
| To receive any apologies for absence. | |
| 2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS | 7 - 10 |
| 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 | 11 - 48 |
| To confirm as a correct record of the proceedings the unrestricted minutes of the Ordinary Meeting of the Council held on 20 th September 2017. | |
| 4. TO RECEIVE ANNOUNCEMENTS (IF ANY) FROM THE SPEAKER OF THE COUNCIL OR THE CHIEF EXECUTIVE | |
| 5. TO RECEIVE PETITIONS | 49 - 52 |
| 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 16 November 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 | 53 - 54 |
| 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 55 - 60

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 Report following an Individual Mayoral Decision - Acquisition of Affordable Homes 61 - 84

Council to consider a decision following on from an Individual Mayoral Decision published on Friday 10 November 2017.

9 .2 Report of the General Purposes Committee - Constitution Review – Council Procedure Rules 85 - 126

To consider a report of the General Purposes Committee following a review of the Council Procedure Rules section of the Council's Constitution.

9 .3 Report of the General Purposes Committee - Constitution Review – Member/Officer Relations' Protocol 127 - 150

To receive a report of the General Purposes Committee following a review of the Member/Officer Relations' Protocol section of the Council's Constitution.

9 .4 Report of the Audit Committee - Treasury Management Mid-Year Report 2017/18 151 - 178

To receive a report from the Audit Committee setting out the Treasury Management Mid-Year Report 2017/18.

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

Nil items.

11. OTHER BUSINESS

11 .1 Review of proportionality and allocation of places on committees and panels of the Council 2017/18 179 - 184

To consider the report of the Corporate Director, Governance, in respect of changed to the proportionality calculations for allocating places on the Council's Committees.

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL 185 - 222

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

Date of Next Meeting:

The next meeting of Council will be held on Wednesday 17 January 2018.

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 and Monitoring Officer. Tel 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, 20 SEPTEMBER 2017

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

Members Present:

Mayor John Biggs	Councillor Shafiqul Haque
Councillor Khaled Uddin Ahmed	Councillor Clare Harrison
Councillor Rajib Ahmed	Councillor Danny Hassell
Councillor Shafi Ahmed	Councillor Sirajul Islam
Councillor Suluk Ahmed	Councillor Denise Jones
Councillor Ohid Ahmed	Councillor Aminur Khan
Councillor Sabina Akhtar	Councillor Rabina Khan
Councillor Mahbub Alam	Councillor Abjol Miah
Councillor Shah Alam	Councillor Ayas Miah
Councillor Amina Ali	Councillor Harun Miah
Councillor Abdul Asad	Councillor Md. Maium Miah
Councillor Craig Aston	Councillor Mohammed Mufti Miah
Councillor Asma Begum	Councillor Abdul Mukit MBE
Councillor Rachel Blake	Councillor Muhammad Ansar Mustaqim
Councillor Chris Chapman	Councillor Joshua Peck
Councillor Dave Chesterton	Councillor John Pierce
Councillor Gulam Kibria Choudhury	Councillor Oliur Rahman
Councillor Andrew Cregan	Councillor Gulam Robbani
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

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

During the meeting, the Council agreed to vary the order of business. To aid clarity, the Minutes are presented in the order that the items originally appeared on the agenda. The order the business was taken in at the meeting was as follows:

- Item 1 - Apologies for absence.
- Item 2 – Declarations of Disclosable Pecuniary Interests.
- Item 3 – Minutes.
- Item 4 – Announcements.
- Item 5.1 – 5.4 – Petitions.
- Item 6 – Public Questions.
- Item 7 – Mayor’s Report.
- Item 12.12 - Motion on NJC Pay.

- Item 8.1 – Members Questions.
- Item 12.4 - Motion in support of foster carers.
- Item 8.2 – Members Questions.
- Item 9 – Reports from the Executive and the Council’s Committees.
- Item 9.1 - Standards (Advisory) Committee - Re-Appointment of Independent Co-opted Member
- Item 10 – Reports and Questions on Joint Arrangements/External Organisations.
- Item 11 – Other Business.
- Item 11.1 - Late Night Levy Determination.
- Item 11.2 – Update to the Mayor's Executive Scheme of Delegation.
- Item 11.3 - Election of Chair of the Overview and Scrutiny Committee.

The Speaker of the Council brought the Council up to date with some of her activities since the previous Council meeting. She reported that she had attended an event at Billingsgate to receive the annual traditional rent payment, which was donated to charity and had become a Dementia Friend,

She had also welcomed the crew of two visiting ships from Peru and Brazil to the Borough, participated in the Charity Dragon Boat Challenge, the annual Great River Race challenge and had attended a 100th birthday celebration. She had also attended the Sea Cadets National Band Competition at the Tower of London and the Merchant Navy Day Commemorative Service at Trinity Square Gardens.

She also reported that she had enjoyed some of the Council’s summer activities, many community events, including citizenship and award ceremonies and had visited a number of important local services including the Richard House Children’s Hospice, the young peoples’ service in Whites Row and the older peoples’ service in John Sinclair Court.

She thanked all those who had participated in the activities.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Julia Dockerill
- Councillor Shiria Khatun

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

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

The Council’s Monitoring Officer reported that she had granted a dispensation to all Councillors in relation to Agenda item 12.12 (Motion on NJC Pay). The dispensation had been granted on the basis that the Members’ Allowance Scheme included an uplift to reflect any annual pay settlement for local government staff. The dispensation had been granted as it met the criteria set

out in law. Members were advised that they were able to stay in the meeting room, participate and vote on the motion.

Councillor Denise Jones declared a Disclosable Pecuniary Interest in Agenda Item 8.21, a Member Question relating to local businesses as she had a business in the Borough. She stated she would leave the room for the duration of that item, however, the question was not reached during the meeting.

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

3. MINUTES

RESOLVED:

1. That the unrestricted minutes of the Ordinary Meeting of the Council held on Wednesday 19 July 2017 be confirmed as a correct record and the Speaker be authorised to sign them accordingly.

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

The Speaker expressed regret at the recent incident on the District Line and was thankful that there were no fatalities. On behalf of the Council, she sent best wishes to all those hurt or impacted by the attack and thanked the London Transport officers and emergency services who responded so quickly to the incident.

The Speaker also offered her condolences to all those affected by recent events in Rakhine. She stated that the community should do all it could to support those affected

The Chief Executive, Will Tuckley provided an update on recent developments at the Council. He advised that over the summer, the Council welcomed the Home Secretary to discuss tackling extremism, and had met with the Children's Minister to look at child care issues and the Mayor of London to look at housing issues. The Council had also received the final Direction from the Department for Education in respect of children's social care and the first monitoring visit from Ofsted which had gone well. In addition, it was also announced that the Council would pilot improvements to the postal vote process in conjunction with the Cabinet Office.

Procedural Motion

Councillor Oliur Rahman **moved** and Councillor Mahbub Alam **seconded**, a procedural motion "that under Procedure Rule 14.1.14, Rule 13.1 be suspended to enable an urgent motion regarding the New Direction from the Secretary of State of Education about failure of Tower Hamlets Children

Services to be considered". The procedural motion was put to the vote and was **defeated**

5. TO RECEIVE PETITIONS

5.1 Petition regarding PCNs and vehicle removal

Sumsul Talukder Tareq addressed the meeting and responded to questions from Members. Councillor Anima Ali, Cabinet Member for Environment then responded to the matters raised in the petition. She briefly outlined the Council's approach to vehicle removal and the use of waiting restrictions, including the key features of the most recent changes to the regulations to prioritise the removal of vehicles in reserved bays. She also explained that the Council were working to improve parking service's webpages and stated that she was happy to meet with the petitioner to discuss specific concerns.

RESOLVED:

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

5.2 Petition regarding Play on Sports

Callum Wear addressed the meeting and responded to questions from Members. Councillor Abdul Mukit MBE Cabinet Member for Culture and Youth then responded to the matters raised in the petition. He advised that Play on Sports was a private company and at present no suitable facilities in the Borough were available for the organisation. Should a suitable site become available, it would need to be advertised in accordance with the Council's procurement procedures. However, he was happy to meet the petitioners to discuss their work.

RESOLVED:

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

5.3 Petition regarding ASB and RSLs

Councillor Muhammad Ansar Mustaqim addressed the meeting and responded to questions from Members. Councillor Asma Begum Cabinet Member for Community Safety then responded to the matters raised in the petition. Councillor Begum explained that addressing Anti-Social Behaviour (ASB) was a key commitment of the administration given the impact that such issues had on the community. To address such problems, the Council had developed an ASB strategy with specific focus on addressing ASB in the areas identified in the petition in partnership with key stakeholders. The Council had also provided additional funding for the Council's ASB team, supported patrols of crime hotspots and had provided funding for additional Police Officers amongst other measures.

RESOLVED:

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

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

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

Fazleh Elaahi and other petitioners addressed the meeting on behalf of the petitioners and responded to questions from Members. The Council then debated the matters raised by the petition and Mayor John Biggs responded to the issues raised. The Mayor outlined the scope of the recent consultation on parking matters and the nature of some of the issues raised. He reported that he had no intention of extending parking hours in the Borough unless there was overwhelming support for the particular changes to be made. He also stated that he was willing to meet with Councillors from all parties to take forward the issues raised.

RESOLVED:

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

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

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

6.1 Question from from Adam Allnutt:

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

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

Recently the Mayor announced £1.5m funding for 14 new police officers to tackle crime and anti-social behaviour on council estates. There will be 12 constables and 2 sergeants. The Mayor and I also announced at Cabinet last night new funding for an extra 19 Police Officers, on top of the 14 already announced. This will bring the total number of Council funded Officers to 39. They will be joining Tower Hamlets Homes staff in a joint anti-social behaviour team – the first of its kind in the borough. The new officers will have a particular focus on drug dealing and drug misuse. They will carry out uniformed patrols, Stop and Searches, Issuing ASB warnings, enforcement of disposal zones, weapons sweeps, security checks of blocks and bin stores,

door knocking, attending TRA meetings and carrying out home visits. They will take on the persistent offenders who are making life a misery for residents. These officers should be on our streets from this month.

Supplementary question from Adam Allnutt:

I was recently attacked by one of these roaming groups of men who commit anti - social behaviour around the borough. It was on Millharbour which is meant to be a safer part of the borough. With central Government cuts we have seen an end to community policing. How long can councils fill in for central Government cuts to these police services which are essential?

Councillor Begum's, response to supplementary question:

I am sorry to hear about your incident. You're absolutely right that the Government has slashed police budgets and expects local councils to step in to 'fill the gap'. While we do what we can, like funding extra officers, we simply cannot replace every officer that the Government scraps. Police numbers fell for the seventh consecutive year in July. Police forces in England and Wales are now at their lowest strength per head on record. Tower Hamlets Council will continue to fund additional officers, and we're looking at funding even more, but the Government needs to properly fund our police services.

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?

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

We recently launched a 'No Laughing Matter' campaign working with partners including local Police and Tower Hamlets Homes to tackle the problems caused by Nitrous Oxide. The Council's ground breaking campaign 'No Laughing Matter' includes:

- Educating people about laughing gas.
- Urging residents to report traders selling it for human consumption.
- Working closely with trading standards and the police to close down outlets.
- Providing residents with ways to report discarded canisters.
- Talking to school children about the dangers of nitrous oxide.

In addition, as I just mentioned, the Mayor announced in Cabinet last night, extra funding for 19 Police Officers on top of the 14.

(No supplementary question was asked).

6.3 Question from Abukor Essa:

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

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

Thanks for raising this important issue. 9000 Londoners die each because of poor air quality. So it is urgent that we tackle this now. Living in London and living in the borough this is a matter of justice. This is about inequality as people living in deprived areas have poorer air quality. 48% of our residents live in areas of unacceptable air quality. 48% of our schools are in areas of unacceptable air quality. Two of the most polluted schools in London are in Tower Hamlets, so it is urgent that we take action. We in Tower Hamlets and the Mayor of London, Sadiq Khan, are taking action, unlike other parts of London and the previous administration here, we take this issue very seriously. We consulted widely on our Air Quality Action Plan and have received 153 responses, 86% were residents. We are already taking the following actions:

- Electric vehicle charging, for which we approved plans last night.
- Increasing provisions for walking and cycling.
- Investing in measures in schools to encourage children to walk to school.
- Raising awareness of pollution and encouraging people to make small changes to day to day journeys.
- Leading by example by upgrading our own Council fleet and ensuring that our new civic centre has low impact on air quality and
- Lobbying the Government for stronger national action on air quality.

We need to work together across London with the Mayor of London on this issue. What we need is further action from national Government to help us really tackle this issue.

Supplementary question from Abukor Essa:

Councillor Peter Golds earlier mentioned particularly Woolmore Primary School, which is about 400-500 yards from where I live. Although it's a London issue, this area - the Isle of Dogs near Blackwall tunnel is one of the worst affected areas in terms of air pollution. Is there any specific targeting for the problem in that area?

Councillor Blake's response to supplementary question:

Yes we do target the areas that are worst affected. We focus our monitoring stations on the areas worst affected, and then we have other monitors distributed around the borough, that can monitor the overall level of air pollution in the borough. We can also share with everybody methods of identifying where pollution is worst in the Borough at any one time. As you

rightly said, the A13 and the A12 corridors are some of the most affected areas and they are surrounded by some of our most deprived communities. That is why this is an issue about social justice and it's important that we tackle this so that the children growing up in those areas do not have their lungs damaged at such an early age, because national Government is not prepared to take the action that we need to be taken.

I think the most interesting thing about the local action that you are requesting is that the residents who responded to the consultation are asking us to do more. They want us to tackle emissions from canal boats, they think we need more action to reduce traffic volume and to tackle engine idling. There is a real demand out there that we tackle this issue, so I think that we should listen to the people that have responded to our consultation, listen to the people who came to our consultation event over the summer and make this air quality action plan strong so that we stop children living around the A12 and A13, from having their lungs damaged by air pollution in Tower Hamlets because it's not fair. This is something that we as a Labour Party within Tower Hamlets Council are determined to tackle.

6.4 Question from Victoria Obaze:

How many affordable homes were delivered in 2016?

Response of Councillor Sirajul Islam, Cabinet Member for Housing:

Affordable housing is a top priority for this administration and we are delighted to confirm that a City Hall report revealed that Tower Hamlets saw more affordable housing built than any other borough in London (2015/16).

Up to date Council figures show that in Tower Hamlets more than 1,070 affordable homes were built last year (2016/17) and another 1,073 the year before (2015/16).

Alongside his pledge to build 1,000 council homes in coming years, Mayor Biggs established the Tower Hamlets Affordability Commission last year which resulted in the decision earlier this year to introduce lower rents for new council and affordable housing saving residents up to £6,000 a year.

The very high cost of housing, a chronic shortage of stock and a growing population all mean considerable challenges in providing affordable housing. These encouraging figures highlight the massive progress made in fulfilling one of Mayor Biggs' key priorities.

Supplementary question from Victoria Obaze:

What affordable housing is planned for the future?

Councillor Islam's response to supplementary question:

We continue to be committed to providing affordable housing for residents. Last week the Mayor and I alongside other Councillors were joined by the

Mayor of London, Sadiq Khan, to unveil another 150 homes in Watts Grove - a new rented affordable housing split between Tower Hamlets Living Rents and London Affordable Rent, which is the equivalent of social rent. This scheme was earmarked for scrapping by ex-Mayor Lutfur Rahman and former Cabinet Member for Housing Councillor Khan but reinstated in 2013 after a strong local campaign led by Labour Councillors and John Biggs. As part of the next phase of this important programme, we have identified four such sites in the borough which will provide more new affordable homes for local families. We are also well on our way to providing 1000 Council houses, since the start of this administration.

6.5 Question from Dipa Das

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

Response of Mayor John Biggs:

In Tower Hamlets, 24% of residents living in low income households do not have access to Wi-Fi. 45% of those aged over 50 do not have access to Wi-Fi; 40% of residents with disabilities do not have access to Wi-Fi. We will be arranging free digital training for residents so that they can have access to the infrastructure and develop the skills to use free Wi-Fi. Just to be clear in case people think that this is some sort of gimmick, the Council will actually make money not out of residents but from the providers who have been bidding to provide this service for us and they will be providing on top of that the free access to local residents. On top of that, we are very clear that this forms a part of our communications strategy for making sure that we get what is called channel shift - that is getting more people to access Council services on line. It's also about social exclusion so it's about making sure that people who are information poor have access to Wi-Fi and can participate more fully in this increasingly electronic age.

Supplementary question from Dipa Das:

Will the free Wi - Fi benefit businesses in the local area?

Mayor Biggs response to supplementary question:

Yes. Over 800 businesses in Brick Lane, Watney Market and Chrisp Street town centres and over 130,000 residents living within 800 metres of these centres, will benefit from this first phase. It's not designed to subsidise more comprehensive business use, but about ensuring in particular that small businesses can have access to the internet to help them be more efficient in the way they do things like, procurement, gathering information and so on. I think it is a progressive move, which is obviously why I have proposed it.

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 the Conservative Group, responded briefly to the Mayor's report.

Procedural Motion

Councillor Danny Hassell **moved** and Councillor Sirajul Islam, **seconded**, a procedural motion "that under Procedure Rule 14.1.3 the order of business be varied such that agenda item 12.12 Motion regarding NJC Pay be taken as the next item of business". The procedural motion was put to the vote and was **agreed**.

At the request of Councillor Danny Hassell, the Speaker allowed a representative of a trade union to make a short statement on the motion during the debate.

8. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL

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

8.1 Question from 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?

Response of Mayor John Biggs:

Yes. Foster carers deserve our utmost thanks. They give dedication and they do it not for the reward but because they care passionately about our community and serving local people. Councillor Whitelock Gibbs and I recently wrote a letter to our foster carers All of whom, I think were shocked by the newspaper coverage and the way in which it portrayed them in an inaccurate and pejorative fashion and passed judgments which were very critical and undermined the dedication they show. As a Council, we should be unanimous in supporting our foster carers who provide dedicated support. They are tireless and they support and care for our children at traumatic times in their lives and they deserve to feel safe and supported and valued. I for one as Mayor of this Borough value our foster carers and encourage others to come forward and we will work tirelessly to ensure that children in our care are looked after properly.

(No supplementary question was asked)

Procedural Motion

Mayor John Biggs **moved** and Councillor Sirajul Islam, **seconded**, a procedural motion “that under Procedure Rule 14.1.3 the order of business be varied such that agenda item 12. 4 Motion in support of foster carers be taken as the next item of business”. The procedural motion was put to the vote and was **agreed**.

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, Chrisp 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?

Response of Mayor John Biggs:

We are consulting on a proposal that was considered as part of our budget proposals for the next three years. We believe that by merging the One Stop Shops and Idea Stores, we will achieve both efficiencies and a better quality service. If I could focus on the current One Stop Shop in Chrisp Street for example, it’s in a pretty inadequate premises and by moving it into the idea store, we think we can provide a better service for residents. By providing a One Stop Shop ideally in a better location as part of a combined operation on the Isle of Dogs, we will be providing residents there with a service they don’t currently receive on the island. We already have combined effectively the One Stop Shop and Idea Store at Watney Market. The one that I remain particularly anxious about is the one in Bethnal Green and as part of the current proposal that might move to Whitechapel. It’s a genuine consultation and there is no predetermination. We will see what the public consultation says. The answer to your question is that we are now in a flat earth situation and we are in a £58million savings situation. But we think that we can improve the quality of services and accessibility to services for residents by including a better internet presence to residents, counter services and by better providing our services more corporately as an Authority.

Supplementary question from Councillor Ahmed:

About 1000 residents visit the One Stop Shops on a daily basis. I go to Chrisp Street Market quite often as this is where I hold my surgery. Every time I go I can see people queuing up for advice. So how do you think that particularly the elderly people and people who who don’t speak English as a first language are going to be able to use the service, particularly the online service you are referring to?

Mayor John Biggs', response to supplementary question:

I said very clearly that we are not closing the One Stop Shops, therefore people will continue to be able to access the same level of service and we expect to be able to provide an improved service as a result of these changes. I appreciate the point you make about people who may not have English literacy and may not have English as a first language and the service will reach out to them to meet the needs of those residents. We need to focus on people who need a counter service in particular and we need to move people as far as possible to other means of contacting the Council which are more efficient and satisfactory for them and work better for the whole community.

Questions 8.3 - 30 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.)

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

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

RESOLVED:

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

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

There was no business to transact under this agenda item.

11. OTHER BUSINESS

11.1 Late Night Levy Determination

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

RESOLVED:

That the Council agree:

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

7. That the following licenced premises would not be exempt from the levy, as :

- Country Village Pubs
- Premises in Business Improvement Districts
- Premises that receive a small business rate relief

11.2 Update to the Mayor's Executive Scheme of Delegation

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

RESOLVED:

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

11.3 Election of Chair of the Overview and Scrutiny Committee

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

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

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

RESOLVED:

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

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

12.4 Motion in support of foster carers

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

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

"Delete all after 1 in the opening section and insert

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

3. That after this Council's Children's Services failed its OFSTED Inspection that those responsible for the service were moved sideways, stayed in post or have taken a secondment elsewhere but nobody has lost their job.
4. That whereas the OFSTED failure was a surprise to this Council it was in part due to the culture of the service.
5. That this service failure may be identified elsewhere within the Council.
6. That concerns relating to childcare were further revealed in the extensive publicity concerning the fostering of Child AB as revealed in the Family Court of East London.
7. It is reported that the biological mother of the child raised issues, in Court, as the suitability of the foster placement and that the child was reported as being distressed.
8. It is reported that certain controversial statements were referred to in Court which were attributed to the initial foster carers.

The Council;

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

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

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

The Council further notes

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

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

The Council calls upon the Mayor

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

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

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

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

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

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

RESOLVED:

This Council notes:

1. The story first published in The Times newspaper concerning a child in a Tower Hamlets foster placement, which has seen significant media attention in the UK and internationally.
2. The unprecedented publication of the court report confirms that while foster placements will always require judgement and will rarely achieve a perfect fit, the judgement of our officers was sensitive and makes clear The Times' reporting was intrusive to both the child and her foster family.
3. That many foster carers feel their work and value have been questioned and undermined as a result of negative media coverage.
4. That immediately following the publication of the Times article Mayor Biggs and Cllr Whitelock Gibbs met with a group of concerned foster carers.

This Council believes:

1. The media's portrayal of foster carers is deeply misguided and harmful to the recruitment and retention of carers.
2. That foster carers are dedicated individuals, who work tirelessly and provide the highest levels of care and support for some of our most vulnerable young people.
3. That child protection and safeguarding is a complex area but this nuance and sensitivity has been lost in the distorted and sensationalist media coverage.

4. The reporting in the Times article and its reinterpretation by other media showed a crude and judgemental stereotyping which we see as being Islamophobic, by attaching prejudices and implied motives and using intrusively stereotyped views of a foster carer who happened to be of Muslim faith.
5. Foster carers deserve to feel safe, supported and valued.

This Council welcomes:

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

This Council resolves:

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

12. 12 Motion regarding NJC Pay

Councillor Rachel Blake **moved** and Councillor Danny Hassell **seconded** the motion as printed in the agenda.

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

RESOLVED:

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.

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

The meeting ended at 10.03 p.m.

Speaker of the Council

APPENDIX A – WRITTEN RESPONSES TO QUESTIONS THAT WERE NOT PUT AT THE FULL COUNCIL MEETING (20 SEPTEMBER 2017)

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?

Response from Councillor Amy Whitelock Gibbs

I'm very proud we have chosen to give care leavers the best start in adult life by exempting them from Council Tax until they are 25 years old. As councillors we are the corporate parents for all children in care – like any parents, we want to give our young people a helping hand as they become independent.

We are in the process of updating the list of care leavers to include new cases. At the time Cabinet agreed the proposal, there were 324 care leavers.

When a young person leaves care and begins to manage their own financial affairs for the first time, they can easily fall into debt, especially without vital advice and practical support from family. National charity The Children's Society has highlighted this and we're pleased to support their campaign.

This is a relatively small cost for the council to fund this exemption but it can have a huge impact on the lives of those leaving our care. We've already had feedback from some care leavers about the massive difference this decision will make to their lives.

Based on our analysis, a care leaver living on their own in a B&B property would be set to save over £700 (£725) per year off their council tax bills up to age 25.

Without the family support many young people get as they become adults, care leavers often struggle to manage their household bills and make ends meet. Many find themselves in debt, or having to go without food or other basic necessities.

We're delighted that Tower Hamlets Council has taken this vital step and we would urge more Councils, in London and beyond, to follow suit.

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

Response from Councillor Amy Whitelock Gibbs

You will be well aware that this is subject to significant legal restrictions on what can be discussed and published. Even more importantly, I'm sure you share my view that our priority must be to protect the identity and safety of the young girl in question above all else, and indeed her family and foster families.

All our foster parents are trained to respond to children's needs as identified in their care plan. There is not a requirement that they have to match all the identified needs but they must be able to respond and ensure that the appropriate care is given to a child. Keeping a child local to family, networks and school is a crucial factor and all foster carers are trained to support children from a range of backgrounds. You may have seen that recently the case was again heard in court, and it was reported that the child concerned had a "warm and appropriate" relationship with the foster carers.

Both the Corporate Director and I have offered Members the opportunity to discuss the case more fully in a confidential setting. You would also benefit from reading the Family Court statement but be assured that we have examined very closely the allegations and facts of this case.

8.5 Question from Councillor Shiria Khatun

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

Response from Councillor Amy Whitelock Gibbs

There have been numerous changes to the exams this year, but I am pleased to say that Tower Hamlets schools continue to perform well and improve their results. I would like to congratulate all our young people for their achievements.

At GCSE level, early interim data from 13 out of the 16 schools in Tower Hamlets show that under the new grade structure, those attaining grade 4 or above in English and Mathematics is 65.9%.

This is not strictly comparable to the old measure but does show that attainment in these subjects has improved (the percentage attaining grades A*-C in English and mathematics in 2016 was 63.3%).

At A Level, early and provisional data from 13 out of the 15 schools and colleges in Tower Hamlets show that the percentage of students achieving 3 A Levels A*-E has risen to over 80 percent, whilst the percentage of students that have studied 3 A Levels and have achieved 2 A grades and a B grade or higher in at least 2 facilitating subjects, has also risen this year.

The vast majority of local schools subscribe to the Tower Hamlets Education Partnership (THEP) as they recognise the benefits of working within a strong family of schools. THEP is supporting the development of system leadership, brokering school to school support and the sharing of resources across local schools, as well as providing intensive intervention in the very few schools of concern in the borough. We're proud to still have a high number of maintained schools in the borough and that most academies and free schools want to be part of THEP and work together.

The Primary School Improvement Team have been seconded to the Tower Hamlets Education Partnership since the 1st of September 2017 and the Council is supporting THEP to secure appropriate capacity to support secondary schools in a similar way. Key performance indicators have been agreed to hold the THEP to account with regard to their performance and a governance structure has been agreed.

8.6 Question from Councillor Rabina Khan

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

Response from Councillor Sirajul Islam

The Council has no legal powers to control the rents charged by private landlords.

Any form of mandatory rent control would require primary legislation on the part of Parliament at Westminster. I urge the Government to examine the benefit of such measures in tackling the affordability crisis.

The Council is determined, however, to use all the powers that are at its disposal to protect private renters in Tower Hamlets. We recently launched the Tower Hamlets Private Renters' Charter, which clearly sets out tenants' legal rights and also the steps that the Council and its partners will take to enforce them.

In the last twelve months we have also revived the Tower Hamlets Landlords Forum, which promotes best practice and provides landlords and agents with regular legal, regulatory and policy updates to make sure good landlords are complying with the rules.

The council also works with the GLA, and is currently contributing to the development of the Mayor of London's Housing Strategy. The Draft Housing Strategy includes a commitment to develop a more secure, stable, and affordable private rented sector.

I would reiterate that local authorities have no legal powers to control the rents charged by private landlords, but the Government should carry out a thorough assessment of such a policy. If we had such powers we would of course consider exercising them as we are clear that the effects of rent rises are pricing people out of our borough.

8.7 Question from Councillor John Pierce

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

Response from Councillor Sirajul Islam

The cladding system on Randall House has failed the advanced testing carried out by the BRE. Information on this testing can be found on the DCLG website.

The block is not owned by the Council – it was built under the previous Mayor using a private finance initiative (PFI) deal.

The Council has a duty of care to our tenants in the block and we are doing everything we can to ensure their safety.

Folera have advised the Council and the DCLG in August 2017 that they have agreed the following actions –

1. Replace all existing ACM materials from the external fabric of the building at the earliest time frame
2. Architects are at design stage for a replacement cladding system
3. Folera are currently awaiting on two fire consultant reports on the proposed replacement materials and on existing cladding to balconies and finishes
4. Folera's appointed cladding contractor is on standby to mobilise at short notice along with their preferred scaffold contractor

Folera are due to update the council on the programme shortly and we will keep residents informed with any developments.

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?

Response from Councillor Amy Whitelock Gibbs

You will be well aware that this is subject to significant legal restrictions on what can be discussed and published. I'm sure you share my view that our priority must be to protect the identity and safety of the young girl in question above all else, and indeed her family and foster families.

The child as identified by the redacted court judgement is in the care of grandparents as was the plan of the local authority. We are not able to give any further details.

Both the Corporate Director and I have offered Members the opportunity to discuss the case more fully in a confidential setting. I refer you to the earlier answer (8.4) on the agenda.

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?

Response from Councillor Sirajul Islam

Currently no families who may be owed a duty under the Housing Acts are housed by the Council in B&B accommodation longer than the legal 6 week limit.

We work very hard to avoid the need to place families in B&Bs at all, but sometimes it is necessary to place them in B&Bs for a short term emergency placement. Where we do have to place families in B&Bs, we are very clear that this needs to be for the shortest possible time.

When Mayor Biggs was elected in June 2015, he inherited the country's worst performing local authority for housing families in B&Bs longer than the legal 6 week limit. Shamefully, at its peak in 2015 the Council housed 174 families in B&Bs for longer than 6 weeks.

I'm very glad that after a lot of work and investment, we've brought this figure down to zero.

The previous administration left families to languish in B&Bs and we're not going to follow their example.

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?

Response from Councillor Amy Whitelock Gibbs

You will be well aware that this matter is subject to significant legal restrictions on what can be discussed and published. Our priority must be to protect the identity and safety of the young girl in question above all else, and indeed her family and foster families.

The views of children are taken by social workers, with regards to their placement. However the weight given to a child's wishes and feelings is dependent on their age and maturity. The child in this case is 5 years of age.

I would also note that the Children's Guardian, who is an independent official appointed by the court to protect the interests of the child, found 'there were no concerns as to the child's welfare and she reports that the child is settled and well cared for by the foster carer'. She had visited both placements and assessed that the child was happy and settled with both carers.

Both the Corporate Director and I have offered Members the opportunity to discuss

the case more fully in a confidential setting. I refer you to the earlier answer (8.4) on the agenda.

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?

Response from Councillor Sirajul Islam

The Charter and the campaign around it will raise standards for private renters across the borough.

The Charter sets out clearly the standards that all private renters can expect in the borough, and also the steps that the Council and its community partners will take to enforce those standards.

The Charter will have a positive impact across the borough's 46,000 private renting households. However, this impact will be particularly beneficial for those tenants that currently have the least understanding of their rights. These are disproportionately the most vulnerable and excluded private tenants, including recent migrants, young people, and those in relative poverty.

The Charter will be at the centre of an ongoing campaign, reaching out not only to private renters, but also to landlords and agents – especially the 'amateur' or 'accidental' landlords who do not understand their responsibilities. Alongside this, the Council will take robust enforcement action where landlords breach standards.

Ultimately the Charter aims to change the culture of private renting in the borough to one where poor conditions and poor management are unacceptable.

Further, in the last twelve months we have revived the Tower Hamlets Landlords Forum and we are working with the forum towards those goals. The forum promotes best practice and provides landlords and agents with regular legal, regulatory and policy updates – and enables landlords and agents actively to feed into the Council's policy development.

The Charter is actively supported by all the key agent and landlord bodies: Residential Landlords Association, National Landlords Association, Association of Residential Letting Agents, and National Approved Lettings Scheme.

The strategy for the first year of the Private Renters' Charter is to establish and begin to embed awareness across the borough. After the planned extensive campaign is completed after the first year, we will consider the options for developing the charter as a simple charter-mark for landlords and agents. Alongside that we will begin actively to highlight and celebrate the work of the best and most improving agents and landlords.

The Council actively supports the London Landlord Accreditation Scheme which trains landlords to be compliant with the law and best practice. The council makes financial contributions to the scheme, incentivises landlords to become accredited and sits on the scheme's steering group. In the last twelve months we have begun

hosting quarterly accreditation training days at Albert Jacob House.

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?

Response from Mayor John Biggs

The Corporate Leadership Team (CLT) agreed a report in June 2016 which detailed the business case for establishing a Corporate Programme Management Function to support the Council's Savings Programme.

The paper also detailed the need to secure a strategic partner to provide additional support and external specialist expertise in delivering large scale transformational changes.

A competitive procurement process tested the market through an appropriate national framework for professional consultancy services, and as a result the day rate agreed is below those already competitively priced within that framework added further value for money in terms of the pricing.

The award of the contract was scrutinised at the Competition Board and then approved at the meeting of Cabinet on 26th July 2016 as part of the Contracts Forward Plan.

The contract was awarded to Grant Thornton as the lead organisation, with a number of other organisations working with them, including for example the Centre for Public Scrutiny and CIPFA.

The recent IMD does not extend the contract either in its scope or duration but it extends the contract value (budget). This action is allowed for in the contract that was initially tendered and let.

The extension of the contract under this IMD will not require any additional savings as the costs will be met from the existing transformation reserve that was approved by Full Council in February 2017.

It should also be noted that the contract has been let on the basis of 1year+1year+1year, rather than a straight 3 year contract award. This was done to ensure that the Council maintains maximum flexibility in its arrangements and is not contractually obliged to continue with the contract if it is not performing satisfactorily or if the council's requirements change over time and the contract is no longer required.

I am however grateful for the attention drawn to this decision, and I am reviewing it and will make further information available to Councillors in order that its operation and scope, and anxieties that it may be perceived to be escalating, are addressed.

8.13 Question from Councillor Helal Uddin

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

Response from Councillor Sirajul Islam

The Council is committed to improving the borough's housing stock and reverse the disrepair and neglect we inherited from the previous administration.

Cabinet adopted £22m and £18m in 2016/17 and 2017/18 respectively for capital works. 39 blocks across neighbourhoods have been identified for improvement works comprising, but not limited to roofs, windows, brickworks, lifts and door entry systems.

In addition, procurement of the Better Neighbourhood Framework has commenced, the same is targeted to complete in September 2018. The Framework will deliver the Council's five year capital programme, already adopted by cabinet.

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?

Response from Mayor John Biggs

I refer you to my Executive Scheme of Delegation, item 11.2 on the Council agenda.

8.15 Question from Councillor Rajib Ahmed:

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

Response from Councillor Amina Ali

The Somali Task Force review led to the development of 23 recommendations, covering actions to improve access to services, a focus on improving employment outcomes and developing local community leadership.

An issue that was repeatedly raised by community members involved in the Task Force was the need for improving knowledge of and take up of services that are already available and to ensure that provision can meet the diverse needs of the community.

This led to the development of the Community Hub proposal which would have a focus on provision for the Somali community.

There has been progress on the development of options for the hub at an existing facility, Granby Hall, that requires refurbishment and already has members of the Somali community engaged through the Somali Senior Citizens Club and Bentworth Friendly Club which provides space for the local residents living on the adjacent estate.

There is ongoing engagement with the wider Somali community through review meetings designed to consult and enable participation of the community in how the hub is developed.

The other recommendations include an ESOL outreach programme and a graduate work experience programme that include new programmes to support employment outcomes.

There have also been a number of outreach and engagement activities to encourage more Somali young people to take up apprenticeships as they are currently under-represented in these groups.

The Council has completed the procurement of a Somali History Project to develop a project that will look at the long history of the community in the borough and in the East End. The project will engage local people to create the programme and is part of the work to develop local community leadership.

Other work includes improving Somali representation at key consultative and strategic partnership forums.

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'?

Response from Mayor John Biggs

Yes, I would in particular note the requirement under Article 20 that when a child is placed in foster care, residential care or for adoption, 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.

These rights are reflected in relevant UK legislation, however, it is important to note that although the child's background must be promoted, that does not equate to a requirement to place children with carers who exactly match their background. The primary concern when placing a child who cannot live with their own parents is that they will be in a supportive, caring placement where all of their needs will be met, including those set out in Article 20.

To ensure compliance with the Council's legal duties, our foster carers and adopters are comprehensively trained to meet these needs in respect of children from different backgrounds who are placed in their care. The Council also ensures that contact is arranged with the birth family at a level which meets the needs of the child. I refer you also to an earlier answer (8.4) on the agenda.

8.17 Question from Councillor Clare Harrisson

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

Response from Councillor David Edgar

We've made significant progress in appointing excellent officers to our senior leadership team.

The posts of Corporate Director Governance and the 5 Divisional Directors of Community Safety, IT, HR and Transformation, Legal and Growth and Economic Development have now been appointed.

Final interviews for the posts of Divisional Directors for Youth and Children's Commissioning and Sports, Leisure and Culture, are taking place in October. Also the posts of Joint Director Integrated Commissioning and Divisional Director Adults Social Care have now closed and shortlisting and interviews are being organised for October and November.

The Corporate Director Place is being covered by the existing Divisional Director for Property and Major Programmes and the Divisional Director for Housing and Regeneration is being covered on an interim basis. It is expected that recruitment to these roles will commence in 2018.

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?

Response from Mayor John Biggs

I am clear that I will not support extending the parking permit hours unless there is a clear need, and following a thorough consultation.

The Council followed up on feedback from residents about parking difficulties outside of the controlled parking zone operating times and sent a survey to some residents in the B2 and B4 parking zones. This matter was also addressed in my response to a petition earlier in the meeting.

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?

Response from Mayor John Biggs

The Council will monitor any noise issues, and if appropriate will engage with Greenwich, and identify how these can be reduced, and what actions can be taken to prevent further problems.

The Council has an out of hours call out, and conversations are taking place with Greenwich, and we will make representation where applicable. The service also actively engages with ward Members, but to date they have not established a statutory nuisance to take forward. This work will continue.

I am also planning to meet with the Leader of Greenwich Council and will keep you updated on this issue. Clearly, as the Greenwich Peninsular develops we will need to work with local residents on the Isle of Dogs and at Blackwall who will be affected by activity there, although the powers clearly reside with the Royal Borough of Greenwich. This needs to be a developing relationship with our neighbour.

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?

Response from Mayor John Biggs

I know that Environmental Health Officers have met the local ward Councillor and residents on a number of occasions to investigate noise, dust and vibration issues.

I understand remedial works were undertaken to reduce the disturbance to residents, however I am happy to meet with residents to discuss any additional concerns. Please contact my office if you would like to progress this.

8.21 Question from Councillor Khales Uddin Ahmed

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

Response from Councillor Joshua Peck

The London Borough of Tower Hamlets currently offers support to its business base through various projects managed by its Enterprise team.

The support currently includes:

Start Up Ready (Training):

Training and practical help aimed at new entrepreneurs who are seeking to start up a new business in the borough.

The Council's Enterprise Team has developed a training initiative for local residents who wish to set up an enterprise or have an interest in becoming entrepreneurs. Delivered in partnership with local support agency London Small Business Centre (part of the Nwes group), Tower Hamlets residents can develop the practical skills required to become an entrepreneur including:

- creating a business plan
- bookkeeping and accounting
- choosing a business model
- learning effective marketing techniques
- Understanding intellectual property.
- 1-2-1 business support is also available for start-ups.

Individuals who complete the start-up programme will have the opportunity to receive advice on accessing business funding from a range of sources including the Start Up Ready Grant.

Start Up Ready (Grants):

Entrepreneurs who complete the Start Up Ready course will have the opportunity to apply for grant funding of up to £5000 to support the launch of their new business. Individuals who express an interest in applying for the grant will be required to complete an application form and pitch to an independent panel of judges.

Retail Marketing Ready

Supporting retailers in marketing skills – specialist retail consultancy advice.

The Council's Enterprise Team seeks to assist local retailers by helping them to develop practical skills to promote themselves and their businesses through more effective marketing.

Retailers can sign up for specialist retail consultancy support to enhance marketing capabilities including:

- advice analysing consumer market opportunities and trends
- developing niche markets
- creating effective visual merchandising displays

- establishing an online presence whilst developing a social media marketing strategy

The Retail Place

Retailers that take part in our Retail Marketing Ready scheme will also have the opportunity of promoting themselves and their goods through our new online retail destination The Retail Place. Providing shoppers with details of Tower Hamlets' unique and unusual businesses The Retail Place is a free listing for local businesses to help develop their online presence whilst also publicising offers, promotions, news, events and job opportunities. The Retail Place aims to offer the most comprehensive source of information for shopping in Tower Hamlets.

Supply Ready

Supporting local businesses to sell through contracts with large organisations.

The council's Enterprise Team is committed to helping local businesses access opportunities to increase turnover through supplying large organisations.

A business which supplies goods or services to large organisations needs to be adept at selling by means of formal procurement procedures. This way of selling is not for every business. Some businesses, however, do most of their selling in this way.

The Supply Ready programme helps business owners who wish to develop a capacity to supply through procurement processes and works with them in training and individual support to the stage that they are able to win contracts.

Delivered through workshops, masterclasses and bespoke 1-2-1 sessions, this initiative will support businesses in tendering methods, building relationships, pitching to buyers and developing growth strategies.

Good premises for business

Helping start-up and small businesses find suitable workspaces.

A big factor which inhibits local enterprise development is the availability of suitable workspace and business premises.

By working closely with local workspace providers the council's Enterprise Team seeks to offer advice to small and start-up businesses on suitable workspace on flexible terms in the borough.

Growth Businesses

Assistance is provided to local businesses who are currently undergoing a period of growth.

The Growth businesses project which is being delivered in partnership with business specialist YTKO provides support by way of a diagnostic and action planning service for each organisation who identifies themselves as a growing business.

Whitechapel Enterprise

We've opened the new Whitechapel Enterprise Centre which is a Hub is designed to serve and meet the needs of residents and the local business community.

The Whitechapel Enterprise is offering free expert business advice, start-up grants and top-quality affordable shared workspace to local people wanting to start a business.

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?

Response from Councillor Amy Whitelock Gibbs

There have been concerns that the current data available to inform Pupil Place Planning is not providing a sophisticated enough analysis of complex demographic changes and this has resulted in excess capacity of school places in the borough.

This phenomenon is acutely felt in primary schools in the west of the borough, whilst there is some evidence of growing pressure for places in the south east of the borough.

Secondary headteachers have also raised concerns about the impact of primary rolls not increasing as rapidly as had been expected on their own numbers in future years.

The Council had identified the possible development of two six form entry secondary schools both due to open circa 2020, one on the Westferry site and one on the London Dock site.

There has been consideration of existing empty places in secondary schools; the expected location of the projected demand for secondary places and the comparative costs of the two secondary school options is currently available.

We have also been concerned at the proposal for the 'Livingstone Academy' which would create an unplanned, and we think unneeded, six-form entry secondary school near to the London Dock site. The opening of this school might render unviable the construction of a further secondary school at London Dock.

Officers have recommended that the council proceeds with the development of the Westferry site to open in 2021 and to review the development of the London Dock site on an annual basis. It is anticipated that demand for secondary places can be managed through the use of existing capacity for the time-being. This is subject to the agreement of Cabinet.

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?

Response from Councillor Amy Whitelock Gibbs

We're proud of our committed and diverse foster carers. The Council's fostering service actively recruits foster carers from across all communities. There is an ongoing campaign and the fostering team are assessing foster carers throughout the year.

Fostering fortnight took place between the 8th May to 21st May and is the UK's biggest foster care awareness raising campaign, delivered by leading fostering charity, The Fostering Network. Established for almost 20 years, the campaign showcases the commitment, passion and dedication of foster carers.

LBTH fostering service participates in this event each year to raise the profile of foster carers both locally and nationally.

Foster carers are dedicated and work with some of our most vulnerable young people. They need our support and we will continue to actively recruit carers to join the excellent carers we already have.

8.24 Question from Councillor Muhammad Mustaquim

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?

Response from Councillor Amina Ali

The Mayor has made clear that he would not support extending the parking permit hours unless there is a clear need, and following a thorough consultation.

The council followed up on feedback from residents about parking difficulties outside of the controlled parking zone operating times and sent a survey to some residents in the B2 and B4 parking zones.

There is a clear option for residents to support the current arrangements, under question 4 of the survey, as it asked if they are satisfied with the current arrangements.

We are receiving valuable feedback from residents and businesses from the survey. This is an informal survey to gather the views of both residents and businesses, and the responses will be shared with Cabinet to help inform them on how residents feel parking arrangements are working.

The survey means if there are particular roads within a parking zone where residents feel there are issues with parking then we can consider solutions, working with local residents.

If changes were suggested, then they would be subject to a full formal consultation with residents and businesses. However the Mayor has made it clear that he would not support extending the parking permit hours unless there is a clear need.

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.

Response from Amina Ali

Officers have been instructed to look at this issue and make any appropriate changes. This will probably require us to look with TfL at the signage on their roads too. I am happy to discuss this with you further if that would be helpful.

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?

Response from

Unlike many Councils, we are protecting funding for all of the borough's libraries, leisure centres, children's centres and Idea Stores as well as for our award winning parks. We will also continue funding for all primary school pupils to receive free school meals and offer a 100% council tax discount for the poorest, and have exempted care leavers from paying council tax.

That is something very few councils in the country have managed to do.

And unlike the previous administration we take very seriously our responsibility to manage the Council's budgets and secure excellent services such as those you list and we will continue to do so.

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?

Response from Mayor John Biggs

Contrary to some assertions Tower Hamlets Council is not cutting the THYSF. It is not a council-funded service but we have provided them with emergency funding when they faced budget challenges. In fact over the past year we have provided around £150,000 to help cover their deficit.

Towards the end of this response you will see that I have been actively working with THYSF to help them to build a viable business plan. I am hopeful but further work and discussions are needed, and I and officers are progressing these.

The problem facing THYSF is that they have always been primarily funded by the schools they provide services to; aside from the small amount of funding the Council gets from Sport England which we gave to THYSF to support their programmes. School budgets cuts mean they struggle to afford to buy services like those provided by THYSF.

As a result the THYSF ended the 2016/17 year with a deficit of around £150k.

The Council has not withdrawn any of its existing funding sources, nor were we proposing to. In fact we have given THYSF more money than ever over the past year to give them time to come up with a new business plan.

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.

There have been a number of developments regarding THYSF since the end of the summer term.

Over the summer Langdon Park School consulted on and has now implemented the proposals to make the staff who deliver THYSF services to schools redundant at the end of autumn term 2017. THYSF staff will continue to carry out their normal duties throughout the period of notice until the end of December 2017.

In July the Mayor offered to support THYSF to step out on their own should they wish to set up as a new social enterprise. The Foundation is now working on developing a solid business plan and if successful, the intention would be to formally transfer the staff over to the social enterprise and the existing SLAs would run through to the end of March 2018 as normal.

The Council would consider commissioning the Foundation to run some of the services they offer, through an open tender process, for the next financial year (2018/19) and schools would be able to sign up for this using the SLA portal.

If however, THYSF is not in a position to produce a workable business plan and to set themselves up independently, then the existing THYSF SLAs with schools would be terminated at the end of December 2017 and refunds would be given to those schools to cover the cost of THYSF services they would have received in the Spring term.

An alternative offer for all schools would then be made available from January 2018 onwards. This alternative offer would be informed by the feedback from the questionnaires that schools completed at the end of last term.

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?

Response from Councillor Asma Begum

In response to the concerns of residents, the Council has recently launched the 'No Laughing Matter' campaign, working with partners including local police and Tower Hamlets Homes to tackle the problems caused by nitrous oxide

The Council's ground-breaking campaign 'No Laughing Matter' includes:

- Educating people about laughing gas or nitrous oxide and the risks to health
- Urging residents to report traders selling it for human consumption
- Working closely with trading standards and the police to close down outlets where we know they are selling Nitrous Oxide to our young people
- Providing residents with ways to report discarded canisters so they can be collected.
- Talking to school children about the dangers of nitrous oxide

In addition, Cabinet has agreed new funding for an extra 19 police officers, on top of the 14 recently announced and the six already in post. This will bring the total number of Council-funded officers up to 39. These officers will have a focus on tackling anti-social behaviour, including nitrous oxide.

I should add however that as regards the use of Nitrous Oxide and the associated littering and poor behaviour, while we can take some steps, in a free society what we need is for young people to act responsibly towards themselves and thoughtfully towards others.

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?

Response from Mayor John Biggs

Unlike the previous Mayor who did not like answering questions, my administration has been robust in engaging in the democratic process.

Written responses are provided by the next Council meeting. If issues are urgent they should be raised with my office, with officers directly, or through the members enquiries system.

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.


Response from Councillor Sirajul Islam

Please find the relevant housing demand and lets table below for the period 2013 to 2017. The second part of your question relating to placements is unclear, therefore information is provided in the table below on the furthest let outside of Tower Hamlets for each of the years. Applicants rehoused outside of Tower Hamlets will have chosen these homes through the choice based lettings scheme operated by the Council.

Housing Demand	April 2013	April 2014	April 2015	April 2016	April 2017	As at 12 SEP 2017
Total	24,414	20,425	19,783	19,124	18,616	18,687

Lets (Financial Year)	12/13	13/14	14/15	15/16	16/17	17/18 (Apr-Aug)
Total	2,435	1,907	1,872	2,207	1,601	759
Total OOB Lets	42	24	31	9	3	0
Furthest let	Upminster, Essex, RM14	Romford, Essex, RM7	Rainham, Essex, RM13	Rainham, Essex, RM13	London, E15	0

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<p>Non-Executive Report of the:</p> <p>Council</p> <p>22 November 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 22 November 2017.
2. The deadline for receipt of petitions for this meeting is noon on Thursday 16 November 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 Watts Grove (Petition from Terry McGreenera and others)

The way Tower Hamlets Homes restricted the information about the allocation of the 148 new homes at Watts Grove calls into question its accountability to tenants and whether it is time to return responsibility to the Council sooner than 2018.

5.2 Petition regarding new secondary school, Westferry Printworks site (Petition from Father Tom Pyke and others)

This petition is about the selection process for the operator of the new secondary school planned for the Westferry Printworks site, 235 Westferry Road, E14 8NX.

We the undersigned are petitioning the Council to:

(1) Ensure the views of parents and schoolchildren are placed at the centre of the decision making process for the operator of this new school —this is about parental and pupil choice;

(2) Establish a clear 'person specification' against which all applicant operators should be assessed. The operator must be able to demonstrate a proven track record of community cohesion and inclusiveness, of actively reaching out to children from poor families and children from parents of all faiths and of positively encouraging children with special needs.

5.3 Petition regarding Zebra Crossing at Henriques Street, E1 (Petition from Lukey Begum and others)

On behalf of the families, staff and Governors at Harry Gosling Primary School, we are writing to request that a zebra crossing be introduced in Henriques Street and a one-way traffic flow.

Parents have raised a number of concerns with the school regarding the high level of road users and the dangerous manner in which they have been driving so close to the school. Although some traffic calming measures have been put in place in recent years, we are concerned that Henriques Street remains unsafe for children and their families to cross. This is particularly the case during school opening and closing times when high numbers of children and parents are arriving or leaving.


We also feel that the road markings around Fairclough Street and Henriques Street are not adequate. We would like to request that an assessment is carried out as to what road markings could be added to improve safety. It is our view that a safer crossing and clearer road markings will alleviate traffic at the school and help us develop the children's independence by allowing them to get to school safely. Please find attached a petition to

support our proposal for a safer crossing to ensure the safety of the pupils and families of the school.

We hope our concerns will be taken into serious consideration and we look forward to your response.

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Agenda Item 6

Non-Executive Report of the: Council 22 November 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 22 November 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

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

6.1 Question from Margaret Ward

In view of the Grenfell tower block fire will Tower Hamlets be taking extra measures i.e. adding sprinkler systems?

6.2 Question from Norma Vondee

How many residents has WorkPath actually supported into work compared to Skillsmatch?

6.3 Question from Sulieman Hashi

How many prosecutions for housing offences has the council secured?

6.4 Question from Mohammad Rafique Ullah

How do rent levels at Watts Grove compare with rent levels at Poplar Baths and Dame Collet House?

6.5 Question from Polly Avison

How many police officers and PCSOs have been cut from Tower Hamlets?

6.6 Question from Daniel Tomlinson

How would the Council spend the £1.1m prize if it is awarded London Borough of Culture?

<p>Non-Executive Report of the:</p> <p>Council</p> <p>22 November 2017</p>	
<p>Report of: Asmat Hussain, Corporate Director, Governance</p>	<p>Classification: Unrestricted</p>
<p>Questions submitted by Members of the Council</p>	

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 22 November 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

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

8.1 Question from Councillor Helal Uddin

Can the Mayor or cabinet member update Council on ongoing work to tackle the housing crisis?

8.2 Question from Councillor Oliur Rahman

Following the changes to the Council Tax reduction scheme by the Mayor in April 2017, how is the Council supporting self-employed residents – like mini cab drivers and driving instructors etc. – in relation to their council tax rebate and reduction?

8.3 Question from Councillor John Pierce

The Mayor's 2017/18 Budget included nearly £6m additional spending for Mayoral Growth Priorities – what sort of programmes and projects has this £6m provided?

8.4 Question from Councillor Chris Chapman

Will the Mayor explain as to why housing, built on land owned by the taxpayer through the council on Blackwall Reach, is being marketed to speculative investors in Singapore, Hong Kong and the Middle East before the council and partners have even opened a UK sales office?

8.5 Question from Councillor Shiria Khatun

How did the Council respond to the Met Police consultation on police front counter closures?

8.6 Question from Councillor Rabina Khan

Will the Mayor agree to set up a Tower Hamlets' Brexit Task Group to plan for a number of Brexit scenarios in the lead up to Britain's departure from the EU?

8.7 Question from Councillor Ayas Miah

How many meetings of the Best Value Improvement Board have opposition members attended?

8.8 Question from Councillor Ohid Ahmed

How do the figures for all crime categories in Tower Hamlets since June 2016 compare to those for the previous two years?

8.9 Question from Councillor Danny Hassell

Can the Lead Member please update on improvement work undertaken in relation to the Multi Agency Safeguarding Hub since the Ofsted inspection earlier this year?

8.10 Question from Councillor Andrew Wood

Will the Mayor arrange a meeting between the Councils Planning, Clean and Green, Roads, Public Health and the Environmental Health teams and affected residents on the Isle of Dogs as to how to mitigate the cumulative impact of construction on their health and quality of life?

8.11 Question from Councillor Marc Francis

Will the Lead Member update me on the outcome of the survey of Bow residents about the current parking restrictions that took place over the summer?

8.12 Question from Councillor Abdul Asad

With the changes introduced under the new Council Tax Reduction Scheme does the Mayor believe that it has not affected our most vulnerable members in the community?

8.13 Question from Councillor Khales Uddin Ahmed

Does the Mayor feel his human rights have been impeded by responding to questions at Full Council meetings?

8.14 Question from Councillor Maium Miah

Can the Council provide the record of the number of missed bin collections (household waste, recycling and associated log of complaints) for each electoral ward since 2010 until now?

8.15 Question from Councillor Candida Ronald

The 20mph speed limit on Prestons Road in my ward of Blackwall & Cubitt Town is regularly ignored by drivers and there have been a spate of accidents at the traffic bollard outside Horizons Tower. What measures will the Mayor take to improve road safety in this area?

8.16 Question from Councillor Peter Golds

It has been council policy for the past seventeen years, under both the Labour and Tower Hamlets First administrations, for the provision of a second South Quay Bridge. In view of the population explosion on the Isle of Dogs, will the Mayor outline when the bridge will be delivered? By Contrast the Mayor of London has started a full public consultation on the new Rotherhithe to Canary Wharf bridge one year after announcing he would build it by the year 2020.

8.17 Question from Councillor Dave Chesterton

When does the Mayor anticipate being able to announce the creation of a new riverside public park on the site of the old Millwall Lock Entrance, opposite the Dockland Sailing Centre?

8.18 Question from Councillor Aminur Khan

How many council funded police officers did the Mayor cut following his first two budgets?

8.19 Question from Councillor Clare Harrison

How will the Mayor's £200,000 Air Quality Fund be spent?

8.20 Question from Councillor Mahbub Alam

Following the Grenfell tragedy, will the Mayor commit to publishing all Fire Risk Assessments immediately?

8.21 Question from Councillor Rachael Saunders:

What plan for Old Flo did the Mayor inherit when he was elected?

8.22 Question from Councillor Craig Aston

Will the Mayor indicate what discussions he held with his counterpart in Hackney with regard to sharing the costs of the firework display which was much appreciated by residents of both Tower Hamlets and Hackney but paid for by Tower Hamlets?

8.23 Question from Councillor Shah Alam

Does the Mayor agree that this budget overlooks the needs of the disabled children who use council funded nurseries and abandons the low income families these nurseries currently serve?

8.24 Question from Councillor Suluk Ahmed:

Will the Mayor provide the number of housing units (affordable, private and council) 'approved' since June 2015 until now with their completion schedules?

8.25 Question from Councillor Julia Dockerill

The building of a new secondary school was part of the deal when the London Dock planning application was approved, and the development is now completed in parts. However, there has been very little information about the building and running of the school ever since, beyond two last-minute 'consultation' meetings, the most recent of which was held outside of the ward. Given that the council is meant to hold an open and competitive tendering process for any new provider, will the Mayor update the council on what his administration intends to do?

8.26 Question from Councillor Shafi Ahmed

Does the Mayor think that there has been an increase in knife crime in Tower Hamlets?

8.27 Question from Councillor Harun Miah

Will the Mayor provide details of how many Council staff have been made redundant or left the council since June 2015 including the number who fall under the protected categories of the Public Sector Equality Duty and their final impact assessments?

8.28 Question from Councillor Gulam Kibria Choudhury

Will the Mayor provide the number of recorded ASB cases (incidents and complaints) in each electoral ward from June 2015 until now?

8.29 Question from Councillor Muhammad Ansar Mustaqim:

Will the Mayor set out the list of youth centres which are no longer in use but which were operational (full or part time) in February 2015?

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Decision Report Cover Sheet: Council 22 November 2017	 TOWER HAMLETS
Report of: Ann Sutcliffe, Acting Corporate Director, Place (Cover Report of: Matthew Mannion, Committee Services Manager)	Classification: Unrestricted
Report following an Individual Mayoral Decision: Acquisition of Affordable Homes	

Originating Officer(s)	Richard Chilcott, Acting Divisional Director, Property & Major Programmes Mark Baigent, Acting Divisional Director, Housing and Regeneration (Matthew Mannion, Committee Services Manager (Cover Report))
Wards affected	All Wards

Summary

On Friday 10 November 2017 an Individual Mayoral Decision was published seeking the adoption of Capital Estimates and officer delegations to allow:

- The purchase of surplus housing stock from registered providers of housing (RPs) in the Borough;
- The purchase of additional dwellings for use as temporary accommodation and
- The purchase of new housing, provided by developers as part of their planning obligations.

The majority of the decisions relating to that report were executive decisions which the Mayor has taken through an Individual Mayoral Decision. However, in relation to those decisions, Council is asked to consider the allocation of £119 million in the capital programme to fund the purchase of, and any works required to, these dwellings.


The Individual Mayoral Decision is attached to this cover report.

Recommendations:

The Council is recommended to:

1. Agree the allocation of £119.0 million in the capital programme to fund the purchase of, and any works required to, these dwellings.

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<p>Individual Mayoral Decision Proforma</p> <p>Decision Log No: 176</p>	 TOWER HAMLETS
<p>Report of: Ann Sutcliffe, Acting Corporate Director, Place</p>	<p>Classification: Unrestricted</p>
<p>Acquisition of Affordable Homes</p>	

<p>Is this a Key Decision?</p>	<p>Yes</p>
<p>Decision Notice Publication Date:</p>	<p>23/10/2017</p>
<p>General Exception or Urgency Notice published?</p>	<p>Yes</p>
<p>Restrictions:</p>	<p>Unrestricted</p>
<p>Reason for seeking an Individual Mayoral Decision:</p>	<p>This report is being presented to the Mayor in the form of an Individual Mayoral Decision due to the limited timescales available to adopt the capital estimates, refer the report to Council for the capital allocation, and complete some of the acquisitions in the required timescales.</p>

EXECUTIVE SUMMARY

This report seeks the adoption of capital estimates, and officer delegations, to allow:

- The purchase of surplus housing stock from registered providers of housing (RPs) in the borough;
- The purchase of additional dwellings for use as temporary accommodation; and
- The purchase of new housing, provided by developers as part of their planning obligations.

As the purchase of these properties is not currently allowed for in the capital programme that was agreed by Council as part of the budget setting process, the Mayor is also asked to refer this decision to Council, to agree the allocation of resources for these purposes.

This report is being presented to the Mayor in the form of an Individual Mayoral Decision due to the limited timescales available to adopt the capital estimates, refer the report to Council for the capital allocation, and complete some of the acquisitions in the required timescales. This also allows the council to spend some of its retained Right to Buy receipts by the end of the year to negate the need to pay those receipts to HM Treasury (with added interest).

Recommendations:

Subject to Council's agreement of the budget allocation, the Mayor is recommended to:

1. Adopt a capital estimate of £19.0 million to acquire a portfolio of surplus dwellings from Poplar HARCA;
2. Adopt a capital estimate of £40.0 million to acquire additional dwellings for use as temporary accommodation;
3. Authorise the Corporate Director, Place, to identify appropriate properties and to agree the final price, and the terms and conditions of the acquisition referred to in paragraphs 1 and 2 above;
4. Authorise the Corporate Director, Place, to procure, within the adopted capital estimates (paragraphs 1 and 2), the services and works required to bring those properties up to a lettable standard;
5. Adopt a capital estimate of £60.0 million to acquire s106 properties in the borough;
6. Authorise the Corporate Director, Place, to identify appropriate s106 properties, agree the prices, and the terms and conditions of the acquisitions;
7. Authorise the Corporate Director, Place, following consultation with the Corporate Director, Resources, to acquire the properties referred to in paragraphs 1, 2 and 5.
8. Authorise the Corporate Director, Governance, to execute all necessary legal agreements to give effect to the recommendations above.

DECISION

The Mayor is recommended to:

1. Refer this report to Council for consideration of, and agreement to, the allocation of £119.0 million in the capital programme to fund the purchase of, and any works required to, these dwellings.

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 9/11/17

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 9/11/17

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)

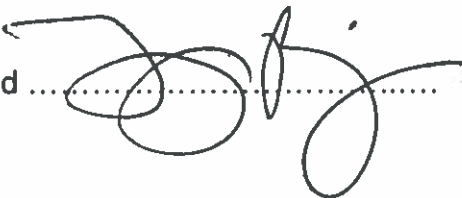
I confirm that this decision:-

- ~~(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 9/11/17

4. Mayor

I agree the decision proposed in the recommendations above for the reasons set out in paragraphs 1.1 – 1.6 in the attached report.

Signed  Date 10/11/17

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<p>Individual Mayoral Decision</p> <p>9 November 2017</p>	
<p>Report of: Ann Sutcliffe, Acting Corporate Director, Place</p>	<p>Classification: Unrestricted</p>
<p>Acquisition of affordable homes</p>	

Lead Member	Councillor David Edgar, Cabinet Member for Resources Councillor Rachel Blake, Cabinet Member for Strategic Development and Waste
Originating Officer(s)	Richard Chilcott, Acting Divisional Director, Property & Major Programmes Mark Baigent, Acting Divisional Director, Housing and Regeneration
Wards affected	All wards
Key Decision?	Yes
Community Plan Theme	Great Place to Live

Executive Summary

This report seeks the adoption of capital estimates, and officer delegations, to allow:

- the purchase of surplus housing stock from registered providers of housing (RPs) in the borough;
- the purchase of additional dwellings for use as temporary accommodation; and
- the purchase of new housing, provided by developers as part of their planning obligations.

As the purchase of these properties is not currently allowed for in the capital programme that was agreed by Council as part of the budget setting process, the Mayor is also asked to refer this decision to Council, to agree the allocation of resources for these purposes.

This report is being presented to the Mayor in the form of an Individual Mayoral Decision due to the limited timescales available to adopt the capital estimates, refer the report to Council for the capital allocation, and complete some of the acquisitions in the required timescales. This also allows the council to spend some of its retained Right to Buy receipts by the end of the year to negate the need to pay those receipts to HM Treasury (with added interest).

Recommendations:

Subject to Council's agreement of the budget allocation, the Mayor is recommended to:

1. Adopt a capital estimate of £19.0 million to acquire a portfolio of surplus dwellings from Poplar HARCA;
2. Adopt a capital estimate of £40.0 million to acquire additional dwellings for use as temporary accommodation;
3. Authorise the Corporate Director, Place, to identify appropriate properties, agree the final price, and the terms and conditions of the acquisition referred to in paragraphs 1 and 2 above;
4. Authorise the Corporate Director, Place, to procure, within the adopted capital estimates (paragraphs 1 and 2), the services and works required to bring those properties up to a lettable standard;
5. Adopt a capital estimate of £60.0 million to acquire s106 properties in the borough;
6. Authorise the Corporate Director, Place, to identify appropriate s106 properties, agree the prices, and the terms and conditions of the acquisitions;
7. Authorise the Corporate Director, Place, following consultation with the Corporate Director, Resources, to acquire the properties referred to in paragraphs 1, 2 and 5; and
8. Authorise the Corporate Director, Governance, to execute all necessary legal agreements to give effect to the recommendations above.

The Mayor is recommended to:

9. Refer this report to Council for consideration of, and agreement to, the allocation of £119.0 million in the capital programme to fund the purchase of, and any works required to, these dwellings.

1. REASONS FOR THE DECISIONS

- 1.1 The approval of the recommendations will increase the availability of housing in the borough including temporary accommodation for homeless families.
- 1.2 Increasing the supply of council-owned temporary accommodation – in addition to providing secure and comfortable alternatives to hostels and bed and breakfast accommodation – also relieves pressure on the budget that is used to fund the procurement and management of temporary accommodation; one of the highest expenses arising from the council’s statutory homelessness duty.
- 1.3 Buying the surplus RP stock also means that the properties will remain as affordable housing, rather than going into the private housing market.
- 1.4 It will also increase the use of right to buy receipts, which the council must spend in accordance with DCLG deadlines or pay to HM Treasury (with interest).
- 1.5 The purchase of these properties also supports the council’s strategic objectives, including those set by the Mayor, in relation to the provision of housing.
- 1.6 The referral to Council is necessary in order to comply with the constitutional requirements in relation to the budget and capital programme. As the current capital programme did not include this provision when Council agreed the budget at a meeting on 22 February 2017, the Council’s constitution requires that Council be asked to approve this new allocation of capital resources.

2. ALTERNATIVE OPTIONS

- 2.1 The Mayor could decline to purchase the new housing, additional dwellings for temporary accommodation and/or the surplus stock. However, this is not recommended. There are significant pressures to expend retained right to buy receipts, which otherwise have to be returned to HM Treasury, with interest payments. The decisions will also retain housing in the affordable sector as well as increase the overall provision of council housing.

3. DETAILS OF REPORT

Housing need

- 3.1 A number of reports have been submitted to Cabinet in the preceding two years seeking to increase the amount of housing available to Tower Hamlets residents for both permanent and temporary accommodation.
- 3.2 The challenge to provide appropriate housing remains significant, and while the borough has significantly reduced the use of bed and breakfast as emergency accommodation, the number of homeless households accepted for assistance has increased significantly.
- 3.3 As at 1st October 2017, 2,187 families were being housed in temporary accommodation (TA) by the borough. The council's housing list currently has approximately 19,000 applicants awaiting accommodation.
- 3.4 One of the highest expenses of local authority statutory homelessness functions is the procurement and management of TA. The increase in homelessness has led to an associated increase in the use and cost of emergency accommodation.
- 3.5 Emergency accommodation is nightly paid accommodation held under licence and forms an increasingly high proportion of the TA portfolio as moves into permanent private sector accommodation and longer-term TA alternatives (PSL) within the benefits subsidy cap have become less attractive to landlords.
- 3.6 The borough's Housing Strategy 2016-21, published in December 2016, sets out Tower Hamlets' requirement for a range of housing to meet the borough's housing need. The borough's Strategic Housing Market Assessment (SHMA) calculates the borough's total housing need at 2,569 dwellings per annum which equates to 57,400 over 24 years.
- 3.7 In addition to the housing need assessed above, the Homelessness Reduction Act 2017 places further potential obligations on the council to provide additional housing and, while the full effect of this legislation will be realised in 2018, it is prudent for the council to observe the lessons from trailblazer authorities and make provision in advance.

Proposed actions

- 3.8 This report seeks Mayoral authority in three areas:

- the purchase of surplus housing stock from Poplar HARCA, a registered provider of housing (RP) in the borough;
- the purchase of additional dwellings for use as temporary accommodation; and
- the purchase of s106 properties, built by developers as part of their planning obligations.

Purchase of surplus housing stock

- 3.9 This report proposes purchasing a portfolio of surplus properties from Poplar HARCA, an RP in the borough. These properties having been registered as surplus with the Homes and Communities Agency, and were due to be sold at auction and onto the private market.
- 3.10 Council intervention early this year prevented an initial batch of properties being taken forward for sale by the RP. Subsequent negotiations led to the purchase of 43 properties from Poplar HARCA earlier this year under existing Cabinet authority.
- 3.11 Additional resources are requested to complete an acquisitions programme of 100 properties. A capital estimate of £19.0 million is requested for this.
- 3.12 The intention is to fund the purchase using a mixture of retained right to buy receipts (£5.7m) and General Fund resources (£13.3m).
- 3.13 Poplar HARCA is disposing of the properties to the council at full market value. The proposed capital estimate includes all professional fees and project management costs, associated taxes and the cost of returning the property to a lettable standard. It also includes a contingency element which will only be utilised if necessary.
- 3.14 All property values are assessed by independent external valuation and the council is supported and advised through this process by a firm of chartered surveyors that has been appointed for this purpose.
- 3.15 Financial modelling has also been carried out to confirm the viability of the purchases, having taken into account the average purchase price, income to be received based on their intended use as TA, and the savings that will be generated by not having to lease or licence properties from the private sector.
- 3.16 Initial modelling indicates that the net revenue cost to the council of acquiring a unit from Poplar HARCA is approximately £1,900 per annum if retained '1-4-1' receipts are applied. If the purchases were to be fully funded from

borrowing and '1-4-1' receipts were not applied, the net annual revenue costs would be approximately £7,000 per property. These net costs represent expenditure relating to management and maintenance, capital financing charges (both principal and interest) and an allowance for lifecycle capital costs. These costs are offset by projected rental income which includes allowances for void periods and bad debts. Over time income should increase at a faster rate than expenditure (of which the main element - the capital financing charges - are fixed), meaning that the overall position should improve in later years.

- 3.17 Although the council will incur a net revenue cost in acquiring these assets, this should be considered in the context of the cost of using alternative accommodation. For example, the net cost to the council of a bed and breakfast placement equates to £9,000 per annum. Similarly, the use of a nightly let costs £6,500 per year with a unit of private licensed accommodation equating to £3,500. As at 1st October there were 114 temporary placements in bed and breakfast accommodation.
- 3.18 The properties will initially be acquired within the General Fund. The council will then consider transferring the properties to the community benefit society (CBS) it has established, Mulberry Housing Society. The full cost of acquiring these properties will therefore fall on the council prior to the possible generation of a capital receipt if the properties, subject to satisfactory financial due diligence are transferred to MHS.
- 3.19 This report seeks a delegation to the Corporate Director, Place, to agree the terms of the acquisitions. This will be subject to the usual due diligence that is carried out to ensure the purchase offers value for money and is affordable within the available resources and with prior consultation with the Corporate Director, Resources.
- 3.20 Any transfer/disposal of the properties to the Mulberry Housing Society will be subject to a further report to Cabinet.

Purchase of additional dwellings for use as temporary accommodation

- 3.21 This report also proposes the purchase of additional dwellings for use as temporary accommodation.
- 3.22 The borough is experiencing an acute housing crisis and currently has over 2,000 families in temporary accommodation. The net cost of these units of temporary accommodation varies depending on the type of accommodation, with bed and breakfast accommodation costing £9,000 per annum, nightly lets

costing £6,500 and private licensed accommodation costing £3,500 per annum.

- 3.23 Due to the increasing cost and scarcity of temporary accommodation, the council has also had to accommodate some homeless households outside the borough.
- 3.24 Buying additional units of temporary accommodation will allow more households to be accommodated within the borough, close to their existing support networks. This will also realise a saving as the net cost of these units of temporary accommodation will be lower than the net cost of the other types of temporary accommodation used by the council.
- 3.25 It is proposed that the Mayor adopts a capital estimate provision of £40 million to facilitate this programme.
- 3.26 The schemes will be funded through a combination of internal council resources, including the use of retained right to buy receipts. The purchase of these properties will be supported by external consultants, who are providing valuation advice as well as financial assessment in order to determine the appropriate purchase price. Each purchase will be carefully considered on its merits and will only proceed following a detailed financial assessment of the acquisition and confirmation that the scheme offers value for money and that it is viable and affordable within available resources. The council's corporate finance department will support this process.
- 3.27 The council will also be able to utilise right to buy receipts which will be complemented by other General Fund resources.
- 3.28 This report seeks a delegation to the Corporate Director, Place, to identify potential dwellings and agree terms for their acquisition. This will be subject to the usual due diligence that is carried out to ensure the purchase offers value for money and is affordable within the available resources and with prior consultation with the Corporate Director, Resources.

Purchase of properties provided under S.106 Agreements

- 3.29 This report also proposes the adoption of a capital estimate of £60m, to fund the purchase of new housing in the borough, built by developers as part of their planning obligations ('s106 properties').
- 3.30 The council currently has the opportunity to purchase up to 313 properties from a number of large-scale developers in the borough, who have built them as part of their planning obligations. These properties will provide new

properties at good value as they can be purchased for less than the open market value of similar properties due to the restrictions on their use (i.e. as affordable homes). Rental levels are set in accordance with the terms of the appropriate s106 agreement. These usually include units to be let at social rents as well as other properties to be let at affordable and intermediate rents.

- 3.31 It is proposed that the Mayor adopts a capital estimate provision of £60 million to facilitate this programme. This will enable the council to take advantage of the existing opportunities as well as providing the opportunity to bid for further properties if these become available.
- 3.32 The schemes will be funded through a combination of internal council resources, including the use of retained right to buy receipts. The purchase of these properties will be supported by external consultants, who are providing valuation advice as well as financial assessment in order to determine the appropriate purchase price. Each purchase will be carefully considered on its merits and will only proceed following a detailed financial assessment of the acquisition and confirmation that the scheme offers value for money and that it is viable and affordable within available resources. The council's corporate finance department will support this process.
- 3.33 The council will also be able to utilise right to buy receipts which will be complemented by other General Fund resources.
- 3.34 The properties will initially be acquired within the General Fund. The council will then consider transferring the properties to the community benefit society (CBS) it has established, Mulberry Housing Society. The full cost of acquiring these properties will therefore fall on the council prior to the possible generation of a capital receipt if the properties, subject to financial due diligence , are transferred to MHS.
- 3.35 This report seeks a delegation to the Corporate Director, Place, to identify potential s106 properties and agree terms for their acquisition. This will be subject to the usual due diligence that is carried out to ensure the purchase offers value for money and is affordable within the available resources and with prior consultation with the Corporate Director, Resources.
- 3.36 Any transfer/disposal of the properties to the Mulberry Housing Society (MHS) will be subject to a further report to the Mayor in Cabinet.

Mulberry Housing Society (MHS)

- 3.37 Both of these acquisitions may ultimately result in a transfer/disposal of the properties to MHS, a charitable community benefit society (CBS) established

by the council, pursuant to a decision by the Mayor in Cabinet on the matter in February 2017 when officers were authorised to establish the CBS with the aim of providing sub-market (i.e. affordable) homes.

3.38 Any such transfer/disposal will be the subject of a further report to the Mayor in Cabinet, seeking authority to proceed and would, of course, ultimately be subject to MHS itself also being satisfied on the relevant terms. Since consideration of the report in February 2017, officers have been undertaking the necessary steps to establish the CBS. However, there are a number of actions that remain to be taken including the establishment and agreement of the transfer arrangements and final terms of funding agreements and lease terms.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 This report seeks approval to adopt capital estimates totalling £119 million for the purposes of acquiring properties and bringing them up to standard for the provision of temporary accommodation. If approved, this report will be referred to the Full Council meeting on 22nd November 2017 to seek approval for the incorporation of the schemes within the Council's capital programme and reflect the estimated impact on the Council's Prudential Indicators.

4.2 It must be stressed that although the adoption of significant values of capital estimates is being sought, each initiative and its component acquisitions will only proceed subject to an assessment that it offers value for money and is affordable within available resources at the time of decision. At that time consideration will also be given to the most advantageous funding approach for the Council based on available resources.

4.3 In reaching a conclusion on the value for money of any purchases the following issues will be fully considered.

Use of 1-4-1 Receipts	In addition to the timing constraints associated with using these receipts, they can only be used for the provision of 'additional' social housing. The use of these receipts significantly improves the vfm of purchases.
Funding approach	The availability of other funding sources (for example NHB) and the cost of borrowing.
Property valuations	The relationship between the valuation and the potential rental income is a key consideration. The Poplar HARCA properties are being sold at a market value and have a range of income levels dependent on the size of dwelling. Similarly, the S106 proposals are subject to defined income levels set out in the original agreement.

Void periods and bad debt provisions	Whilst these have been assumed they are subject to sensitivities that impact on the vfm considerations. In particular void periods required to undertake refurbishment impact on vfm.
Matching of needs	The extent to which the properties that are offered/ available match the needs of those in temporary accommodation and the level of resource that consequently releases. The cost of TA ranges from £3,500 to £9,000 per annum; any net benefit and therefore vfm is highly influenced by the cost of TA that can be avoided.

4.4 Purchases of properties for use as Temporary Accommodation

- 4.4.1 The Council is currently negotiating the purchase of a large number of currently void properties from Poplar HARCA to be used as temporary accommodation. The first 43 properties have been acquired from within the £30 million capital estimate that was adopted to acquire temporary accommodation units by the Mayor in Cabinet in January 2017. However, this budget also financed the buyback of stock previously sold under Right to Buy legislation from the Council's leaseholders, and the approved sum is almost exhausted. This report therefore seeks approval to increase the capital estimate by £19.0 million to enable a further portfolio of properties to be acquired.
- 4.4.2 As a result of the combination of the increasing numbers of applications to the homelessness section, the scarcity of available temporary accommodation and the high levels of rent charged to the Council, significant service delivery and budgetary pressures are being faced, particularly in respect of the increasing need to utilise bed and breakfast accommodation and to procure an increasing number of properties outside Tower Hamlets.
- 4.4.3 The proposal in this report therefore is to purchase properties from Poplar HARCA for use as temporary accommodation which will increase supply in the longer term and will reduce the need for the Council to procure more expensive temporary accommodation from third parties. As the applicants will be placed in temporary accommodation the Council will still need to make permanent arrangements in order to discharge its homelessness duty. General Fund savings should materialise through the avoidance of costs.
- 4.4.4 However, as outlined in paragraphs 3.16 and 3.17, initial modelling of the net revenue costs to the Council of acquiring a unit from Poplar HARCA are approximately £1,900 per annum in the first year if retained right to buy receipts are used. This is based on assumptions of likely annual expenditure

and income and as a result will be sensitive to changes. In particular an allowance for a void period of a week has currently been assumed which, where refurbishment works are required is likely to be optimistic; each additional weekly void period increases the net cost by approximately £250 per property per week.

- 4.4.5 It is important to acknowledge that this estimated net cost must also be considered in the context of other alternative accommodation options. For example the cost to the Council of a bed and breakfast placement equates to £9,000 per annum. Similarly, the use of a nightly let costs £6,500 per year with a Private Licensed Accommodation (PLA) Unit equating to £3,500. The first tranche of properties are primarily studio and 1 bed units (27); it is likely that the size of the units acquired will be a factor in determining the extent of any savings achieved. Based on the initial modelling across the first tranche of properties net annual savings per property of between £1,600 and 7,100 are estimated to accrue depending on the type of TA 'avoided'; at the PLA rate and taking into account the sensitivities of the cost estimates the overall benefit is marginal particularly at the lower end of the estimate.
- 4.4.6 An additional capital budget of £40m has also been proposed to enable the purchase of further Temporary Accommodation units; at this stage the valuation approach, rental levels and funding options are not known; the associated considerations and risks of which are highlighted in the table at 4.3.
- 4.4.7 As part of the 2017-18 budget process, a savings option was approved for the Purchase of Private Sector Units (within the General Fund) for use as Temporary Accommodation. This proposed savings totalling £500,000 per annum, profiled as £200,000 in 2018-19 with a further £300,000 in 2019-20. The proposals in this report will contribute towards the realisation of these savings and should allow them to be achieved in earlier years.
- 4.4.8 There is currently uncertainty regarding several aspects of Government legislation in relation to homelessness. Increasing obligations for the Council are proposed under the Homelessness Reduction Act and Welfare Reform changes, including the introduction of Universal Credit, will impact on future demand and cost to the Council and are likely to result in additional budgetary pressures.
- 4.5 The Purchase of S106 Properties from Housing Developers in the Borough
- 4.5.1 Opportunities have recently arisen for the Council to bid for the acquisition of properties provided by developers in accordance with section 106 planning conditions. There is currently no provision within the Capital Programme for

their purchase. This report seeks the adoption of a capital estimate of £60 million in order that the Council can bid for the schemes that are available and to include scope for bids to be made for other schemes in future.

4.5.2 It should be noted that the capital estimate is required in order that the Council can bid for these units at short notice if they become available, but that each scheme will only proceed subject to an assessment approved by the Corporate Director, Resources that it offers value for money and is affordable within available resources at the time of completion. These schemes are also eligible to be part funded (30%) from retained capital receipts as they represent additional social housing.

4.5.3 For both schemes it is proposed that the Council will fund the purchases in the first instance the costs of which, in the form of a Minimum Revenue Provision (MRP) and interest costs, have been reflected in the financial assessment.

4.6 Transfer to Community Benefit Society - Mulberry Housing Society(MHS)

4.6.1 At this stage it is proposed that the Council acquires the assets as set out above, however in the longer term there is a possibility that they are transferred to the Council's Community Benefit Society - Mulberry Housing Society (see paragraphs 3.37 and 3.38). Acquisition by MHS will be subject to a decision by their board and will require further Cabinet consideration, with the viability of the investments to both the Council and MHS being confirmed at that time.

4.7 Retained Right to Buy 'One for One' receipts

4.7.1 The Council is currently holding substantial levels of retained Right to Buy receipts which must be used for the supply of new affordable housing. As at 30th September 2017, these totalled almost £96 million and are increasing at a rate of approximately £6 million per quarter. Retained receipts can only be used to fund a maximum of 30% of a scheme's capital costs with tight time constraints applying to the use of these resources (they must be spent within three years of receipt). If they are not utilised they must be paid to the Government with significant interest penalties falling on the Council. It is therefore essential that delivery mechanisms are put in place as soon as possible to ensure that these resources are not lost to the Council and the proposed financing of these schemes currently reflects that approach.

5. LEGAL COMMENTS

- 5.1 The report seeks approval, subject to Full Council's agreement as to budget allocation, for:
- a) the adoption of capital estimates;
 - b) the acquisition of surplus housing stock from a Registered Provider;
 - c) the acquisition of additional properties for use as temporary accommodation;
 - c) the procurement of services and works required to bring those groups of properties up to a lettable standard; and
 - d) the acquisition of section 106 properties from developers for the provision of affordable housing;

Budget allocation

- 5.2 Section 9D(2) of the Local Government Act 2000 (as amended) provides that all functions of the Council shall be functions of the Executive except insofar as they are reserved to full Council by statute or regulations. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 reserves responsibility for the adoption of budget and the financial plan/strategy (which includes the allocation of financial resources to projects, decisions relating to the control of the Council's borrowing requirement and the control of its capital expenditure) to full Council.

Adoption of capital estimates

- 5.3 The Council's Chief Finance Officer, for the purposes of section 151 of the Local Government Act 1972, has put in place financial regulations and procedures for the proper administration of the Council's financial affairs. Pursuant to financial procedures FP 3.3(5) and 3.3(6), chief officers may only proceed with projects when there is a capital estimate adopted and adequate capital resources have been identified
- 5.4 The capital programme, which was agreed by full Council at a meeting on 22 February 2017 as part of the budget setting, did not take into account the proposed acquisitions.
- 5.5 The Executive may only act in accordance with the approved budget. The decisions taken through this report (including the adoption of the capital estimates identified) must be subject to full Council's allocation of the necessary resources in order to comply with the Council's powers pursuant to Section 9D(2) of the Local Government Act 2000 (as amended)

Powers to acquire properties

- 5.6 The Council is a local housing authority within the meaning of the Housing Act 1985 and is specifically empowered to provide housing accommodation, either by erecting houses, or converting buildings into houses on land acquired by it for the purposes of Part 2 of the Housing Act 1985, or by acquiring houses. The powers under the Housing Act 1985 include altering, enlarging, repairing, or improving such houses. The Council also has a statutory duty to provide temporary accommodation for households who satisfy the eligibility criteria set out in Part VII of the Housing Act 1996 (as amended).
- 5.7 The Council has the powers pursuant to section 120 Local Government Act 1972 to acquire land for the purposes of exercising the above statutory housing functions.

Funding

- 5.8 The acquisitions are to be funded using a mixture of right to buy receipts and general fund resources (including, potentially, an element of prudential borrowing).
- 5.9 Right to buy receipts are capital receipts within the meaning of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003. The 2003 Regulations permit the use of these receipts to fund capital expenditure such as the provision of affordable housing, subject to the conditions of any agreement entered into with the Secretary of State pursuant to section 11(6) of the Local Government Act 2003.
- 5.10 The Council is permitted by section 1 of the Local Government Act 2003 to borrow money for any purpose relevant to its statutory functions or for the prudent management of its financial affairs. The Council must stay within its determined borrowing limit.

Procuring works and services

- 5.11 The Council has power to enter into contracts for a third party to deliver the proposed works and services pursuant to section 111 of the Local Government Act 1972, which provides power enabling the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions, including the housing functions referred to above.
- 5.12 The nature and value of each proposed contract will need to be understood before proceeding with the procurement. Should the value exceed the European threshold (currently £164,176 for services or supplies and

£4,104,394 for works), then the competitive exercise must comply in all respects with the requirements of the Public Contracts Regulations 2015 and with European Law. This will involve conducting a procurement exercise, either through the OJEU or by relying on a compliant framework agreement. The Council would be required in any event, to demonstrate compliance with the principles of equal treatment, transparency and non-discrimination as required by the Treaty of the Functioning of the European Union.

- 5.13 The Council will need to comply with its procurement procedures when purchasing services and works.

Subsequent disposals/transfers

- 5.14 One of the options referred to in this report for in terms of the future treatment of the properties is to dispose of some or all of them to Mulberry Housing Society.
- 5.15 The Council has the power to dispose of land from its General Fund under section 123 of the Local Government Act 1972.
- 5.16 Section 123 of the Local Government Act 1972 requires any disposal from the General Fund to obtain a consideration which is not less than the best it could reasonably obtain. Secretary of State consent will be required for any disposal at “undervalue”.
- 5.17 Any such transfers/disposal will require a further Mayoral decision at the appropriate time.

Best value and equalities

- 5.18 The Council has an obligation under section 3 of the Local Government Act 1999 to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness (the best value duty). The Council achieves best value, in the award of contracts, by subjecting spend to competition and choosing the winning bidder by applying evaluation criteria showing the best and appropriate mix of price and quality. In the context of the acquisition of the properties, the best value duty is referred to at paragraph 7 below.
- 5.19 When exercising its functions 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). The Council's compliance with this duty is considered in paragraph 6 below.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 When exercising its functions, including housing functions, the council has a duty under section 149 of the Equality Act 2010 to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 6.2 This proposal involves the council's exercise of its powers under section 120 of the Local Government Act 1972 to acquire real property, specifically a number of dwellings. Some of these dwellings will be made available for eligible applications that are homeless, in priority need and not intentionally homeless. Other dwellings will be made available to council nominees and the allocation and use of those units will be determined in accordance with statutory housing need requirements.
- 6.3 The decisions in this report also support the council's (and Mayor's) priorities as articulated in the Strategic Plan; in particular, increasing the provision of affordable homes.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 Each purchase is (or will be) supported by detailed financial assessments and modelling, undertaken to ensure the proposal offers value for money. In particular, the proposal to purchase a portfolio of properties from Poplar HARCA for use as temporary accommodation for homeless households will result in a significant saving in comparison to the use of alternative accommodation (e.g. bed and breakfast, nightly lets, and private licenced accommodation).

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no immediate sustainability implications arising from this report. Following the purchase of the Poplar HARCA properties, the council will undertake works to the properties to ensure they are of a sufficient standard. This will include, where required, energy efficiency measures.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 There are a number of risks to be considered throughout this process.
- 9.2 There is a risk that, in the longer term, the council will not be able to let all of the units of temporary accommodation in a timely fashion. However in the unlikely event that such a situation arises the council could offer them to other London local authorities.
- 9.3 There is a risk that the council is unable to secure the properties at a price that offers value for money and that it is affordable within available resources. This will be managed by carrying out a detailed financial assessment, supported by both external consultants and the council's corporate finance department, on each proposed acquisition.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no immediate crime and disorder reduction implications arising from this report.

11. SAFEGUARDING IMPLICATIONS

- 11.1 There are serious safeguarding concerns with children being placed for extended periods in hotel accommodation. Shared hotel accommodation is not suitable for families with children, and may only be used in an emergency, subject to a maximum of six weeks in accordance with the 2003 Suitability of Accommodation Order. This was in recognition of the harm to children's development if spending lengthy periods in cramped, overcrowded accommodation with insufficient space to play and study.
- 11.2 Further concerns arise from the need to share cooking, bathroom and toilet facilities with other households, including in some cases, vulnerable single adults.

Linked Reports, Appendices and Background Documents

Linked Report

- None.

Appendices


- None.

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

- None.

Officer contact details for documents:

Richard Chilcott, Acting Divisional Director, Property & Major Programmes, 020 7364 4077, richard.chilcott@towerhamlets.gov.uk

Decision Report Cover Sheet: Council 22 November 2017	 TOWER HAMLETS
Report of: Asmat Hussain, Corporate Director, Governance (Cover Report of: Matthew Mannion, Committee Services Manager)	Classification: Unrestricted
Report of the General Purposes Committee: Constitution Review: Council Procedure Rules	

Originating Officer(s)	Paul Greeno – Senior Corporate and Governance Lawyer (Matthew Mannion, Committee Services Manager (Cover Report))
Wards affected	All Wards

Summary

This report on the review of the Council Procedure Rules was considered at the General Purposes Committee on Thursday 12 October 2017. The Committee agreed to recommend the updated Rules Council for final decision.

Note that should these rules (or an amended version) be approved, they would come into effect at the next meeting of Council on Wednesday 17 January 2018.

Also note that one typographical error has been amended since the report was presented to the General Purposes Committee. The final line of Rule 11.5 (g) now reads "...other amendments received by noon the day before the meeting". This update was advised to the General Purposes Committee at the meeting.

The Report and Appendices are attached to this Cover Sheet.


Recommendations:

The Council is recommended to:

1. Approve the revised Council Procedure Rules at Appendix 1 to the report.

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Agenda Item 9.2 – Report of the General Purposes Committee –
Constitution Procedure Rules

Non-Executive Report of the: General Purposes Committee 12 th October 2017	
Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer	Classification: Unrestricted
Constitution Review – Council Procedure Rules	

Originating Officer(s)	Hannah Ismail, Trainee Solicitor and Paul Greeno, Senior Corporate and Governance Lawyer
Wards affected	All

Summary

General Purposes Committee on 5th July 2017 agreed to review the Council Procedure Rules. This report presents a revised set of Rules for recommendation to Council.

Recommendations:

The General Purposes Committee is requested to:

1. Recommend to Council the changes to Part 4.1 of the Constitution as set out in Appendix 1 to enable these changes to come into effect; and
2. To note that a further review of the Petition Scheme is planned for next year.

1. REASONS FOR THE DECISIONS

- 1.1 The Council Procedure Rules are an important part of the Constitution providing the rules of procedure governing each of the 4 types of Council meetings: annual, budget, ordinary and extra-ordinary. Some of the rules also apply to Committees and Sub-Committees' meetings. As these Rules provide a framework within which confidence in Tower Hamlets decision making can be maintained it is important that they are reviewed to ensure continued good governance.

2. ALTERNATIVE OPTIONS

- 2.1 Not to approve the revised Council Procedure Rules.

3. DETAILS OF REPORT

- 3.1 This Report is a continuation of papers being presented to the General Purposes Committee Party to update on the review of the Constitution.

- 3.2 The purpose of the review is to ensure that these rules are workable in order to apply the following principles of good governance:

- (a) Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour;
- (b) Taking informed and transparent decisions which are subject to effective scrutiny and managing risk; and
- (c) Members and officers working together to achieve a common purpose with clearly defined functions and roles.

- 3.3 Further, in aiming to strengthen these rules, particular regard has been given to economy, efficiency, effectiveness, transparency and accountability

- 3.4 The Procedure Rules were discussed at a meeting of the Constitutional Working Party on 22nd June 2017 where the 4 Group Leaders were all present. It was then discussed at General Purposes Committee on 5th July 2017 and it was agreed that the agreed revisions to the Rules would be undertaken and a revised set of Rules submitted to submitted to the Committee at this meeting.

- 3.5 In terms of significant changes the suggested amendments are as follows:

Rule 1- Annual Meeting of the Council

- 3.6 The following additions have been included in the programme:

- The Mayor shall report on any appointments of outside bodies;

- The Mayor shall report on circumstances where the Special Urgency provisions have been used during the year preceding the Annual Meeting;
- A report will be received advising on any changes made to the Council's Constitution since the previous Annual Meeting; and
- The State of the Borough will be debated at the Annual Meeting.

3.7 The State of the Borough Debate shall take place in accordance with the following procedure:

- The debate will last up to 1 hour;
- The debate will begin with a 15 minute introduction by the Mayor;
- The remaining 45 minutes will be divided proportionally (to the nearest minute) between the political groups on the council. It will be for each group to determine how much time each of their speakers will have subject to a minimum speech length of two minutes. There is no maximum speech length providing that group's overall allocated time limit is not breached;
- Lists of speakers must be provided to the Monitoring Officer before the start of the meeting;
- The 45 Minute Debate will end with the Mayor or the Mayor's appointee;
- The Mayor and the Group Leaders of the other political groups may speak twice should they wish. All other Councillors may speak once;
- There will be no motions, reports or votes on the debate.

Rule 2 – Ordinary Meetings

3.8 At the Constitution Working Party meetings it was acknowledged that the existing rules require strengthening and restructuring to strike a balance in both Member and Public engagement. Accordingly, a programme has been devised to enable this balance. This can be found Under Rule 3.1 at Appendix 1.

3.9 It is proposed that the petitions increase from 3 to 4 to allow greater public engagement. However, public questions will be removed as there will be opportunities for the public to ask the Mayor questions at Mayoral Assemblies. Rule 11 (Questions by the Public) has therefore been deleted. This allows for enhanced Member engagement. For example, the revised programme will allow an additional administration debate which in turn will increase involvement of opposition groups

Rule 5 – Time, Place, Postponement and Cancellations of Meetings

3.10 It is proposed that all Council meetings will commence at 7:00pm unless determined otherwise by the Speaker/Chair of the Committee or Sub-Committee.

3.11 Rule 5 has been amended to include rules relating to cancellations of meetings; therefore Rule 10 (Cancellation of Meetings) has been removed. There is also the option of postponement of meetings where the Chief Executive deems there is a good reason.

Rule 19 - Petitions

3.12 This has been re-numbered and is now Rule 17. The information on petition rules and practice contained in Rule 19 was, for the most part, repeated in the Petition Scheme. This information has therefore been consolidated into a single comprehensive Petition Scheme and which will be attached as an Appendix to the Procedure Rules.

3.13 The Scheme has been updated with regards to petition presentation and debate procedures at meetings of the full Council. Including:

- clear procedure rules for petitions for debate at full Council;
- incorporating the decision of the Council (September 2017) that petitions for debate also include a 'questions from Councillors' segment (previously only allowed for petitions for presentation); and
- the Committee's proposal in July 2017 to hear up to 4 petitions and all remaining petitions to be listed and 'noted' instead of being held over to future meetings; and reduced time for Lead Member response to presented petitions from 3 to 2 minutes.

3.14 The deadline for receipt of petitions has been extended to 10 working days prior to the meeting asnd which brings it into line with the deadlines for members' questions and motions. This will ensure that all petitions can be listed on the agenda. The current deadline is 3 working days, which is after agenda publication date and means that officers and Councillors have insufficient notice to prepare for the petition.

3.15 The updated Scheme includes specific reference to the Council's e-petition facility and which is due to be launched imminently. It advises as to the Council's rules regarding accepting e-petitions from third party websites.

3.16 No material changes have been made to the Scheme, except those changes that have previously been proposed by the Committee or agreed by Council. The changes have been to tidy, simplify and rationalise the scheme and generally make it easier to read.

3.17 A further review of the Petition Scheme is planned for next year. This review will include benchmarking with other councils' schemes to identify good practice and make recommendations for how the Council can promote its objective to engage with residents, whilst ensuring effective decision making at public meetings. It is hoped a report on this review will be brought to the Committee in the 2018/19 municipal year.

Rule 23 – Members’ Conduct

- 3.18 This has been re-numbered to Rule 21. The Constitution Working Party Meetings requested that the Speaker should have the authority to ask a Member who behaves inappropriately, offensively or is deliberately obstructing business, to leave the meeting if such behaviour persists following receipt of a warning. The Rule has been amended to provide the Speaker with this authority as such behaviour impacts on the Borough’s reputation and it was agreed that the existing rules do not work to adequately address this. The Speaker will receive appropriate training as well as advice from the Chief Executive and the Monitoring Officer

Rule 24 – Disturbance by the Public

- 3.19 This Rule is now Rule 22. It has been amended to include instances where the Public cause annoyance or breach health and safety during the course of filming and recording.

Rules relating to Committees and Sub-Committees

- 3.20 A further section has been inserted in Part 4.1 and this is Rule 24 which details the Council Procedure Rules that would otherwise be exempt or differ in their application during the relevant Committee and Sub-Committee. It has been added in one section for ease of reference.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The Chief Finance Officer has been consulted on this report and has no additional comments to make; there are no financial implications as a result of the proposed changes to the Constitution set out in this report.

5. LEGAL COMMENTS

- 5.1 Section 9P of the Local Government Act 2000 requires the Council to prepare and keep up to date a Constitution and which is also to contain such information as the Secretary of State may direct. A Constitution Direction (The Local Government Act 2000 (Constitutions) (England) Direction 2000) was issued by the Secretary of State in December 2000 that required a number of matters to be included within Constitutions and which include rules of procedure for Council meetings. The review and adoption of a revised set of Council Procedure Rules is therefore in accordance with the Council’s statutory responsibility.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The proposed revisions to the Constitution are intended to address weaknesses regarding efficiency, transparency, accountability and good governance more broadly. In making the revisions to increase efficiency, transparency and accountability of decision making this should help to achieve the objectives of equality and personal responsibility inherent in One Tower Hamlets.

7. BEST VALUE (BV) IMPLICATIONS

7.1 Whilst the report does not propose any direct expenditure, it is looking to put in place arrangements in the exercise of its functions having regard to efficiency and thereby also economy and effectiveness.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 It is not considered that there are any environmental implications.

9. RISK MANAGEMENT IMPLICATIONS

9.1 This proposed revision of the Constitution is designed to address weaknesses regarding efficiency, transparency and accountability. The overall aim is therefore to reduce risk.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no crime and disorder reductions implications.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- 1 – Proposed updated Part 4.1 (Council Procedure Rules) and Updated Petition Scheme

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

Agenda Item 9.2 – Report of the General Purposes Committee
Appendix to the report

Part 4 – Rules of Procedure

4.1. COUNCIL PROCEDURE RULES

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Rule	Subject
1	Annual Meeting of Council
2	Budget Meeting(s)
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4	Extraordinary Meetings
5	Time Place, Postponements and Cancellations of Meetings
6	Notice of and Summons to Meetings
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21	Disturbance by Public
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23	Suspension and Amendment of Council Procedure Rules
24	Specific Exemptions applying to other meetings/Committees and Sub-Committees
Appendix	
1	Petition Scheme

1. ANNUAL MEETING OF THE COUNCIL

1.1 Timing and Business. In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in March, April or May.

The annual meeting will:

- (a) elect a person to preside if either the Speaker or the Deputy Speaker are not present;
- (b) elect the Speaker of the Council;
- (c) elect the Deputy Speaker of the Council;
- (d) receive any declarations of interest;
- (e) approve the minutes of the last meeting which will then be signed by the Speaker;
- (f) receive any announcements from the Speaker of the Council and/or the Chief Executive;
- (g) note any appointment of Cabinet Councillors and/or the Deputy Mayor made by the Mayor;
- (h) appoint at least 1 Overview and Scrutiny Committee and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions (as set out in Part 3 of this Constitution);
- (i) agree the Scheme of Delegation or such part of it as the Constitution determines it is for the Council to agree (as set out in Part 3 of this Constitution);
- (j) approve a programme of Ordinary Meetings of the Council for the year (if not already agreed). In an election year the schedule of meetings may be reviewed at the Annual Meeting if it has already been agreed at Council prior to the first meeting in May;
- (k) the Mayor shall report on any appointments of outside bodies;
- (l) the Mayor shall report on circumstances where the Special Urgency provisions have been used during the year preceding the Annual Meeting;
- (m) receive a report on any changes made to the Council's Constitution since the last Annual Meeting; and
- (n) consider any business set out in the notice convening the meeting including the Annual State of the Borough Debate at 1.3.

1.2 Selection of Councillors on Committees

At the Annual Meeting, the Council will:

- (a) decide which Committees to establish for the municipal year;
- (b) decide the size and terms of reference for those Committees;
- (c) decide the allocation of seats to political groups in accordance with the political proportionality rules;

- (d) receive nominations of Councillors to serve on each Committee; and
- (e) appoint to those Committees except where appointments have been delegated by the Council or are exercisable only by the Mayor or Executive.

but this is without prejudice to the right of the Council at any time to establish or dissolve any non-Executive Committee or to review its size and terms of reference.

1.3 The Mayor will lead an `Annual State of Borough` debate to provide an opportunity for a discussion on policy matters and issues affecting the Council and the Borough; the following procedure shall apply:

- (a) The debate will last for up to 1 hour;
- (b) The debate will begin with a 15 minute introduction by the Mayor;
- (c) The remaining 45 minutes will be divided proportionally (to the nearest minute) between the political groups on the council. It will be for each group to determine how much time each of their speakers will have subject to a minimum speech length of two minutes. There is no maximum speech length providing that group's overall time limit is not breached;
- (d) Lists of speakers must be provided to the Monitoring Officer before the start of the meeting;
- (e) The 45 Minute Debate will end with the Mayor or the Mayor's appointee;
- (f) The Mayor and the Group Leaders of the other political groups may speak twice should they wish. All other Councillors may speak only once;
- (g) There will be no motions, reports or votes on the debate.

2 BUDGET MEETING(S)

2.1 A meeting will take place on a date decided by Council or the Chief Executive. The purpose of this meeting will be to determine the Council's budget and set the Council Tax for the following financial year. The Budget Meeting will be conducted in accordance with the provisions of this rule.

2.2 The order of business at the Budget Meeting will be as follows:-

- (a) As per Rules 1.1(a), (d) and (f);
- (b) to receive any petitions which only relate to the Council's budget or to the setting of the Council Tax in line with the procedures set out in the Council's Petition scheme;

- (c) to consider the report from the Mayor and Executive upon the Council's budget and setting of the Council Tax for the following year and any associated business; and
 - (d) any other business which by statute or in the opinion of the Chief Executive after consultation with the Speaker of the Council requires to be transacted at the meeting;

- 2.3** Rules 10 and 11 of these Rules shall not apply to the Budget Meeting.

- 2.4** Motions proposing amendments to the proposals shall be submitted in writing to the Monitoring Officer by no later than 9.30 a.m. on the working day prior to the Budget Meeting to enable the preparation of the advice of the Chief Finance Officer and any amendments shall be circulated to the Mayor and Councillors, with any officer comments, at least 24 hours, before the meeting.

- 2.5** Other than amendments notified in advance as above, no further substantial amendment may normally be moved at the budget meeting but the Council may, subject to the advice of the Monitoring Officer, Section 151 Finance Officer and Chief Executive, agree that an amendment without notice can be debated.

- 2.6** The Speaker will remind the Councillors at the start of the meeting of the importance, where possible, of all amendments being moved at the beginning of the debate or as soon as the need for the amendment is identified; and before moving to the 'right of reply' and voting stage of the meeting, the Speaker will give a final invitation for any further amendments. No new amendment may be proposed once the call for the vote has commenced.

- 2.7** When moving the budget proposals of the Mayor and Executive, the Mayor and/or another Executive Councillor may speak for up to 10 minutes.

- 2.8** Once the proposals of the Executive have been moved and seconded the other Political Group Leaders (or their nominee) shall then be invited to speak for up to 5 minutes. The order of speaking shall be commensurate with the number of Councillors in each group from the Leader of the largest group to the Leader of the smallest group. Where groups are of equal size, the order of speaking shall be at the Speaker of the Council's discretion.

- 2.9** During the course of their speeches Group Leaders (or their nominees) shall move any amendments they have notified prior to the deadline.

- 2.10** Once each Group Leader (or their nominee) has been invited to speak the Speaker of the Council shall invite any other Councillor who has notified an amendment prior to the deadline to speak for up to 3

minutes and during the course of their speech that Councillor shall move his/her amendment.

- 2.11** The Council will then debate the matters before it for consideration. The order of speakers shall be at the discretion of the Speaker of the Council. Subject to Rules 2.12 and 2.13 below, a Councillor may speak only once during the debate and in the course of his/her speech may address the proposals of the Executive and/or any amendment(s) that may be moved. All speeches shall be limited to a maximum of 3 minutes.
- 2.12** At the discretion of the Speaker of the Council a Group Leader (or their nominee) who has previously spoken in accordance with Rule 2.8 of these Procedure Rules may speak again during the general debate and any such further speech by a Group Leader (or their nominee) or any other Councillor shall be in accordance with the time limits and procedural requirements of Rule 13 of these Rules.
- 2.13** At the conclusion of the general debate the Mayor or on his behalf any other Executive Councillor who may have moved the proposals of the Executive may exercise a right of reply for up to 3 minutes.
- 2.14** The Council will then vote on any amendments that have been moved and seconded and not withdrawn, in the order in which they were moved. Each amendment shall be disposed of in turn and in its entirety.
- 2.15** Following the voting on all amendments Council shall make its determination. Pursuant to the Budget and Policy Framework Procedure Rules if the Council adopts the proposals of the Executive without amendment the decision shall become effective immediately.
- 2.16** If Council wishes to make any objection or amendment to the Executive's proposals, it shall require the Mayor and Executive to re-consider in the light of those objections or amendments.
- 2.17** At the Budget Meeting Rules 12.1(k)(iii) (Motion without notice to suspend a Procedure Rule) and 23 (Suspension and amendment of Council Procedure Rules) of these Procedure Rules shall not apply.

3. ORDINARY MEETINGS

- 3.1** Ordinary meetings of the Council will take place in accordance with the programme below:

Introductions, Minutes, Declarations, Announcements:

(a) As per Rules 1.1(a), (d), (e) and (f);

Mayor's Report

- (b) receive the Mayor's report, who may speak for up to 6 minutes on the item;
- (c) the Speaker shall invite the other Political Group leaders to respond for up to 2 minutes each;

Public Petitions

- (d) this is limited to up to 4 Petitions and the Petition Scheme Procedures apply;
- (e) the relevant Councillor shall report the Council's response to Petitions received;
- (f) all other petitions that have been submitted will be noted and the Speaker will announce where the Petitions will be sent for a detailed response;

Administration Motion Debate

- (g) consider an Administration Motion in accordance with Rules 11 and 13;

Opposition Motion Debate

- (h) consider a Motion from an Opposition Group in accordance with Rules 11 and 13;

Reports

- (i) receive reports from the Executive and the Council's Committees requiring a decision and receive questions and answers on any of those reports as required by law or specifically referred by those bodies;
- (j) to receive other reports as required; and

Questions by Councillors on Notice

- (k) to receive questions from Councillors; and

Motions

- (l) consider motions as set out in Rule 11.

4. EXTRAORDINARY MEETINGS

4.1 Those listed below may request the Chief Executive to call extraordinary Council or Committee meetings in addition to ordinary meetings:

- (a) Council by resolution;
- (b) the Speaker;
- (c) The Monitoring Officer; or

(d) any 5 Councillors of Council or a relevant Committee if they have signed a requisition that has been presented to the Speaker of the Council and s/he has refused to call a meeting or has failed to call a meeting within 7 days of such.

4.2 When requested, the Monitoring Officer will in consultation with the Chief Executive shall call a meeting of the Council or Committee unless the Chief Executive is of the opinion that holding such a meeting would not be an efficient use of resources and the subject matter of the business can conveniently wait until the next Ordinary Meeting of the Council or Committee.

4.3 Only the business specified in the resolution, request or requisition which led to the calling of the Extraordinary Meeting can be conducted at this meeting.

5. TIME, PLACE, POSTPONEMENT AND CANCELLATIONS OF MEETINGS

5.1 All Council meetings will commence at 7.00pm and take place at the Town Hall unless the Speaker or the Chair of the relevant Committee/Sub-Committee decides otherwise. This will be in consultation with the Monitoring Officer.

5.2 The Monitoring Officer in consultation with the Chief Executive is authorised to either cancel or postpone a meeting of Council or any meeting of Cabinet or a Committee/Sub-Committee if it is deemed that there is insufficient business to transact or some other appropriate reason warranting its cancellation/postponement.

5.3 The Monitoring Officer is authorised to vary the time, date and place of any meeting where there is good justification in consultation with the Chief Executive, the Speaker, the Mayor, Chair of the Committee/Sub-Committee and other Political Group Leaders as appropriate.

6. NOTICE OF AND SUMMONS TO MEETINGS

6.1 The Monitoring Officer will give notice to the public of the time and place of any meeting of Council, Cabinet or Committee/Sub-Committee in accordance with the Access to Information Procedure Rules at Part 4.2 of the Constitution.

6.2 At least 5 clear working days before a meeting not including the day the notice is given and the day of the meeting, the Monitoring Officer will send a summons to the Mayor and Councillors giving the date, time and place of the meeting, specify the business to be transacted, and will be accompanied by any available reports. If necessary addendum reports to the reports on the agenda will be permitted within the

preceding five days to the meeting or at the meeting subject to the report setting out 'reasons for urgency'.

7. CHAIR OF MEETING

7.1 Participation in a Cabinet, Committee, Panel or other formal meeting by a Councillor or other person who is not an appointed Councillor or substitute Councillor of the meeting shall be at the discretion of the person chairing the meeting.

8. QUORUM

8.1 Subject to any specific quorum requirements set out in the terms of reference of a particular body, the quorum of a meeting will be one quarter of the whole number of Councillors or 3 voting Councillors, whichever is the greater.

8.2 Subject to any exceptions in Rule 25 if a quorum is not reached 15 minutes after the appointed start time of the meeting, the meeting will stand adjourned.

8.3 During any meeting if the Chair counts the number of Councillors present and declares there is not a quorum, then the meeting will adjourn immediately. Remaining business will be considered at a time, date and place fixed by the Speaker, Chair or Monitoring Officer. If a date is not fixed, the remaining business will be considered at the next ordinary meeting.

9. DURATION OF MEETING

9.1 Subject to any exceptions in Rule 26, all Council Meetings will end after a period of 3 hours but an extension may be agreed by resolution to extend the meeting for an additional period of up to 30 minutes.

9.2 If the business of a Council meeting has not been concluded after it has convened for 3 hours or 3½ hours (if the extension in rule 9.1 is applied), when the Councillor speaking has concluded their speech, the Chair will draw the attention of the meeting to this rule. If a matter is being debated, the debate shall immediately be concluded as if the motion, 'That the question be now put' had been moved and carried.

9.3 Any matters, (other than motions on notice) on the agenda that have not been dealt with by the end of the meeting shall be deemed formally moved and seconded together with amendments notified in writing to the Monitoring Officer by noon on the day of the meeting. They will be put to the meeting without any further discussion. A recorded vote under rule 16.4 will be taken, if called for and the requirements of that rule are met, on matters dealt with under this

guillotine. During the process in this rule the only other matters which may be raised are points of order. When all matters have been dealt with, the Chair will declare the meeting closed. Any motions on notice under Rule 12 not dealt with before the guillotine is applied shall be deemed to have fallen with the exception of the motions for 'Administration and Opposition Motion Debates' which will be voted on along with any amendments received by noon on the day of the meeting.

10. QUESTIONS BY COUNCILLORS

10.1 A Councillor may ask the Mayor or the Chair of a Committee/Sub-Committee questions without notice about an item in a report of the Executive or of that Committee/Sub-Committee when it is being considered.

10.2 Subject to rule 10.4, at an Ordinary meeting of Council a Councillor may ask the Speaker or the Mayor, a question about any matter in relation to which the Council has powers or duties or which affects the Borough. Questions can also be put to the Chair of any Committee/Sub-Committee in relation to any matters that is within the Committee/Sub-Committee's remit.

10.3 Questions at an Extraordinary Council meeting must relate to a matter on that agenda only.

10.4 Questions relating to Executive functions and decisions taken by the Mayor will be put to and should be answered by the person responsible for those decisions, namely the Mayor, unless he delegates such a decision to a Councillor 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.

10.4 A Councillor may only ask a question under Rule 10.2 above if either:

(a) notice in writing of the question has been given by noon at least 9 clear working days before the meeting not including the day that notice is given and the day of the meeting to the Monitoring Officer; or

(b) the question relates to an urgent matter; they have the consent of the Councillor to whom the question is to be put; and the content of the question is given to The Monitoring Officer by noon on the day of the meeting; or

(c) at an Extraordinary Council meeting notice in writing has been given by noon at least 2 clear working days before the meeting to The Monitoring Officer.

- 10.5** The Monitoring Officer may reject a question if it:
- (a) is not about a matter for which the local authority has a responsibility or which affects the Borough;
 - (b) is defamatory, frivolous or offensive; is substantially the same as a question which has been put at a meeting of Council in the past 6 months;
 - (c) requires the disclosure of confidential or exempt information; and/or
 - (d) seeks to pursue or further a complaint against the Council, where other channels already exist for the determination of complaints.
- 10.6** If a question is rejected, the Councillor who submitted it will be notified in writing before the meeting and given an explanation for the rejection.
- 10.7** An answer may take the form of:
- (a) a written answer circulated to the questioner;
 - (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
 - (c) where the reply cannot conveniently be given in writing, a direct oral answer.
- 10.8** A Councillor asking a question under Rule 10.2 may ask one supplementary question without notice, but the supplementary question must arise directly out of the original question or reply. The Speaker may reject a supplementary question on any of the grounds in Rule 10.5 above or if the question takes the form of a speech.
- 10.9** The provisions of 10.2 above also apply to questions about the business of a joint authority of which the Council is a partner or questions about the activities of a company or external organisation to which the Council nominates and in these cases the question is put to the Councillor who has been appointed as the Council's representative.
- 10.10** Questions are limited to 1 per Councillor per meeting, plus 1 supplementary question unless the Councillor has indicated that only a written reply is required and in these circumstances a supplementary question is not permitted. A question that requires an answer in respect of 2 or more points (a multi-question) is not deemed to be 1 question.

- 10.11** Written responses will be published after the meeting. Where a question is put at the meeting, a time limit of 1 minute shall be applied to the question and to the oral response. Supplementary questions and responses will also be time-limited to 1 minute each.
- 10.12** Subject to time available at the Meeting, there will be a maximum time-limit of 30 minutes on Councillors' questions with no extension of time, and questions not dealt with in this time will be dealt with by written responses and which are to be provided within 28 days of the Meeting. Unless the Speaker decides otherwise, the order of Councillors' question shall alternate between the administration and one of the other Political Groups, with the questions from other Political Groups drawn in turn, starting with the largest Group. The Speaker shall have discretion, within the 30 minutes allocated for Questions, to vary the printed order of questions to allow an 'ungrouped' Councillor to put his/her question or to ensure that at least 1 Councillor from each Political Group has the opportunity to put a question.
- 10.13** Councillors will confine their contributions to questions and answers and must not make statements or attempt to debate. The Speaker will decide whether a Councillor is contravening this rule and if so will stop the Councillor concerned and move on to the next question if necessary. The Speaker's ruling is final.

11. MOTIONS – ON NOTICE

- 11.1** Except for motions which can be moved without notice under Rules 12 and 14, written notice of every motion, signed by the Councillor proposing the motion and a seconder, must be delivered to the Monitoring Officer no later than noon 9 clear working days before the meeting not including the day of delivery of the notice and the day of the meeting. The notice shall specify the Council meeting for which it is submitted. For any meeting, no Councillor may propose more than 1 motion by way of written notice.
- 11.2** A Councillor who wishes to move the suspension of this Rule to enable a motion to be debated where prior notice has not been given as above must state the reason for urgency before the proposal to suspend this Rule is put to the meeting. If the Speaker does not accept the reason for urgency then the Motion will not be accepted
- 11.3** Motions will be included on the agenda in order with the Administration Motion for debate first, followed by the Opposition Motion for debate. Any remaining motions shall be placed on the agenda to alternate between the administration and the other Political Groups, with the Opposition Group motions starting with the largest

Political Group not to have that meeting's Opposition Motion Debate slot.

11.3 A motion must be about a matter for which the Council has a responsibility or which affect the area. The Monitoring Officer may reject a motion if it:

- (a) is not about a matter for which the local authority has a responsibility either directly or with its partners;
- (b) is defamatory, frivolous or offensive or otherwise suitable;
- (c) is substantially the same as a motion which has been put at a meeting of the Council in the past 6 months and does not meet the requirements of Rule 13.2;
- (d) requires the disclosure of confidential or exempt information or a case which is currently under judicial scrutiny; and/or
- (e) seeks to pursue or further a complaint against the Council, where other channels already exist for the determination of complaints.

11.4 If a motion is rejected the person who submitted it will be notified in writing before the meeting and given the reasons for the rejection. The Speaker of the Council may also, on the advice of the Chief Executive, refuse any motion which contravenes these requirements.

11.5 At each ordinary meeting of Council there will be specific time set aside for one Administration and one Opposition Motion debate. The following rules will apply:

- (a) The debates will be on the first administration and opposition motions set out in the Motions report included in the agenda.
- (b) Motions tabled without notice may not take the place of either of these motions.
- (c) Notice in writing of any amendment must be given to the Monitoring Officer by noon the day before the meeting.
- (d) The opposition motion debate will alternate in sequence between the opposition groups starting at the first ordinary meeting following the local elections with the largest opposition group and then going in sequence until the next local elections. Should there be changes to the number of political groups this sequence will be adjusted as necessary.
- (e) Both the administration and opposition motion debates will be for a maximum of 30 minutes each.
- (f) Standard procedures for a motion debate will apply to the debate itself (including on length of speeches and tabling amendments).

- (g) If the guillotine falls during or before the debate the motions and any amendments already tabled will be voted on along with any other amendments received by Noon on the day before the meeting.

12. MOTIONS AND AMENDMENTS – WITHOUT NOTICE

12.1 Subject to Rule 11.2 the following motions and amendments may be moved without notice provided they do not contravene the requirements of Rule 11.3 above. Once such a motion or amendment has been moved, seconded and has been accepted by the Speaker it shall unless the Speaker decides otherwise be put and voted on without debate:-

- (a) to appoint a Chair of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the Minutes;
- (c) to change the order of business in the Agenda in circumstances where the Speaker is satisfied that there are exceptional circumstances to permit such change. In addition, the Councillor seeking to change the order must address such exceptional circumstances;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a Committee or Councillor arising from an item on the summons for the meeting;
- (f) to receive reports and recommendations of Committees or officers and to make any decisions necessarily arising;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) that the question be now put;
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) to extend the meeting under Rule 9;
- (n) to suspend a Procedure Rule to which Rule 23 applies;
- (o) to exclude the public in accordance with the Access to Information Procedure Rules;
- (p) not to hear a Councillor further because of misconduct (as set out in rule 22.2);
- (q) to require a Councillor to leave the meeting for continued improper behaviour (as set out in rule 22.3); and

(r) to give the consent of Council where its consent is required by this Constitution.

13. RULES OF DEBATE

13.1 No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

13.2 Unless notice of the motion has already been given in writing, the Speaker shall require any motion or amendment to a motion to be presented with enough copies for circulation to all Councillors. The Speaker can request the motion be handed to her/him so that it can be read out to Councillors before it is discussed.

13.3 When seconding a motion or amendment, a Councillor may reserve her/his speech until later in the debate.

13.4 No speech may exceed 3 minutes without the consent of the Speaker except for the proposer of any motion who shall be allowed up to 4 minutes.

13.5 Subject to these procedure rules, the order of speakers shall be determined by the Speaker. The Mayor or a Councillor who wishes to speak shall indicate and shall wait until called by the Speaker. In determining the order of speakers the Speaker may take into consideration whether previous speakers have supported or opposed the motion under debate; the particular concerns of any ward councillors; and/or any notification by a political group of Councillors of their group who wish to speak on the matter.

13.6 An amendment to a motion must be relevant to the motion and may:-

(a) refer the motion to an appropriate body or individual for consideration or re-consideration;

(b) leave out words;

(c) leave out words and insert or add others; and/or

(d) insert or add words;

as long as the effect is not to completely re-write or negate the motion.

13.7 If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

13.8 After an amendment has been carried, the Speaker may choose to read out the amended motion before putting it to the vote.

- 13.9** A Councillor may alter a motion of which s/he has given notice with the consent of the meeting. The meeting's consent will be signified without discussion. This amendment can be at the suggestion of another Councillor at the meeting and is often referred to as a 'friendly amendment'.
- 13.10** A Councillor may alter a motion which s/he has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- 13.11** Only alterations which could be made as an amendment may be made under this rule.
- 13.12** A Councillor may withdraw a motion which s/he has moved with the consent of both the meeting and the seconder. Consent will be signified without discussion. No Councillor may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.
- 13.13** The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote.
- 13.14** If an amendment is moved, the mover of the original motion also has a right of reply at the close of debate on the amendment, but may not otherwise speak on the amendment.

14 PROCEDURAL MOTIONS

- 14.1** When a motion is under debate, no other motion may be moved except the following:
- (a)** to withdraw the motion
 - (b)** to amend the motion;
 - (c)** to proceed to the next business;
 - (d)** that the question be now put;
 - (e)** to adjourn a debate;
 - (f)** to adjourn a meeting;
 - (g)** that the meeting continue for a further 30 minutes;
 - (h)** to exclude the press and public; and
 - (i)** that a Councillor be not further heard or to exclude the Councillor from the meeting.

14.2 At the end of a speech by another Councillor, a Councillor may move without comment the following motions:

- (a) to proceed to next business;
- (b) that the question be now put;
- (c) to adjourn a debate; or
- (d) to adjourn a meeting.

14.3 If a motion to proceed to next business is seconded and the Speaker thinks the item under discussion has been sufficiently discussed, s/he will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

14.4 If a motion that the question be now put is seconded and the Speaker thinks the item has been sufficiently discussed, s/he will put the procedural motion to the vote. If it is passed, s/he will give the mover of the original motion a right of reply before putting her/his motion to the vote.

14.5 If the Speaker considers that the item has not been sufficiently discussed and cannot reasonably be discussed on that occasion, s/he will adjourn the debate or adjourn the meeting without giving the mover of the original motion the right of reply.

14.6 A Councillor may raise a point of order at any time and the Speaker will hear them immediately. A point of order may only relate to the alleged breach of these Council Procedure Rules or the law. The Councillor must indicate the rule or law which must be specified at the outset and the way in which the Councillor considers it has been broken. The ruling of the Speaker on the matter is final.

14.7 A Councillor may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Councillor which may appear to have been misunderstood in the present debate. The ruling of the Speaker on the admissibility of a personal explanation is final.

15. PREVIOUS DECISIONS AND MOTIONS

15.1 A motion to rescind a decision arising from a motion moved and adopted at a Council meeting within the past 6 months cannot be moved unless the notice of motion is signed by at least twenty Councillors.

15.2 A motion or amendment in similar terms to one which has been rejected at a Council meeting within the past six months cannot be

moved unless notice of motion or amendment is given signed by at least twenty Councillors .

15.3 Once a motion or amendment to which this Rule applies has been dealt with, no Councillor can propose a similar motion or amendment within the next four months.

16. VOTING

15.1 The Mayor and all Councillors are entitled to vote unless exempted.

16.1 Unless this Constitution (or the law) provides otherwise, any matter will be decided by simple majority of the Mayor and Councillors present.

16.2 If there are equal numbers of votes for and against, the Speaker will have a second or casting vote. There will be no restriction on how the Speaker chooses to exercise a casting vote.

16.3 Unless a recorded vote is demanded the Speaker will take the vote by a show of hands, or any other of voting method that has been introduced. If there is no dissent this can be by simple affirmation of the meeting. A recorded vote must be requested before a vote is taken.

16.4 If 20 Councillors present at the meeting request it the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

16.5 In relation to any debate at a Budget Council Meeting on the authority's budget and level of the Council Tax to be levied for each financial year, a recorded vote shall take place on any amendment that is put to the vote during that debate and on the substantive motion. Such votes to be undertaken in accordance with Procedure Rule 15.4

16.6 Where any Councillor requests it immediately after a vote, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

16.7 If more nominations are made than there are positions available, the meeting will vote in turn on each nomination separately, in the order in which they were nominated, until the vacant position(s) are filled. Before any vote is taken the Speaker of the Council or person presiding shall establish that each candidate nominated, if present, is willing to stand.

17. PETITIONS

17.1 The Council has adopted a Petition Scheme and which is attached at Appendix 1. All Petitions are considered in accordance with that Scheme.

18. STANDARDS ADVISORY COMMITTEE REPORTS

18.1 The Chair of the Standards Advisory Committee and the Independent Person shall both be entitled to address Council on any report referred to them by the Standards Advisory Committee.

19. EXCLUSION OF THE PUBLIC

19.1 Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules in Part 4.2 of this Constitution or Rule 24 (disturbance by the public).

20. COUNCILLORS' CONDUCT

20.1 When the Speaker of the Council stands during a debate any Councillor(s) then standing must sit down and the Council must be silent.

20.2 If a Councillor persistently disregards the ruling of the Speaker, or behaves inappropriately, offensively, or is deliberately obstructing business, the Councillor will be provided with a warning by the Speaker. If the Councillor continues to behave in any such manner, the Speaker, in consultation with the Chief Executive and the Monitoring Officer, has the authority to order the Councillor in question to leave the meeting.

21. DISTURBANCE BY PUBLIC

21.1 If a member of the Public interrupts proceedings or is otherwise causing an annoyance, the Speaker of the Council will warn the person concerned and, if the interruption continues, will order the person's leave the Council Chamber. This includes behaviour during filming or otherwise recording the Meeting.

21.2 If there is a general disturbance in any part of the Council Chamber open to the public the Speaker of the Council shall order that part to be cleared.

22. FILMING AND RECORDING

- 22.1** Members of the public are permitted to film, audio record, take photographs or make use of social media (tweet/blog) at Council and Committee meetings provided that this does not disturb the business of the meeting. If a person wishes to film a particular meeting, please liaise with the Council Officer listed on the front of the Agenda prior to the start of the meeting so that the Speaker or Chair is aware and those attending the meeting can be made aware of any filming taking place
- 22.2** Filming is to be limited to the formal meeting area and not extend to those in the public seating area.
- 22.3** The filming etc. must be done in such a way that does not cause a breach of health and safety or cause an annoyance. There may also be occasions where those filming may be asked not to film particular individuals where it is considered that there is good reason not to do so and which could allow the meeting to remain open to the press and public. The Speaker/Chair will make the final decision on all matters of dispute in regard to the use of social media audio-recording, photography and filming in the meeting.

23. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

- 23.1** Except where these rules provide otherwise, any of the Council Procedure Rules to which this Rule applies may be suspended for all or part of the business of a meeting at which suspension is moved by a motion.
- 23.2** Such a motion cannot be moved without notice unless at least ½ of the voting Councillors of the meeting are present.
- 23.3** This Rule applies to the Rules 10 to 13.

24. SPECIFIC EXEMPTIONS APPLYING TO OTHER MEETINGS/COMMITTEES AND SUB-COMMITTEES

24.1 General

- (a)** The person presiding at a meeting of any Committee or Sub-Committee may exercise any power or duty of the Speaker of the Council in relation to the proceedings of that meeting. Where these rules apply to meetings of Committees and Sub-Committees, references to the Speaker of the Council also include the Chairs of Committees and Sub-Committees
- (b)** A petition to any Cabinet, Committee or Sub-Committee meeting must relate to an item of business for decision at that meeting. In relation to Overview and Scrutiny Committee meetings this

excludes an item which is listed for Cabinet Agenda pre-decision scrutiny but is not otherwise included on the committee agenda.

- (c) Rules 5 to 9, 13.1 to 13.3, 13.5, 13.6 and 16 to 23 apply to meetings of all Committees and Sub-Committees, except as specifically referred to below.
- (d) As well as allocating seats on Committees and Sub-Committees/Panels, the Council will allocate seats in the same manner for substitute Councillors.
- (e) For each Committee or Sub-Committee/Panel, the Council will appoint up to 3 substitute Councillors, nominated by each relevant Political Group.
- (f) Substitute Councillors will have all the powers and duties of any ordinary Councillor of the Committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.
- (g) Substitute Councillors may attend meetings in that capacity only:
 - (i) to take the place of the ordinary Councillor for whom they are the designated substitute; and
 - (ii) after notifying the Monitoring Officer (or her/his representative at the meeting) by the time scheduled for the start of the meeting of the intended substitution
- (h) A substitute Councillor may, where necessary, take the place of the ordinary Councillor for part of a meeting or for only (a) specific agenda item(s), subject to prior notification as above and subject to any handover between the Councillors taking place at the beginning of a new agenda item.

24.2 Appeals Committee/Sub-Committee, Development and Strategic Development Committees, and Licensing Committee/Sub-Committee

- (a) After sitting for 3 hours, an extension may be agreed for up to a period of up to 1 hour so as to conclude the item/application under consideration, provided that the meeting does not extend beyond 11.30pm in any event.
- (b) Where any items on the agenda that have not been dealt with by the end of the meeting shall be dealt with either at a special meeting of the Committee/Sub-Committee convened to deal with those items or at the next normal meeting of the relevant Committee/Sub-Committee.

24.3 Licensing Committee

- (a) There are no substitutes permitted for the Licensing Committee.
- (b) In the case of a Licensing Committee/Sub-Committee being inquorate after 15 minutes the legal adviser to that such has the

authority to agree an extension of up to an additional 30 minutes to proceed.

LONDON BOROUGH OF TOWER HAMLETS

PETITION SCHEME

1. SUBMITTING A PETITION TO THE COUNCIL

Tower Hamlets Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions are those prepared in the traditional way: a petition organiser creates a paper document that includes a proposed action. Residents physically write their name, address and signature on this document to show their support of the proposed action.

To help you organise paper petition, the Council has prepared a template that is attached as Appendix 3.

Paper petitions can be sent to the Democratic Services Team on the details provided at Section 7 of this Scheme.

e-Petitions are created, signed, and submitted entirely online. The petition organiser uses a website to create their petition and residents can electronically add their name via the website to show their support of the action the petition organiser proposes.

It is recommended that e-petitions are created via the Council's e-petition facility www.towerhamlets.gov.uk/petition. e-petitions created or submitted through third party websites may be accepted if they comply with the provisions of this scheme.

2. GUIDELINES FOR SUBMITTING A PETITION

Petitions submitted to the Council must include:

- A clear and concise statement covering the subject of the petition. This should state what action the petitioners wish the Council to take.
- The names and signatures of each person supporting the petition, together with the full addresses (including postcode) at which they live, work or study in Tower Hamlets.
- Contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be published.
- If the petition does not identify a petition organiser, we will contact the first listed signatory to the petition to agree who should act as the petition organiser.

Scope of Petition. The Corporate Director, Governance may reject a petition if it:

1. is not about a matter for which the local authority has a responsibility or which affects the borough;
2. is defamatory, frivolous; offensive; vexatious, abusive or otherwise inappropriate;
3. is substantially the same as a petition which has been put at a meeting of the Council in the past 6 months;
4. requires the disclosure of confidential or exempt information; or
5. seeks to pursue or further a complaint against the Council, where other channels already exist for the determination of complaints.

In addition, there are some circumstances where petitions will not be dealt with under this Scheme. These include any matters relating to planning or licensing applications; where a separate consultation process is active; or other circumstances which, in the opinion of the Corporate Director, Governance would mean the petitions would better be dealt with using a different Council procedure.

The Council may seek to verify the authenticity of each entry on a petition by reference to existing information such as (where appropriate) the current electoral register or other relevant records. Entries which cannot be verified may not be counted for the purposes of determining whether a petition has exceeded a threshold set out in this scheme.

In the period immediately before an election or referendum, when certain legal restrictions apply, we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.

If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

3. ACTION BY THE COUNCIL ON RECEIPT OF A PETITION

An acknowledgement will be sent to the petition organiser within 10 working days of us receiving the petition. This will let them know what we plan to do with the petition and when they can expect to receive a formal response to it. If the petition needs more investigation, we will tell the petition organiser the steps we plan to take.

If we can do what the petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed.

Petitions will receive a formal response from the relevant Corporate Director within 28 days of receipt. This will usually be the quickest way of addressing the issue.

If however, the petition meets the requirements to be presented/debated at a meeting of Councillors under the provisions of Section 4 of this scheme, the petition will receive a formal response within 28 days from the meeting. If you request this option,

the relevant Corporate Director may still write to you. You may choose not to proceed with presentation at a meeting if you feel their response resolves the matter.

The acknowledgment will confirm when and how your response will be sent and tell you when and where the meeting will take place (if applicable and if known at that stage).

To ensure that people know what we are doing in response to the petitions we receive, the details of all petitions submitted to the Council will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

4. 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 Councillors. There are several ways in which this can be done.

(a) Presentation to a meeting of the Council, Cabinet or relevant committee

If your petition includes the names, addresses and signatures of 30 persons who live, work or study in the borough it can be presented at an ordinary meeting of the Council or to a Council Committee.

The procedure for presenting a petition at full Council or Committee meetings is included in Appendix 1 of this scheme.

Separate to the above provision, the Mayor has agreed a scheme for public engagement at executive meetings (the Cabinet and Cabinet sub-committees), which provides a number of different ways that members of the public can make submissions relating to items on the agenda. The Cabinet public engagement scheme is set out at Appendix 2 of this Scheme.

(b) Debate at a Council Meeting

If your petition includes the names, addresses and signatures of 2,000 persons who live, work or study in the borough, you may request that a debate be held about the petition at a full Council meeting.

The procedure for debating a petition at full Council meetings is included in Appendix 1 of this scheme.

(c) Officer evidence to the Overview and Scrutiny Committee

If your petition includes the names, addresses and signatures of at least 1,000 persons who live, work or study in the borough, you may request that a relevant senior officer give evidence at a public meeting of the Council's Overview and Scrutiny Committee. For example, you may request that a senior officer explain progress on an issue, or the advice given to councillors to enable them to make a

particular decision. The senior officers who may be called to give evidence under this procedure include the Head of the Paid Service (Chief Executive) and any of the Council's statutory or non-statutory Chief Officers (Corporate Directors).

You should be aware that the Overview and Scrutiny Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The Committee will also call the relevant Executive Councillor(s) to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the Chair of the Committee by contacting the Democratic Services team (see Section 7) up to three working days before the meeting.

General guidance on requesting your petition be presented or debated

If you would like your petition to be presented/debated at a meeting, you must submit (1) the petition; (2) a request to present or debate the petition; and (3) any request for additional assistance such as an interpreter, to the Democratic Services Team (see Section 7) by noon, 9 clear working days (not including the day notice is given or the day of the meeting) before the relevant meeting. However, please note that there is likely to be a maximum number of petitions presented at any one meeting and these slots are normally allocated in order of receipt, so early submission is advised.

When determining whether a petition has met or exceeded a threshold set out in this scheme, the Council will only count signatories for which a local connection (i.e. that the signatory either lives, works or studies in Tower Hamlets) can be evidenced from the information supplied. There is a risk that petitions created and/or submitted via third party e-petition websites may not satisfy this criterion so it is strongly recommended that e-petitions are created via the Council's own e-petition facility www.towerhamlets.gov.uk/petition

Similar petitions: In the event that 2 or more petitions which are substantially the same are received from different petition organisers, the Corporate Director, Governance 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.

5. PETITIONS ON NON-COUNCIL FUNCTIONS

If your petition is about something over which the Council has no direct control (for example the local railway or hospital) it is unlikely you will be able to present it to a Council meeting, but we will consider making representations on behalf of the community to the relevant body. The council works with a large number of local partners and where possible may liaise with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this to you.

If your petition is about something that a different authority is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other authority, but could involve other steps. In any event we will notify you of the action we have taken.

You can find more information on the services for which the Council is responsible on our website. www.towerhamlets.gov.uk

In all cases we will provide the written response as set out in Section 3.

6. IF YOU ARE NOT SATISFIED WITH THE COUNCIL'S RESPONSE

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's Overview and Scrutiny Committee review the steps that the Council has taken in response to your petition.

It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.

The Committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the Committee determine the Council has not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council's Mayor (Executive) or arranging for the matter to be considered at a meeting of the full Council.

Once the appeal has been considered the petition organiser will be informed of the outcome within 5 working days. The results of the review will also be published on our website.

7. FURTHER INFORMATION

Should you wish to submit a petition or require any further information, please contact:

Petitions,
Democratic Services,
1st Floor,
Town Hall,
Mulberry Place,
E14 2BG

020 7364 4651

Email: committee.services@towerhamlets.gov.uk

Website: <http://www.towerhamlets.gov.uk/committee>

e-petitions website: <http://www.towerhamlets.gov.uk/petition>

QR code for website:



PROCEDURE FOR HEARING PETITIONS AT MEETINGS OF THE FULL COUNCIL

Agenda order: All petitions received within the deadline (see Section 4 of the Petition Scheme) will be listed on the Council agenda.

The agenda will list 4 petitions as 'to be heard', which will be listed in order of receipt, except that petitions for debate will take precedence. Any petitions listed as 'to be heard' for which the person(s) listed to present are absent, will be noted (see below).

All remaining petitions will be listed as 'to be noted'. These petitions will not be heard and the Speaker will state where they will go for a full response.

Petition presentation procedure (for petitions of between 30 and 1,999 signatures)

1. Up to 3 seats in the public gallery will be reserved for the person(s) presenting each petition. The person(s) presenting the petition must live, work or study within the borough.
2. The person(s) presenting each petition will be invited to speak for up to 3 minutes in total in support of the petition. Additional time will be allowed if an interpreter is used. In this case the interpreter must not use the additional time to introduce new information.
3. Councillors may then ask the petitioners questions for a further 4 minutes;
4. The speaker will invite the Mayor or (at the Mayor's discretion) the relevant Lead Member or Committee Chair to respond to the matters raised for up to 2 minutes.
5. The petition will be referred to the relevant Corporate Director who will respond in writing within 28 days from the date of the meeting.

Petition debate procedure (for petitions in excess of 2,000 signatures):

1. Up to 3 seats in the public gallery will be reserved for the person(s) presenting each petition. The person(s) presenting the petition must live, work or study within the borough.
2. The person(s) presenting each petition will be invited to speak for up to 3 minutes in total in support of the petition. Additional time will be allowed if an interpreter is used. In this case the interpreter must not use the additional time to introduce new information.
3. Councillors may then ask the petitioners questions for a further 4 minutes.

4. The petition will then be debated by Councillors for a maximum of 15 minutes. All speeches are limited to a maximum of 3 minutes. During his or her speech, any Councillor may move a motion for the Council's consideration relevant to matters in the petition (this does not require the suspension of the Council Procedure Rules).
5. Following the debate, the speaker will invite the Mayor or (at the Mayor's discretion) the relevant Lead Member or Committee Chair to respond to the matters raised, for up to 3 minutes.
6. Following the petition debate, any motions moved will be put to the vote in the order they were tabled.
7. If no motion is agreed, the petition will stand referred to the relevant Corporate Director for a written response within 28 days of the meeting.

General guidance on petition hearings at Council meetings

Executive functions: 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/her 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.

Limitation. An individual or group may submit either a petition or a question to the Council, not both. In addition, an individual or group may not submit a petition to a meeting of the Council if that individual or group has previously submitted a question or a petition to either of the previous 2 Council meetings.

PROCEDURE FOR HEARING PETITIONS AT MEETINGS OF THE CABINET

The procedure for hearing petitions at meetings of the Cabinet is contained in the Executive Procedure Rules at Part 4.4 of the Council's Constitution. The relevant provision is replicated below:

Public Engagement at Cabinet

Whilst the main focus of Cabinet is as a decision-making body, there is an opportunity for the public to contribute through making submissions that specifically relate to the reports that are set out on the agenda. Members of the public may therefore make written submissions in any form (for example; Petitions, letters, written questions) and which are to be submitted to the Clerk to Cabinet (whose details are on the Cabinet agenda front sheet) by 5 pm the day before the meeting. The consideration of such written submissions will be at the discretion of whosoever presides at the meeting.

PETITION TEMPLATE

To Democratic Services,
 Tower Hamlets Council
 1st Floor, Town Hall
 Mulberry Place
 London E14 2BG
committee.services@towerhamlets.gov.uk
 020 7364 4207

Petition to Tower Hamlets Council

Dear Democratic Services, please find attached a petition relating to...

...for your attention. The petition statement, which explains what action we would like the Council to take, and the names, addresses and signature of each person supporting the petition, can be found on the attached pages.

Details of petition organiser

Name:	Address:
Email:	Telephone No:


Tick this box if you are also running a linked petition on the Council's website at www.towerhamlets.gov.uk/petition

I believe this petition containssignatures;

Preferred response: I would like (tick 1 ONLY):	
For this petition to be referred to a senior Council officer who will arrange for a response to be sent within 28 days of receipt by the Council;	
To present this petition in person at a future meeting of the Council or a committee <i>[if the petition includes at least 30 valid signatures]</i>	
For this petition to be debated by Councillors at a future meeting of the Council <i>[if the petition includes at least 2,000 valid signatures]</i>	

(note to petition organiser – please complete this cover page in full and print 1 copy. Please complete and then print as many copies of the following signature sheet as you feel necessary. All signature sheets must also include the petition statement. Combine all pages and return to the address above.)

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Decision Report Cover Sheet: Council 22 November 2017	
Report of: Asmat Hussain, Corporate Director, Governance (Cover Report of: Matthew Mannion, Committee Services Manager)	Classification: Unrestricted
Report of the General Purposes Committee: Constitution Review: Member / Officer Relations Protocol	

Originating Officer(s)	Paul Greeno – Senior Corporate and Governance Lawyer (Matthew Mannion, Committee Services Manager (Cover Report))
Wards affected	All Wards

Summary

This report on the review of the Member / Officer Relations Protocol was considered at the General Purposes Committee on Thursday 12 October 2017. The Committee agreed to recommend the updated Protocol to Council for final decision.

As part of the review process the report was also presented to the Standards (Advisory) Committee for noting on Thursday 19 October.

The Report and Appendices are attached to this Cover Sheet.


Recommendations:

The Council is recommended to:

1. Approve the revised Member / Officer Relations' Protocol at Appendix 1 to the report.

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Agenda Item 9.3 – Report of the General Purposes Committee

Non-Executive Report of the: General Purposes Committee 12 th October 2017	
Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer	Classification: Unrestricted
Constitution Review – Member/ Officer Relations’ Protocol	

Originating Officer(s)	Paul Greeno, Senior Corporate and Governance Lawyer
Wards affected	All

Summary

General Purposes Committee on 5th July 2017 agreed to review the Member/Officer Relations’ Protocol. This report presents a revised Member/Officer Relations’ Protocol for recommendation to Council and addresses the Best Value Programme Review Board consideration for a Member to Member protocol.

Recommendations:

The General Purposes Committee is asked to:

1. Recommend to Council for approval the revised draft Member/ Officer Relations’ Protocol at Appendix 1; and
2. Note that revised draft Member/ Officer Relations’ Protocol will also be reviewed at the Standards Advisory Committee on 19th October 2017.

1. REASONS FOR THE DECISIONS

- 1.1 The Member/Officer Relations' Protocol is an important Constitutional document as it is part of the Council's ethical framework. The Protocol aims to define what should be considered a proper working relationship between Councillors and officers as well as the expectations that Councillors can expect in their dealings with each other. It also provides a framework within which confidence in Tower Hamlets decision making can be maintained.

2. ALTERNATIVE OPTIONS

- 2.1 Not to approve the revised Member/ Officer Relations Protocol.

3. DETAILS OF REPORT

- 3.1 This Report is a continuation of papers being presented to the General Purposes Committee Party to update on the review of the Constitution.

- 3.2 The revised Member/ Officer Relations Protocol was discussed at a meeting of the Constitutional Working Party on 22nd June 2017 where the 4 Group Leaders were all present. It was then discussed at General Purposes Committee on 5th July 2017 and it was noted that further redrafting was required to avoid duplication with other Codes/ Protocols within the Constitution. The revised draft Member/ Officer Relations' Protocol is at Appendix 1.

- 3.3 One of the core principles of good governance is that Councillors and officers work together to achieve a common purpose with clearly defined functions and roles:

- Advice to political groups must be given in such a way as to avoid compromising an officer's political neutrality.
- Advice must be confined to Council business, not party business.
- Relationships with a particular party group should not be such as to create public suspicion that an officer favours that group above others.
- Information communicated to an officer by a party group in confidence, should not be communicated to other party groups.

- 3.4 The Protocol has been reviewed and redrafted with the aim of define what should be considered a proper working relationship between Councillors and officers in Tower Hamlets as well as between Councillors themselves and to provide a framework within which confidence in Tower Hamlets decision making can be maintained.

- 3.5 Reasons for suggesting changes to the current Protocol fall into 4 categories:

- (i) Changes that bring the Protocol up to date in terms of legislative context, the organisational structure of the Council and/ or current terminology;

- (ii) Improvements to achieve better consistency with other documents in terms of content and style and structure;
- (iii) The addition of information/ explanation to aide understanding;
- (iv) Material changes to the Protocol.

And the table in Appendix 2 identifies which changes fall into group categories (i) and (ii) or (iii) and (iv).

- 3.6 With regard to the changes, the sections in relation to the General Principles of Conduct, the Statutory Framework; Gifts and Hospitality; and Members and Officers and the Media have been removed as these are more appropriately covered elsewhere and are therefore duplication..
- 3.7 A new section 4 of the Protocol is headed “Councillor to Councillor Expectations”. This has been introduced in response to the Best Value and Strategy Action Plan and the Best Value Theme of Organisational Culture. One of the key items that the Council was looking to achieve was “Effective working relationships between elected members and between elected members and senior officers, to enable all to work together to achieve the best outcomes for Tower Hamlets and its residents”. As part of considering that item, SOLACE was commissioned to run an Organisational Culture Support Programme Solace development work with members and senior officers. Coming out of that was creating improved relationships between councillors of different parties and also to bringing about more positive behaviours in meetings held in public, especially the full Council meetings.
- 3.8 When reported back to the Best Value Programme Review Board, the Board considered that there was a need for a Member to Member Protocol. This has been considered and rather than have a Member to Member Protocol that whilst the Member/ Officer Relations’ Protocol is primarily aimed at the interaction between Councillors and Officers, the same basic principles apply to interactions between Councillors. Councillor to Councillor behaviour could therefore be best addressed by having a section in the Member/ Officer Relations’ protocol setting out what they should be entitled to expect from each other.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The Chief Finance Officer has been consulted on this report and has no additional comments to make; there are no financial implications as a result of the proposed changes to the Constitution set out in this report.

5. LEGAL COMMENTS

- 5.1 Section 9P of the Local Government Act 2000 requires the Council to prepare and keep up to date a Constitution and which is also to contain such information as the Secretary of State may direct. A Constitution Direction (The Local Government Act 2000 (Constitutions) (England) Direction 2000) was issued by the Secretary of State in December 2000 that required a number of matters to be included within Constitutions and which included protocols for managing member/officer relations. The review and adoption of

a revised Member/ Officer Relations' Protocol is therefore in accordance with the Council's statutory responsibility.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 The proposed revisions to the Constitution are intended to address weaknesses regarding efficiency, transparency and accountability. In making the revisions to increase efficiency, transparency and accountability of decision making this should help to achieve the objectives of equality and personal responsibility inherent in One Tower Hamlets.

7. BEST VALUE (BV) IMPLICATIONS

7.1 Whilst the report does not propose any direct expenditure, it is looking to put in place arrangements in the exercise of its functions having regard to efficiency and thereby also economy and effectiveness.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 It is not considered that there are any environmental implications.

9. RISK MANAGEMENT IMPLICATIONS

9.1 This proposed revision of the Constitution is designed to address weaknesses regarding efficiency, transparency and accountability. The overall aim is therefore to reduce risk.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no crime and disorder reductions implications.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- 1 - Draft Revised Member/ Officer Relations' Protocol
- 2 – Table categorising changes

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

PART 5.2 – MEMBER/ OFFICER RELATIONS’ PROTOCOL

CONTENTS

Section	Subject
1	Introduction
2	Roles of Councillors and officers
3	The Relationship between Councillors and officers
4	Councillor to Councillor Expectations
5	Councillors and Legal Action by or against the Council
6	Reports
7	Officer Advice to Party Groups
8	Members’ Services and the Use of Council Facilities
9	Political Assistants
10	Councillors’ Access to Information
11	When things go wrong
12	Review

1. INTRODUCTION

- 1.1** Councillors and officers are indispensable to one another and mutual respect between both is essential for good local government. Together, they bring the critical skills, experience and knowledge required to manage an effective public sector organisation. Councillors provide a democratic mandate to the Council, whereas officers contribute the professional expertise needed to deliver the policy framework agreed by Councillors.
- 1.2** The protocol is part of the Council’s ethical framework and should be read in conjunction with the Council’s Constitution, the Code of Conduct for Members, disciplinary codes which regulate the conduct of officers and other relevant codes and guidance.

- 1.3** This Protocol seeks to define what should be considered a proper working relationship between Councillors and officers in Tower Hamlets and to provide a framework within which confidence in the machinery of local government can be maintained. It contains interpretation and guidance on some of the issues which commonly arise. It cannot cover every matter which will arise in council life but it reflects an approach and sets standards which will serve as a guide to dealing with other issues. It is intended to guide Councillors and officers and explain what they can expect of each other. It also explains what to do when things go wrong.
- 1.4** This protocol also applies to co-opted members of committees and to consultants and agency staff working for the Council, to whom a copy will be supplied.
- 1.5** Councillors appointed to outside bodies or partnership organisations as representatives of Tower Hamlets Council need to be aware that the Code of Conduct for Members applies to these appointments. However, other conduct arrangements of the outside body are likely to exist and, in those circumstances, Councillors should comply with both sets of conduct arrangements, unless the Code of Conduct for Members conflicts with the lawful obligations of the outside body.
- 1.6** A failure to abide by this Protocol by Councillors is likely to be a breach of the Code of Conduct for Members and may result in a complaint being made to the Monitoring Officer. As to officers, a failure to abide by this Protocol may result in a disciplinary action.
- 1.7** Any reference to 'Councillor' or 'Councillors' in this Protocol, or any appendices or related Codes/ Protocols, means the Mayor, elected and co-opted members. This Code applies at all times when Councillors act in their capacity as Councillors (or claim to act or give the impression of acting in their capacity as a Councillor).
- 1.8** 'Officers' and 'staff' mean all persons employed by the Council: whether full or part time; fixed term contract; agency; or consultant.
- 1.9** **A Councillor in need of advice about the application of this Protocol should contact the Monitoring Officer, whereas an officer in need of advice about the application of this Protocol should contact their line manager in the first instance.**

2. ROLES OF COUNCILLORS AND OFFICERS

- 2.1** Councillors and officers are indispensable to one another and mutual respect between both is essential for good local government. Together, they bring

the critical skills, experience and knowledge required to manage an effective public sector organisation but their responsibilities are distinct.

DRAFT

Councillors

- 2.2 Councillors are democratically accountable to residents of their Wards and serve only so long as their term of office lasts. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.
- 2.3 All Councillors have responsibilities to determine the policy of the Council, monitor its performance, represent the Council externally and act as advocates on behalf of their constituents.

Officers

- 2.4 Officers are employed by and are accountable to the Council as a whole. With the exception of Political Assistants and the Mayor's Assistant, officers work to the instructions of their senior officers, not individual Councillors or Political Groups.
- 2.5 Officers manage and provide the Council's services within the framework of responsibilities delegated to them. This includes the effective management of employees and operational issues.
- 2.6 Officers have a duty to keep Councillors of all Political Groups fully informed about developments of significance in relation to council activities

3. THE RELATIONSHIP BETWEEN COUNCILLORS AND OFFICERS

- 3.1 Poor relations between Councillors and officers are counter-productive to good governance and therefore the conduct of Councillors and officers should be such as to instil mutual trust and respect. Councillors and officers should understand and respect each other's roles and responsibilities. These should be reflected in the behaviour and attitude of each to the other, both publicly and privately.

Obtaining or granting favours

- 3.2 The Code of Conduct for Members emphasises the need for Councillors to avoid behaviour which could be viewed as conferring an advantage or disadvantage on an officer. Councillors must not seek personal favours from officers. Officers must not be tempted to give favours to please a Councillor. An example of favour seeking would be asking whether a Councillor's parking ticket could be withdrawn or whether an application for a service could be expedited. Similarly officers must not seek to circumvent agreed staff consultative procedures by lobbying Councillors on matters which directly concern them as employees

Councillor involvement in officer issues

- 3.3** Issues relating to the appointment, management and dismissal of most officers are reserved by law to the Head of Paid Service and officers appointed by him/her. Councillor involvement in employment issues generally, including where they relate to senior officers, is set out in the Local Authorities (Standing Orders) (England) Regulations 2001.
- 3.4** Occasions may arise where officers try to involve Councillors in day-to-day staff/management issues. Councillors should strongly discourage such approaches. Officers should be advised to pursue matters with their management through the established procedures for resolving grievances etc. Officers must not raise matters concerning their employment with individual Councillors; to do so may result in disciplinary action being taken.

Personal Familiarity

- 3.5** Personal familiarity between Councillors and officers can create the suspicion of improper conduct, however unfounded and can undermine public confidence in the Council. Whilst it is clearly important that there should be a close working relationship between officers and Cabinet members or chairs of Committees, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question, the officer's ability to deal impartially with other Councillors and other party groups.
- 3.6** Informal and collaborative two-way contact between Councillors and officers is encouraged; personal familiarity can damage the relationship, as might a family or business connection. It is accepted that some close relationships will develop, particularly when Councillors and officers work closely together but it is important that close relationships between Councillors and officers are openly declared and if any relationship might be seen as unduly influencing their work in their respective roles then they should inform the Monitoring Officer.
- 3.7** It is not enough to avoid actual impropriety, Councillors and officers should always be open about their relationships to avoid any reason for suspicion and any appearance of improper conduct. Where a personal relationship has been disclosed, those concerned should avoid a situation where conflict could be perceived. Specifically, a Councillor should not sit on a body or participate in any decision which directly affects the officer on a personal basis.

Courtesy

- 3.8** Councillors and officers should respect each other's non-working time.
- 3.9** Councillors and officers should be courteous to each other at all times even if they disagree strongly with their respective views. Councillors and officers should not shout or raise their voice in an aggressive or rude manner.

Bullying

- 3.10** Councillors and officers must not bully or harass any person. Bullying may be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour. Such behaviour may happen once or be part of a pattern of behaviour directed at a weaker person or a person whom the Councillor or officer has some actual or perceived influence over. The legitimate challenges which a Councillor or officer can make in scrutinising policy or performance is acceptable.
- 3.11** Poor relations between Councillors and officers can be destructive to good governance. Councillors may from time to time become frustrated by what they regard as unacceptable or incompetent officer behaviour. It is self-evident that sometimes these feelings may be entirely justified although occasionally there may be a legitimate reason why member expectations cannot be met, e.g. because of a council policy or a legal requirement such as confidentiality.
- 3.12** Where a Councillor has a concern about an officer or Council services then this should be made to the Divisional Director of the service where the Councillor feels the fault lies or to the Corporate Director where it involves a Divisional Director personally or to the Chief Executive where it involves a Corporate Director personally. Indeed, Councillors have a duty to raise any issues where they have reason to think that fraud/ probity, corruption or malpractice of any sort is involved within the Council. Councillors should not criticise officers in public as Councillors should bear in mind that officers are instructed not to “answer back” in public. Attacking an officer’s conduct in public can constitute bullying, as will undue pressure brought by either officers or Councillors in private.

Lines of contact between Councillors and officers

- 3.13** Councillors must remember that officers within Directorates are accountable to their Corporate Director. Corporate Directors, through their senior management, are responsible for the allocation and prioritising of work by their staff. Councillors should not seek to influence such decisions.
- 3.14** A Councillor is free to approach any Council Department to provide him/her with such information, explanation and advice about the Department’s functions as s/he may reasonably need as a Councillor. This can range from a request for general information or documentation about some aspect of the Department’s activities, to a request for specific information on behalf of a constituent.
- 3.15** In making such an approach, the request should be made to the Corporate Director or Divisional Director for the Department concerned. If access is denied or the Corporate Director/Divisional Director is in doubt, the matter must be referred to the Monitoring Officer for determination.

- 3.16** Councillors should raise constituents' queries or concerns through the proper channels and not go direct to junior officers. Further in seeking to deal with constituents' queries or concerns, Councillors should not seek to jump the queue, but should respect the Council's procedures. Officers have many pressures on their time and officers may very well not be able to carry out the work required by Councillors in the requested timescale. Councillors should respect this. The Council does operate a Member's Enquiries system (see section 8.1 for more details).
- 3.17** Where Councillors and officers share an office building particular care needs to be taken to maintain appropriate lines of contact. Councillors and officers are reminded that within an open plan office environment certain standards are expected to be maintained. In particular meetings should not be held at workstations, Councillors and officers should use the meeting facilities provided and sensitive or confidential issues should not be discussed in the open plan environment.
- 3.18** Officers within a Directorate are accountable to their Corporate Director and whilst officers should always seek to assist a Councillor, they must not go beyond the bounds of whatever authority they have been given by their Corporate Director.

4. COUNCILLOR TO COUNCILLOR EXPECTATIONS

- 4.1** Whilst this Protocol is primarily aimed at the interaction between Councillors and officers, the same principles apply to interactions between Councillors. Therefore Councillors should be entitled to expect from each other:
- respect, dignity and courtesy;
 - not to be subjected to bullying or personalised attacks;
 - respect for differing political views and values;
 - maintenance of confidentiality;
 - commitment to high standards of debate; and
 - compliance with the Council's Constitution including the Code of Conduct for Members.

5. COUNCILLORS AND LEGAL ACTION BY OR AGAINST THE COUNCIL

- 5.1** There is a whole range of circumstances where the Council as a corporate body may be involved in legal proceedings. This could be against residents or other individuals, organisations and companies, and across the whole range of service areas including housing, planning, highways, etc. Councillors have

a clear role in representing residents' and general public interests. In this representative capacity, Councillors will inevitably become involved in issues where the Council is considering, or is in the process of taking legal action, or where the Council is the defendant to legal actions brought by third parties.

- 5.2** Conflicts of interest may often occur when a Councillor is enquiring on behalf of an individual or body involved in legal action by or against the Council. In such cases, Councillors will be required to balance their representative role with their wider responsibilities in representing the corporate interests of the authority. For this reason, Councillors must be circumspect in any dealing with persons taking action against the Council, or against whom any legal action is being taken. Particularly, Councillors must be extremely cautious about having any dealings with professional representatives, advisers or witnesses in the case. Not only could such intervention prejudice the Council's position but the Councillor could find himself/herself accused of an offence of Misconduct of Public Office or, Perverting the Course of Justice or an attempt or conspiracy to do so.
- 5.3** It is therefore particularly important that Councillors should be sure not only to avoid any actual impropriety, but at all times avoid any occasion for suspicion or any appearance of improper conduct.
- 5.4** In that regard, Councillors must not:
- attempt in any way to exercise improper influence over the legal process in which the Council is involved;
 - attempt to exert improper influence on Council officers involved in the legal process or witnesses in the case;
 - attempt to engage the community to exert improper influence on Council officers involved in the legal process or witnesses in the case.
- 5.5** Whilst Councillors have every right to information on how any such matter is being dealt with and a duty to represent their constituents, Councillors must also realise that the response on behalf of the Council must be limited to comments on process, so as not to prejudice the proceedings.
- 5.6** In respect of any ongoing or contemplated proceedings, all enquiries must be addressed to either the appropriate Divisional Director or Corporate Director. On no account is the Councillor to contact any officers involved in the proceedings to discuss or make any enquiries regarding the proceedings.
- 5.7** If a Councillor believes that the Council's actions or intentions are wrong, s/he should inform the Corporate Director concerned. It must then be for the Corporate Director to determine what action to take. If the Councillor remains unhappy with the action taken, then s/he should refer the matter to the Council's Monitoring Officer or to the Chief Executive.

6. REPORTS

- 6.1** Officers' reports should contain clear, evidence-based advice as to why a course of action is being recommended. From time to time corporate advice is given to officers on report writing and they should take care to follow it. The report should set out all relevant factors for the decision maker, and examine all alternatives in an even handed way. Officers should take care to include even unpopular options if they feel they are relevant.
- 6.2** The relevant Corporate Director will always be fully responsible (and retains ultimate responsibility) for the content of any report submitted in his/her name. Any issues arising between a Councillor and a Corporate Director in this area should be referred to the Monitoring Officer or Chief Executive for resolution.
- 6.3** Councillors have the right to criticise reports or the actions taken by officers, but they should always:-
- seek to avoid personal attacks on officers; and
 - ensure that criticism is constructive and well-founded.
- 6.4** Councillors have the ability to agree or reject proposals placed before them by officers, irrespective of the advice or recommendations made by officers so long as they generally act in good faith and exercise reasonableness in decision-making and specifically:-
- take into account relevant and dismiss irrelevant matters; and
 - do not come to a conclusion that no reasonable authority would come to. Officers must therefore, be able to report to Councillors as they see fit and without any political pressure.
- 6.5** A resolution may be passed at meetings which authorises an officer to take action between meetings after consultation with the Chair/Lead Member/Portfolio Member etc. It is the officer, not the Chair etc., who takes the action and is responsible for it. The Chair etc. does not himself/herself have the power to make decisions between meetings.

7. OFFICER ADVICE TO PARTY GROUPS

- 7.1** It must be recognised by all officers and Councillors that in discharging their duties and responsibilities officers serve the Council as a whole and not exclusively any Political Group, combination of such Groups, or any individual Councillor. Special rules apply to Political Group Assistants and the Mayor's

Assistant and those post holders are made aware of them through separate guidance.

- 7.2** There is statutory recognition for party political groups and it is common practice for such groups to give preliminary consideration to matters of Council business in advance of such matters being considered by the relevant Council decision making body. Senior officers may properly be called upon to support and contribute to such deliberations by political groups but must at all times maintain political neutrality. All officers must, in their dealings with political groups and individual Councillors treat them in a fair and even-handed manner.
- 7.3** The support provided by officers can take many forms, ranging from a briefing meeting with the Mayor, a Cabinet Member/Chair/Spokesperson prior to a Council, Cabinet, Committee or Sub-Committee meeting to a presentation to a political group meeting. Whilst in practice such officer support is likely to be in most demand from whichever political group is in control of the Council at the time, such assistance is available to all political groups.
- 7.4** Certain points, however, must be clearly understood by all those participating in this process, Councillors and officer alike. In particular:
- (i) Requests for officers to attend any political group meeting must be made only to the appropriate member of the Corporate Leadership Team. Normally only that person will attend the meeting, although in exceptional circumstances s/he may be accompanied by one or more Senior officers.
 - (ii) Unless otherwise agreed in advance with the Chief Executive, officers will not attend political group meetings that include persons who are not Councillors. However, where the Chief Executive has authorised such attendance special care needs to be exercised by officers involved in providing information and advice to such political group meetings. Persons who are not elected Councillors will not be bound by the Code of Conduct for Members (in particular, the provisions concerning the declaration of interests and confidentiality) and for this and other reasons officers may not be able to provide the same level of information and advice as they would to a Councillors only meeting.
 - (iii) Officer support (whether in the form of a written report or otherwise) must not extend beyond providing information and advice in relation to matters of Council business. Officer support will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the Authority. Reports or other support will not deal with any political implications of the matter or any option, and officers will not make any recommendations to a political group. Officers (with the exception of Political Group/Mayor's

Assistants) are not expected to be present at meetings or part of meetings when matters of party business are to be discussed.

- (iv) Political group meetings, whilst they form part of the preliminaries to Council decision making are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings do not therefore rank as Council decisions and it is essential that they are not interpreted or acted upon as such.
- (v) It must not be assumed by any political group or Councillor that any officer is supportive of any policy or strategy developed because of that officer's assistance in the formulation of that policy or strategy.
- (vi) Officers must respect the confidentiality of any political group discussions at which they are present in the sense that they should not relay the content of any such discussion to another political group or Councillor thereof. However, Councillors should be aware that this would not prevent officers from disclosing such information to other officers of the Council so far as is necessary to perform their duties.
- (vii) Where officers provide information and advice to a political group meeting in relation to a matter of Council business, it should be understood that the officers have a statutory duty to provide all necessary information and advice to the Mayor or Cabinet or relevant Committee/Sub-Committee when the matter in question is considered.

8. MEMBERS' SERVICES AND THE USE OF COUNCIL FACILITIES

Members' Services and Members' Enquiries

- 8.1** The Council operates a Member's Enquiries system which is for the Mayor and Councillors to use for routine requests for information and advice. The maximum response time expected for such enquiries is 10 working days and officers will chase outstanding enquiries exceeding this period. Matters which are not routine or involve policy should be directed initially to the relevant Corporate Director or Divisional Director or any officer nominated by them.
- 8.2** Both Mayor's Office secretarial staff and the Councillors' Support Team provide assistance to Councillors in their role as Council Members. Staff in these sections may, therefore, be used, as appropriate, to help with work such as casework, meetings and correspondence to do with Council matters. Full details of the service offered are contained in the Members' Services Guide.
- 8.3** The Mayor's Office and Councillor Support Team staff will assist with booking venues for, and publishing details of, Councillors' surgeries. Councillors' surgeries should normally be held within a Councillor's own ward, but Councillors may arrange a surgery in premises outside their ward if this is

necessary to provide suitable surgery facilities for their own constituents. Councillors must not ask Council officers to assist with any personal, business or party political matters; attend surgeries; or decide how case work will be dealt with.

Council Facilities

- 8.4** Councillors must use any Council facilities that are provided in their role as a Councillor strictly for that purpose and no other. For example, Councillors must not use rooms in the Town Hall or other buildings or any of the Council's paper, computers, photocopiers, or printers for any personal, business related or party political matter, nor, for example, on behalf of any community groups of which the Councillor is a member, unless formal approval has been given by the appropriate Corporate Director.
- 8.5** The use of Council facilities and services by Councillors during a pre-election period for election campaigning or political purposes is not allowed. Specific guidance will be issued at that time to both Councillors and officers.
- 8.6** The Council can only provide legal representation to an individual Councillor where the action is taking place in the name of the Council. All such matters should be raised with the Chief Executive in the first instance.

Political Party Workers

- 8.7** Councillors are often assisted by political party workers. There is no objection to this, but no non-elected party worker has any entitlement to:
- information to which a Councillor has access in their role as Mayor or Councillor;
 - use Council facilities provided for the use of Councillors.

The principles which apply to use of facilities provided for Councillors (and the officers employed to assist them) apply equally to all Council property and facilities and all Council employees.

Use of IT

- 8.8** From time to time training and guidelines on the proper and effective use of Council IT resources will be issued.

9. POLITICAL ASSISTANTS

- 9.1** Section 9 of the Local Government and Housing Act, 1989 gives councils a power to appoint political assistants to qualifying political groups. Whilst the Act allows the political affiliation of an individual to be taken into account in the appointment of any Political or Mayor's Assistant, they remain officers of the Council. In this context, it should be realised that officer support to the political groups is in the context of their role in the discharge of Council

business and although it may require liaison with political parties, at both local and national level, should not be used in promoting the views of an individual political party or undertaking campaigning or other party political business.

- 9.2** Political assistants hold politically restricted posts and therefore also face restrictions on their personal political activity.

10. COUNCILLORS' ACCESS TO INFORMATION

General

- 10.1** The following paragraphs identify the rights of Councillors and the procedures that they must comply with when applying for access to Cabinet/Committee/Sub-Committee papers and other documents/information. These paragraphs take into account the following:

- Relevant legislation including the Local Government Act 1972; the Data Protection Act 1998; the Freedom of Information Act 2000; and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (SI 2012/2089)
- Local Government Transparency Code 2015
- Open and accountable local government: plain English guide
- Access to Information Procedure Rules (Part 4.2 of the Constitution)
- Relevant case law

- 10.2** Councillors have the same ordinary rights of access to certain information as is enjoyed by the general public. They also have the right to access any other information (i.e. confidential or exempt) held by the Authority provided that it is reasonably necessary to enable the Councillor to properly perform their duties as a Councillor (see "Need to Know" below). This right of access of additional access may not extend to the publication of or otherwise making public such information as there may be issues of confidentiality.

Access to Committee Papers for Forthcoming Meetings

- 10.3** The rights of Councillors can be summarised as follows:-

- (i) Councillors enjoy the same access rights as members of the public in respect of Part I Cabinet/Committee/Sub-Committee papers.
- (ii) Councillors of the appropriate Cabinet/Committee/Sub-Committee will have a good reason for access to all Part II exempt information on the respective Cabinet/Committee/Sub-Committee agenda under the "Need to Know" principles (see below).

- (iii) Councillors of the Overview and Scrutiny Committee will have a prima facie “Need to Know” where they require access to Part II Cabinet agenda items as part of their scrutiny function provided the subject matter is within the Committee/Sub-Committee’s terms of reference.
- (iv) All other Members who require access to confidential/exempt Cabinet/Committee/Sub-Committee documentation will need to request disclosure under the Freedom of Information Act 2000 or demonstrate a “Need to Know” in accordance with the principles set out below.

Access to Other Documents/Information – “The Need to Know”

- 10.4** It is important to note that in some cases access to information to which the public is not entitled only applies where Councillors are clearly carrying out their role as elected representatives. Where a Councillor has a financial or personal interest in a matter the Councillor will only be entitled to the same access as would be the case for a private individual. In these circumstances, the Councillor must make it clear that s/he is acting in his/her private capacity and not as a Councillor.
- 10.5** Under common law principles Councillors have the right to access information held by the Council where it is reasonably necessary to enable the Councillor to properly perform their duties as a Councillor. This is known as the “Need to Know”. This means that information must not be used for party political purposes.
- 10.6** The common law “Need to Know” is the prima facie right of Councillors to inspect documents of the authority which exist as Councillors are under a duty to keep themselves informed of Council business which relate to their role as elected representatives. Thus, this right applies to Councillors who do not have statutory rights to exempt or confidential information and to other documents held by the Council under local government legislation or the Freedom of Information Act 2000.
- 10.7** For example, a Councillor is likely to have a prima facie “Need to Know” where s/he has a legitimate Ward problem and needs access to the documents that are relevant to that specific problem. Also, for example, a Cabinet Member whose Portfolio covers the matter in question and s/he needs to be aware of what is occurring for the purpose of his/her Cabinet position.
- 10.8** Access to information on the basis of a ‘Need to Know’ does not exist where the Councillor is considered to be “fishing” for information or seeks access for an ulterior/improper purpose (e.g. for a private purpose). Case law has established that mere idle curiosity as to what is in the documentation will not be sufficient.

- 10.9** It should be noted that some material (for example if commercially sensitive) may be redacted from information that is disclosed, if this does not affect the ability of a Councillor to exercise his/her role as an elected representative.
- 10.10** There will also be a range of documents which, because of their nature are either not accessible by Councillors (such as the personal records of an individual) or are accessible only by the political group forming the administration and not by the Councillors of other political groups. An example of this latter category would be draft documents compiled in the context of emerging Council policies and draft Committee reports, the premature disclosure of which might be against the Council's and the public interest.
- 10.11** Whilst the term "Council document" is very broad and includes, for example, any document produced with Council resources, it is accepted by convention that a Councillor of one political group will not have a "Need to Know" and therefore, a right to inspect, a document which forms part of the internal workings of another political group.

Use of Council Information – Confidentiality

- 10.12** Procedural Rules and specific local procedures (e.g. on contracts) require Councillors and officers to maintain confidentiality in certain circumstances. Officers are bound by their contracts of employment and any breach of confidentiality will almost certainly lead to disciplinary action. Officers must distinguish between assisting an elected representative in the course of the Councillor's Council business and dealing with the same person as a client or customer, e.g. a Housing Benefit claimant. In the latter case, officers will treat the Councillor with the same degree of helpfulness, courtesy and confidentiality as would be afforded to any other member of the public in the same situation, and interpret the relevant rules and procedures as they would for any other client or customer.
- 10.13** Equally, any Council information provided to a Councillor on the basis of a 'Need to Know' must only be used by the Councillor for the purpose for which it was provided, i.e. in connection with the proper performance of the Councillor's duties as an elected representative of the Council. Confidential or exempt information provided to Councillors may be discussed in Part II Committee meetings or in private meetings of appropriate Councillors and officers. However, it should not be discussed with, or released to, any other persons. Any information that is provided should be clearly marked as confidential before it is released to Councillors.
- 10.14** In cases where a Councillor discloses information given to him/her in confidence by anyone, or information acquired by the Councillor which s/he believes, or ought reasonably to be aware, is of a confidential nature then that Councillor may find themselves the subject of a complaint to the

Monitoring Officer that they have contravened the Code of Conduct for Members.

- 10.15** Similarly, the unauthorised disclosure of confidential or exempt information is regarded by the authority as a serious disciplinary offence for officers. This includes an unauthorised disclosure to a Councillor.
- 10.16** Any request from a Councillor for information will be treated in confidence by officers and will not be made known to any other Councillor or political group. Officers are also under a duty not to relate any information disclosed privately by a Councillor(s) (e.g. during Part II discussions at Committee, etc., informal briefings, private conversations or Group meetings) to another Councillor, officer or person not already privy to that information.
- 10.17** The duty of officers to observe a Councillor's confidence however will not apply if the information disclosed relates to something which could severely damage the Council or which is illegal or constitutes maladministration. In this event the matter will be referred to the appropriate Corporate Director and/or Monitoring Officer and Chief Executive for further investigation and action as appropriate.

11. WHEN THINGS GO WRONG

Procedure for officers

- 11.1** If an officer has a complaint about a Councillor it is always preferable to resolve matters informally, through an appropriate senior manager. If the matter cannot be resolved informally or it is not suitable for such then officers can make a complaint to the Monitoring Officer.

Procedure for Councillors

- 11.2** If a Councillor has a concern about the conduct or capability of an officer, s/he should raise the matter privately with the appropriate Divisional Director or Corporate Director. Any concern about a Corporate Director should be raised privately with the Chief Executive. Any concern about the Chief Executive should be raised privately with the Monitoring Officer.

12. REVIEW

- 12.1** The Monitoring Officer will keep this Protocol under review and make recommendations for changes as appropriate. A review will take place annually in any event.

Appendix 2

Changes to improve quality/clarity of information or explanation		Additional/ Material changes to the Protocol	
Current Version	Proposed New Version	Current Version	Proposed New Version
<p>1. Introduction</p> <p>6. Officers and Party Political Groups</p> <p>9. Members' Access to Information</p> <p>10. Members' Services and the Use of Council Facilities</p>	<p>1. Introduction</p> <p>7. Officer Advice to Party Groups</p> <p>10. Councillors' Access to Information</p> <p>8. Members' Services and the Use of Council Facilities</p>	<p>4. Members' Roles and Responsibilities</p> <p>5. Officers' Roles and Responsibilities</p> <p>7. Members' and Officers' Interests</p> <p>11. Recruitment, Appointments and other Staffing Matters</p> <p>12. Members and Officers and the media</p>	<p>2. Roles of Councillors and Officers</p> <p>3. The Relationship between Councillors and officers</p> <p>4. Councillor to Councillor Expectations</p> <p>9. Political Assistants</p> <p>11. When things go wrong</p> <p>12. Review</p>

Decision Report Cover Sheet: Council 22 November 2017	 TOWER HAMLETS
Report of: Zena Cooke, Corporate Director, Resources (Cover Report of: Matthew Mannion, Committee Services Manager)	Classification: Unrestricted
Treasury Management Mid-Year Report (April 2017 - September 2017)	

Originating Officer(s)	Bola Tobun – Investment & Treasury Manager (Matthew Mannion, Committee Services Manager (Cover Report))
Wards affected	All Wards

Summary

The Treasury Management Mid-Year Report for 2017/18 was presented to the Audit Committee on Thursday 16 November 2017 for noting. It is now presented to Council also for noting.

The Report and Appendices are attached to this Cover Sheet.

Recommendations:

The Council is recommended to:

1. Note the contents of the treasury management activities and performance against targets for half year ending 30th September 2017;
2. Note the Council’s outstanding investments which amount to £447.1m at 30th September 2017 (appendix 2 to the report);
3. Note the potential impact on the Council of becoming a retail client with effect from 3rd January 2018 as set out at section 3.7 of the report; and
4. Note the protections available to retail clients that the Council will forgo as a result of opting up to professional client (appendix 4 to the report).

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Agenda Item 9.4 Report of the Audit Committee

Non-Executive Report of the: Audit Committee 16 November 2017	 TOWER HAMLETS
Report of: Zena Cooke, Corporate Director, Resources	Classification: Unrestricted
Treasury Management Mid-Year Report (April 2017 - September 2017)	

Originating Officer(s)	Bola Tobun – Investment & Treasury Manager
Wards affected	All Wards

Summary

This report advises the Committee of the Council’s borrowing and investment activities from 1st April 2017 to 30th September 2017. The Treasury Management Strategy Statement and the Treasury Prudential Indicators, for 2017/18 were approved by the Council on 22nd February 2017 as required by the Local Government Act 2003. The Council has invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk are therefore central to the Council’s treasury management strategy.

For this reporting period, the Council earned an average return of 0.53% on its lending, outperforming the actual rolling average 7 day LIBID rate of 0.11%.

Over the reporting period, all treasury management activities have been carried out in accordance with the approved limits and the prudential indicators set out in the Council’s Treasury Management Strategy statement. No long-term or short-term borrowing has been raised since the commencement of this financial year 2017/18 to reporting period.

Recommendations:

Members are recommended to:

- note the contents of the treasury management activities and performance against targets for half year ending 30th September 2017;
- note the Council’s outstanding investments which amount to £447.1m at 30th September 2017 (appendix 2);
- note the potential impact on the Council of becoming a retail client with effect from 3rd January 2018 as set out at section 3.7; and
- note the protections available to retail clients that the Council will forgo as a result of opting up to professional client (appendix 4).

1. REASONS FOR THE DECISIONS

- 1.1 The Local Government Act 2003 and the Local Authorities (Capital Financing and Accounting) Regulations 2003 requires that regular reports be submitted to Council/Committee detailing the council's treasury management activities.
- 1.2 This report updates on both the borrowing and investment decisions made by Corporate Director, Resources under delegated authority in the context of prevailing economic conditions and considers Treasury Management performance measured against the benchmark 7 day LIBID rate.
- 1.3 Treasury management is defined as "the management of the Council's investments and cash flows; its banking, money market and capital market transaction; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.
- 1.4 The regular reporting of treasury management activities should assist in ensuring that Members are able to scrutinise officer decisions and monitor progress on implementation of investment strategy as approved by Full Council.
- 1.5 The Council also agreed as part of the Treasury Management Strategy Statement to receive a number of reports. Furthermore, the CIPFA Treasury Management Code of Practice requires that Full Council/Committee should receive a Mid-Year Report reviewing Treasury Management/Investment.

2. ALTERNATIVE OPTIONS

- 2.1 The Council is bound by legislation to have regard to the Treasury Management (TM) Code. The Code requires that the Council or a sub-committee of the Council (Audit Committee) should receive regular monitoring reports on treasury management activities.
- 2.2 If the Council were to deviate from those requirements, there would need to be some good reason for doing so. It is not considered that there is any such reason, having regard to the need to ensure that Members are kept informed about treasury management activities and to ensure that these activities are in line with the investment strategy approved by the Council.
- 2.3 Within reason, the Council can vary its treasury management strategy having regard to its own views about its appetite for risk in relation to the financial returns required.

3. DETAILS OF REPORT

- 3.1 The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 require local authorities to have regard to the Treasury Management Code. The Treasury Management code requires that the Council or a sub-committee of the Council (Audit Committee) should receive regular monitoring reports on treasury management activities and risks.

3.2 The Treasury Management Strategy, Investment Strategy and Minimum Revenue Provision reports were included in the Budget Pack that was presented to Full Council on 22 February 2017. The 2016/17 Outturn report was approved by Full Council on 21 July 2017.

3.3 This mid - year report has been prepared in compliance with CIPFA’s Code of Practice, and covers the following:

- Interest Rate Forecast for the next six months of 2017/18.
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy, which constitutes the following:
 - The Council’s borrowing strategy for 2017/18.
 - The Council’s investment strategy for 2017/18.
 - The Council’s investment portfolio for 2017/18.
 - The Council’s capital expenditure (prudential indicators).
 - A review of compliance with Treasury and Prudential Limits for 2017/18.

3.4 **Interest Rate Forecast** - The Council’s newly appointed treasury advisor, Arlingclose, has provided the following forecast:

3.4.1 The UK economy faces a challenging outlook as the minority government continues to negotiate the country's exit from the European Union. Both consumer and business confidence remain subdued. Household consumption growth, the driver of UK GDP growth, has softened following a contraction in real wages. Savings rates are at an all-time low and real earnings growth (i.e. after inflation) struggles in the face of higher inflation.

3.4.2 The Bank of England’s Monetary Policy Committee has changed its rhetoric, implying a rise in Bank Rate in "the coming months". Arlingclose is not convinced the UK’s economic outlook justifies such a move at this stage, but the Bank’s interpretation of the data seems to have shifted.

3.4.3 This decision is still very data dependant and Arlingclose is, for now, maintaining its central case for Bank Rate at 0.25% whilst introducing near-term upside risks to the forecast as shown below. Arlingclose’s central case is for gilt yields to remain broadly stable in the across the medium term, but there may be near term volatility due to shifts in interest rate expectations.

	Dec-17	Mar-18	Jun-18	Sep-18	Dec-18	Mar-19	Jun-19	Sep-19	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20
Official Bank Rate													
Upside risk	0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Arlingclose Central Case	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25
Downside risk	0.00	0.00	0.00	0.00	0.00	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25

3.5 Treasury Management Strategy 2017/18

- 3.5.1 The Council's Treasury Management Strategy was approved on 22nd February 2017 by Full Council. The Strategy comprehensively outlines how the treasury function will operate throughout the financial year 2017/18 including the limits and criteria for selecting institutions to be used for the investment of surplus cash and the Council's policy on long-term borrowing and limits on debt.
- 3.5.2 All investments made from the start of the year up to 30th September have been with counterparties on the Council's approved lending list.
- 3.5.3 The Pension Fund cash balances fluctuated between £15m and £140m during the reporting period. This was as a result of the following activities; £50m redeemed in May 2017 and £75m redeemed in August 2017 from the GMO portfolio and £15m in-house working capital. The cash was invested in accordance with the Council's Treasury Management Strategy agreed by Full Council on the 22nd February 2017, under the delegated authority of the Corporate Director, Resources and was managed in-line with the agreed parameters. The cash balance outstanding at 30th September 2017 was £6.5m as a result of £140m being transferred to a fund manager (LCIV) for investments. Pensions Committee is updated on Pension Fund investment activity on a quarterly basis.
- 3.5.4 On 31st March 2017, the Council had net investments of £361m arising from its revenue and capital income and expenditure. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors are summarised in table 1 below.

Table 1: Balance Sheet Summary

	31st March 2017 Actual £m
General Fund CFR	206.037
HRA CFR	75.666
Total CFR	281.703
Less: Other debt liabilities *	(36.304)
Borrowing CFR	245.399
Less: Usable reserves	(478.489)
Less: Working capital	(128.274)
Net (investments)	(361.364)

* finance leases, PFI liabilities and transferred debt that form part of the Council's total debt

- 3.5.5 The Council's current strategy is to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low. The treasury management position as at 30th September 2017 and the change in the quarter is show in table 2 below.

Table 2: Treasury Management Summary

	31.03.17 Balance £m	Mid -Year Movement £m	30.09.17 Balance £m	30.09.17 Rate %
Long-term borrowing	85.936	(0.000)	85.936	4.55
Short-term borrowing	00.000	0.000	0.000	
Total borrowing	85.936	(0.000)	85.936	4.55
Long-term investments	25.000	(5.000)	20.000	
Short-term investments	295.500	(44.500)	251.000	
Cash and cash equivalents	126.800	49.300	176.100	
Total investments	447.300	(0.200)	447.100	0.53
Net investments	361.364		361.164	

Due to unfavourable interest rates offered by Local Authorities, investments that were with other LAs which have matured were reinvested in money market funds (MMF) pending better opportunities in the market.

Borrowing Strategy during the half year

- 3.5.6 The Council held £85.936m of loans at 30th September 2017 which is the same position as at 31st March 2017. No borrowing has been undertaken and also no debt rescheduling opportunities have arisen during this financial year as the cost of premiums outweighs savings that could be made from the lower PWLB borrowing rates. The borrowing position as at 30th September is show in table 3 below.

Table 3: Borrowing Position

	30.09.17 Balance £m	30.09.17 Rate %	30.09.17 WAM* years
Public Works Loan Board	8.436	6.64	7.7
Banks (LOBO)	60.000	4.32	42.6
Banks (fixed-term)	17.500	4.34	60.1
Total borrowing	85.936	4.55	42.7

*Weighted average maturity

- 3.5.7 The Council takes a low risk approach to its borrowing strategy. This means that the principal objective when borrowing has been to strike an appropriate balance between securing low interest costs and achieving cost certainty over the period for which funds are required. The secondary objective being to have flexibility to renegotiate loans should the Council's long-term plans change.

- 3.5.8 Over the first six months of this financial year no new borrowing was undertaken and no maturity of existing loans occurred hence there is no loans replacement. This strategy enabled the Council to reduce its net borrowing costs (despite foregone investment income) and reduce the overall risk.
- 3.5.9 The “cost of carry” analysis performed by Arlingclose did not indicate any value in borrowing in advance for future years’ planned expenditure and therefore no borrowing has been undertaken at this stage of the year.
- 3.5.10 The Council continues to hold £60m of LOBO (Lender’s Option Borrower’s Option) loans where the lender has the option to propose an increase in the interest rate at set dates. The Council has the option to either accept the new rate or to repay the loan at no additional cost. No banks exercised their option during the first six months of this financial year.

Investment Activity

- 3.5.11 The Council holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. During the first half of 2017/18, the Council’s investment balance ranged between £437m to £502 million due to timing differences between income and expenditure. The investment position during the quarter is shown in table 4 below.

Table 4: Investment Position

	31.03.17 Balance £m	Mid-Year Movement £m	30.09.17 Balance £m
Banks & building societies (unsecured)	240.000	(5.000)	235.000
Government (incl. local authorities)	165.500	0.500	166.000
Money Market Funds	41.800	4.300	46.100
Total investments	447.300	(0.200)	447.100

*Weighted average maturity

Performance Report

- 3.5.12 The Council measures the financial performance of its treasury management activities both in terms of its impact on the revenue budget and its relationship to benchmark interest rates, as shown in table 5 below.
- 3.5.13 As illustrated below in table 5, the Council outperformed the benchmark by **30bps** for reporting period. The Council’s budgeted investment return for 2017/18 is **45bps** (0.45%) with average cash balance of £350m, the performance for the year to reporting period is **53bps** with average cash balance of £435m, the performance to reporting period is **8bps** (0.08%) ahead of budget. Also the average cash balance is £85m more than budget balance for 2017/18.

Table 5: Investment performance for financial year to 30th September 2017

Period	Benchmark Return	LBTH Performance	Over/(Under) Performance
Full Year 2016/2017	0.30%	0.63%	0.33%
Quarter 1	0.11%	0.42%	0.31%
Quarter 2	0.11%	0.53%	0.42%
2017/18 Year to Period	0.11%	0.53%	0.42%

- 3.5.14 Investment rates available in the market have been ultra-low since August 2016 when the MPC pegged the Base Rate at 0.25%. The cash balance available for investment purposes during this first six months fluctuated between £430m and £502m. These funds were available on a temporary basis, and the level of funds available was mainly dependent on the timing of precept payments, receipt of grants and progress on the Capital Programme.

Investments Outstanding & Maturity Structure

- 3.5.15 Table 6 below shows the amount of investments outstanding at the end of September 2017, split according to the financial sector.

FINANCIAL SECTOR	£m	%
Banks in the UK	55.00	12.30
Building Societies in the UK	20.00	4.47
Banks in the Rest of the World	160.00	35.79
Government & Local Authorities	166.00	37.13
Money Market Funds	46.10	10.31
Investments Outstanding as at 30/09/2017	447.10	100.00

- 3.5.16 The chart 1 below illustrates the maturity structure of deposits at 30th September 2017; we have £46.10m as overnight deposits, and this is predominantly Money Market Funds.
- 3.5.17 The Weighted Average Maturity for outstanding investment portfolio is 149 days; this is the average number of outstanding days to maturity of each deal from 30th September 2017. This indicates a very low number of investments over 12 months.

Chart 1 – Maturity of Investment Portfolio as at 30th September 2017

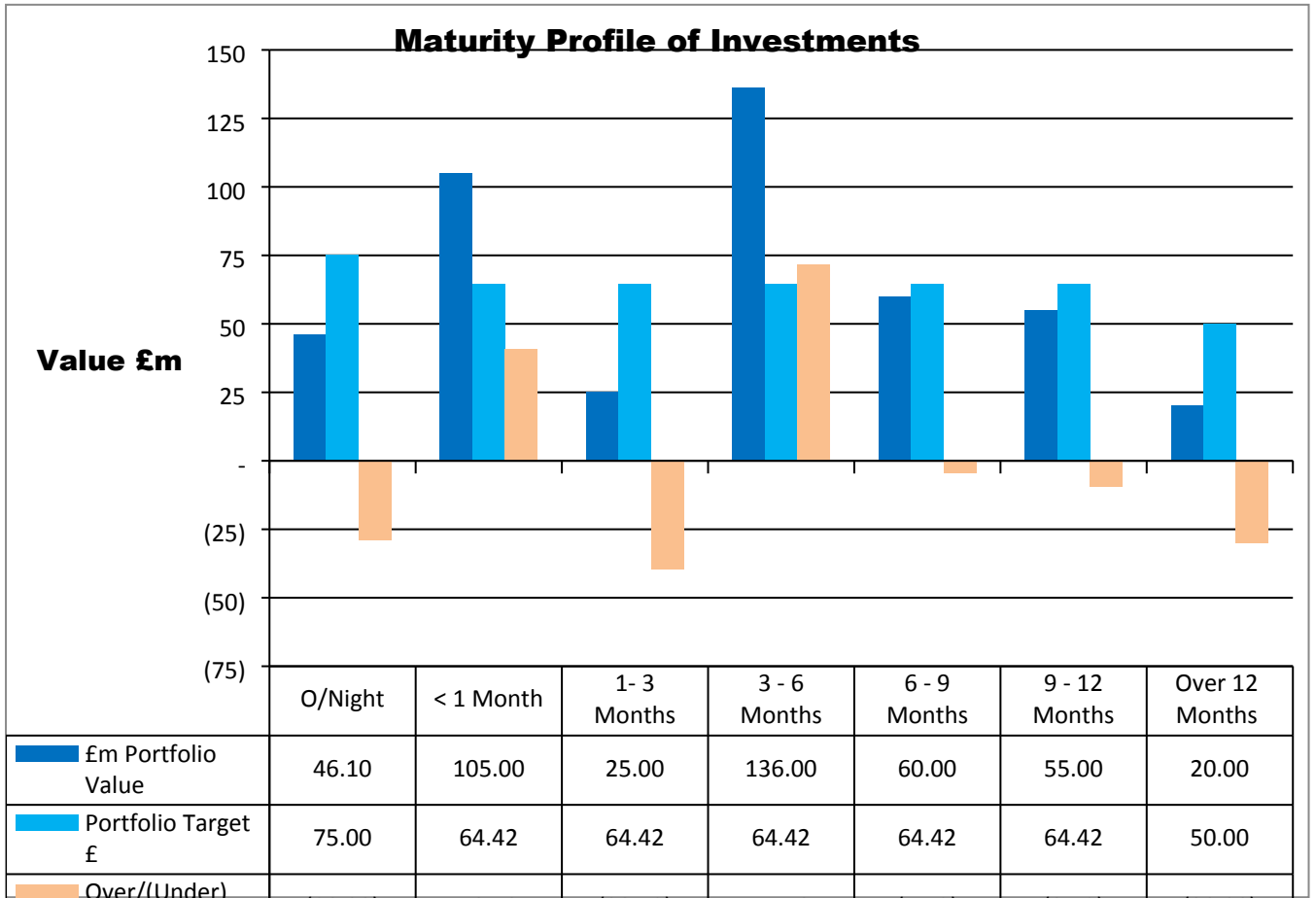
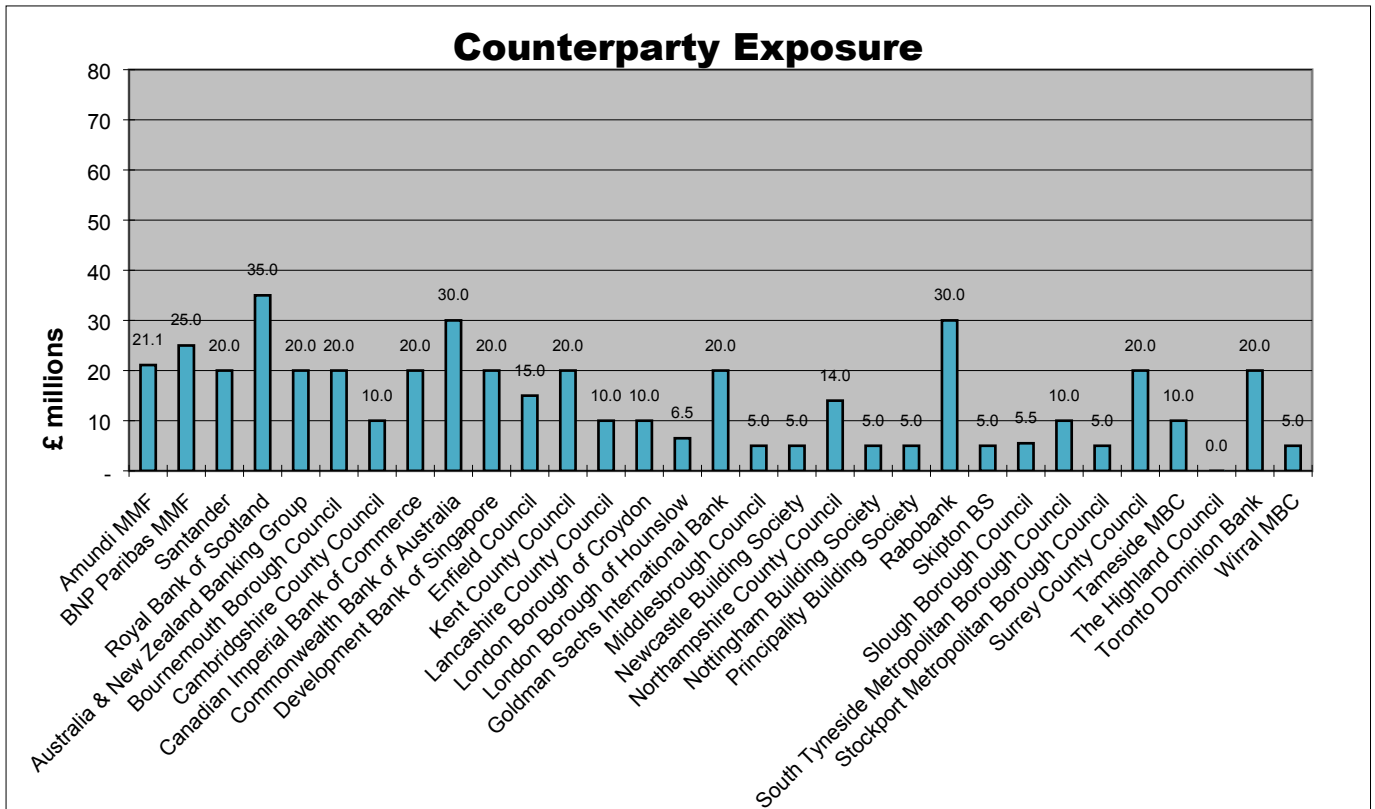


Chart 2 – Counterparty Exposure as at 30th September 2017



3.5.18 The chart 2 above shows the deposits outstanding with authorised counterparties as at 30th September 2017, of which 7.83% (£35m) were with RBS. The deals were executed when this institution was classified as part-nationalised bank. We are currently reviewing the classification of RBS Group as a part nationalised bank and the credit worthiness awarded to this institution under this tag.

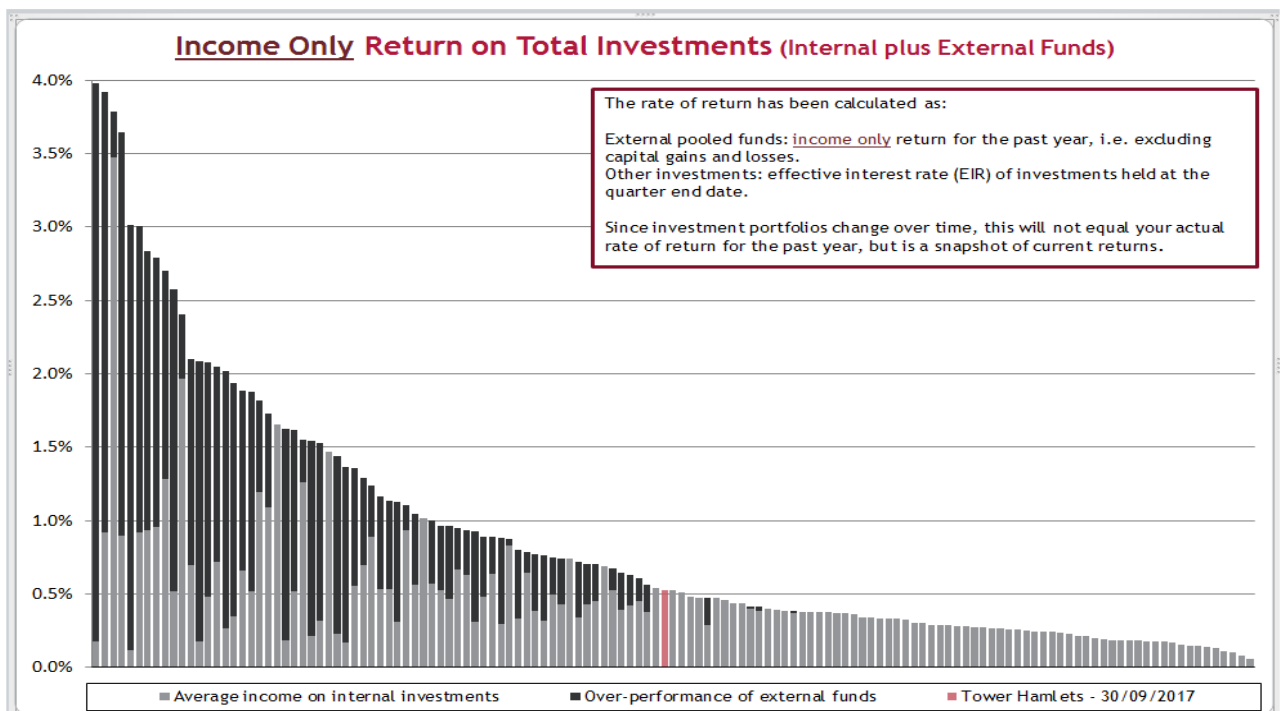
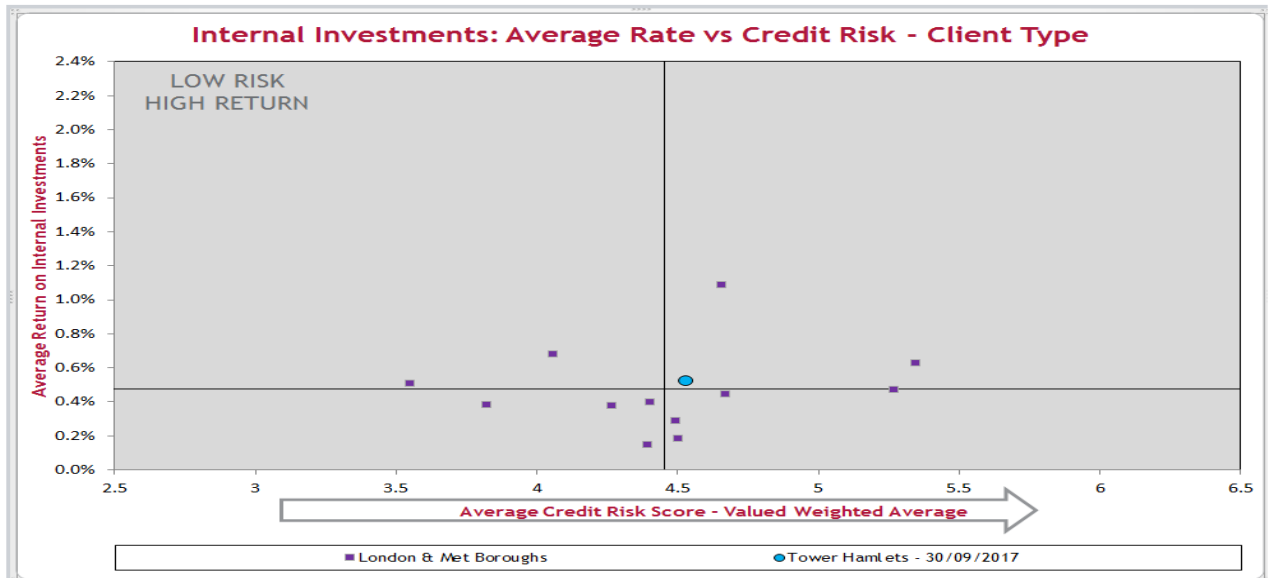
3.5.19 Both the CIPFA Code and government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Council’s objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

3.5.20 Given the increasing risk and falling returns from short-term unsecured bank investments, the Council is looking to further diversify its investment portfolio into more secure and/or higher yielding asset classes. There is currently £200m that is available for longer-term investment and this will be moved from local authorities, bank and building society deposits into covered bonds, corporate bonds and also into pooled property/bond/equity funds. This action will diversify the investment risk and as a consequence, the average rate of return of investment will increase. The progression of risk and return metrics are shown in table 5 and the charts below, extracts from Arlingclose’s quarterly investment benchmarking report.

Table 5: Investment Benchmarking

	Credit Score	Credit Rating	Bail-in Exposure	WAM* (days)	Internal Investments	Rate of Return
--	--------------	---------------	------------------	-------------	----------------------	----------------

31.03.2017	4.44	A+	46%	91	£447.3m	0.61%
30.06.2017	4.78	A+	72%	79	£501.9m	0.42%
30.09.2017	4.53	A+	38%	149	£447.1m	0.53%
Similar LAs	4.45	AA-	63%	137	£102.9m	0.48%
All LAs	4.44	AA-	64%	40	£63.5m	0.48%



3.6 **Compliance Report**

3.6.1 The Corporate Director, Resources is pleased to report that all treasury management activities undertaken during the first half of 2017/18 complied fully with the CIPFA Code of Practice and the Council's approved Treasury Management Strategy.

3.6.2 Compliance with the authorised limit and operational boundary for external debt is demonstrated in table 8 below.

Table 8: Debt Limits

	2017/18 Forecast	30.9.17 Actual	2017/18 Operational Boundary	2017/18 Authorised Limit	Complied
Borrowing	90.833	85.936	245.299	265.256	✓
PFI & finance leases	34.957	34.957	34.957	35.000	✓
Total debt	125.790	120.893	280.256	300.256	✓

3.6.3 Since the operational boundary is a management tool for in-year monitoring it is not significant if the operational boundary is breached on occasions due to variations in cash flow, and this is not counted as a compliance failure.

3.7 **Treasury Management Indicators**

3.7.1 The Council measures and manages its exposures to treasury management risks using the following indicators.

3.7.2 **Security:** The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating and credit score of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

	30.09.17 Actual	2017/18 Target	Complied
Portfolio average credit rating	A+	A-	✓
Portfolio average credit score	4.66	N/A	✓

3.7.3 **Liquidity:** The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three month period, without additional borrowing.

	30.09.17 Actual	2017/18 Target	Complied
Total cash available within [3] months	£176.10m	£75m	✓
Total sum borrowed in past [3] months without prior notice	nil	nil	✓

3.7.4 **Interest Rate Exposures:** This indicator is set to control the Council's exposure to interest rate risk. The upper limits on fixed and variable rate interest rate exposures, expressed as [the amount / the proportion] of net [principal borrowed / interest payable] which is:

	2017/18 Maximum	2017/18 Limit	Complied
Upper limit on fixed interest rate exposure		100%	✓
Upper limit on variable interest rate exposure		20%	✓

3.7.5 Fixed rate investments and borrowings are those where the rate of interest is fixed for at least 12 months, measured from the start of the financial year or the transaction date if later. All other instruments are classed as variable rate.

3.7.6 **Maturity Structure of Borrowing:** This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of fixed rate borrowing were:

	30.09.17 Actual	Upper Limit	Lower Limit	Complied
Under 12 months	£0.970m	10%	0%	✓
12 months and within 24 months	£1.673m	30%	0%	✓
24 months and within 5 years	£3.421m	40%	0%	✓
5 years and within 10 years	£1.163m	80%	0%	✓
10 years and above*	£78.709m	100%	0%	✓

*This includes £60m LOBO with maturity date over 60 years and it could be call for repayment within the next 6 months following the last interest payment date ,but there is a very slim chance of this happening hence it is included in this category

3.7.7 Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

3.7.8 **Principal Sums Invested for Periods Longer than 364 days:** The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end were:

	2017/18	2018/19	2019/20
Actual principal invested beyond year end	£20m	£20m	Nil
Limit on principal invested beyond year end	£100m	£100m	£100m
Complied	✓	✓	✓

3.8 **Regulatory Update - MiFID**

3.8.1 Under the current UK regime, local authorities are automatically categorised as 'per se professional' clients in respect of non Markets in Financial Instrument Directive (MiFID) scope business and are categorised as 'per se professional' clients for MiFID scope business if they satisfy the MiFID Large Undertakings test. Local authorities that do not satisfy the Large Undertakings test may opt up to elective professional client status if they fulfil certain 'opt-up criteria'.

- 3.8.2 Following the introduction of the Markets in Financial Instrument Directive 2014/65 (“MiFID II”) from 3 January 2018, firms will no longer be able to categorise a local public authority or a municipality that (in either case) does not manage public debt (“local authority”) as a ‘per se professional’ client or elective eligible counterparty (ECP) for both MiFID and non-MiFID scope business. Instead, all local authorities must be classified as “retail clients” unless they are opted up by firms to an ‘elective professional client’ status.
- 3.8.3 Furthermore, the FCA has exercised its discretion to adopt gold-plated opt-up criteria for the purposes of the quantitative opt-up criteria, which local authority clients must satisfy in order for firms to reclassify them as an elective professional client.

Potential impact

- 3.8.4 A move to retail client status would mean that all financial services firms like banks, brokers, financial institutions, advisers and fund managers will have to treat local authorities the same way they do non-professional individuals and small businesses. That includes a raft of protections ensuring that investment products are suitable for the customer’s needs, and that all the risks and features have been fully explained. This provides a higher standard of protection for the client but it also involves more work and potential cost for both the firm and the client, for the purpose of proving to the regulator that all such requirements have been met.
- 3.8.5 Such protections would come at the price of local authorities not being able to access the wide range of assets needed to implement an effective, diversified investment strategy. Retail status would significantly restrict the range of financial institutions and instruments available to authorities.
- 3.8.6 Even if the institution secures the ability to deal with retail clients, the range of instruments it can make available to the client will be limited to those defined under Financial Conduct Authority (FCA) rules as ‘non-complex’. In many cases managers will no longer be able to even discuss (‘promote’) certain asset classes and vehicles with the authority as a retail client.

Election for professional client status

- 3.8.7 MiFID II allows for retail clients that meet certain conditions to elect to be treated as professional clients (to ‘opt up’). There are two tests which must be met by the client when being assessed by the financial institution: the quantitative and the qualitative test.
- 3.8.8 The Local Government Pension Scheme Advisory Board (SAB) and the Local Government Association (LGA) along with the Department of Communities and Local Government (DCLG) and the Investment Association (IA) have successfully lobbied the FCA to make the test better fitted to the unique situation of local authorities.
- 3.8.9 The election to professional status must be completed with all financial institutions prior to the change of status on 3rd January 2018. Failure to do so by local authorities will result in the financial institution having to take ‘appropriate action’

which could include a termination of the relationship at a significant financial risk to the authority.

- 3.8.10 The SAB and the LGA have worked with industry representative bodies including the IA, the British Venture Capital Association (BVCA) and others to develop a standard opt-up process with letter and information templates. This process should enable a consistent approach to assessment and prevent authorities from having to submit a variety of information in different formats.
- 3.8.11 Applications can be made in respect of either all of the services offered by the institution (even if not already being accessed) or a particular service only. Tower Hamlets Council may wish to do the latter where the institution offers a wide range of complex instruments which the authority does not currently use and there is no intention to use the institution again once the current relationship has come to an end.
- 3.8.12 Authorities are not required to renew elections on a regular basis but will be required to review the information provided in the opt-up process and notify all institutions of any changes in circumstances which could affect their status.

Next Steps

- 3.8.13 In order to continue to effectively implement the authority's treasury management strategy after 3rd January 2018, applications for election to be treated as a professional client will be submitted to all financial institutions with whom the Council has an existing or potential relationship in relation to its investments.
- 3.8.14 Appendix 3 sets out the opt-up process flowchart that the Council has been following. We have started the opting up process with our existing counterparties since September 2017, this is to ensure will obtain the professional client status confirmation from the counterparties in good time so we can continue to operate an effective treasury investment strategy.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1 The report informs the Committee of the treasury management activities, the financial implications are contained throughout the report.
- 4.2 The Council held an outstanding internally managed investments portfolio of £447.1m as at 30th September 2017. This portfolio earned an average rate of return of 0.53%. The comparable performance indicator is the average 7-day LIBID rate, which returned 0.11%.
- 4.3 The investment income budget for 2017/18 is £2.525m and the current forecast is that this will be achieved.

5. LEGAL COMMENTS

- 5.1 The Local Government Act 2003 provides a framework for the capital finance of local authorities. It provides a power to borrow and imposes a duty on local authorities to determine an affordable borrowing limit. It provides a power to invest. Fundamental to the operation of the scheme is an understanding that authorities will have regard to proper accounting practices recommended by the

Chartered Institute of Public Finance and Accountancy (CIPFA) in carrying out capital finance functions.

- 5.2 The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 require the Council to have regard to the CIPFA publication “Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes” (“the Treasury Management Code”) in carrying out capital finance functions under the Local Government Act 2003.
- 5.3 This noting report of the Corporate Director, Resources advises the Committee of the Council’s borrowing and investment activities from 1st April 2017 to 30th September 2017 and is consistent with the key principles expressed in the Treasury Management Code. The Corporate Director Resources has responsibility for overseeing the proper administration of the Council’s financial affairs, as required by section 151 of the Local Government Act 1972 and is the appropriate officer to advise in relation to these matters.
- 5.4 When considering its approach to the treasury management matters set out in the report, 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 don’t (the public sector equality duty).

6 ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 Capital investment will contribute to achievement of the corporate objectives, including all those relating to equalities and achieving One Tower Hamlets. Establishing the statutory policy statements required facilitates the capital investments and ensures that it is prudent.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The Treasury Management Strategy and Investment Strategy and the arrangements put in place to monitor them should ensure that the Council optimises the use of its monetary resources within the constraints placed on the Council by statute, appropriate management of risk and operational requirements.
- 7.2 Assessment of value for money is achieved through:
- Monitoring against benchmarks
 - Operating within budget

8 SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no sustainable actions for a greener environment implication.

9 RISK MANAGEMENT IMPLICATIONS

- 9.1 There is inevitably a degree of risk inherent in all treasury activity.
- 9.2 The Investment Strategy identifies the risk associated with different classes of investment instruments and sets the parameters within which treasury activities can be undertaken and controls and processes appropriate for that risk.

9.3 Treasury operations are undertaken by nominated officers within the parameters prescribed by the Treasury Management Policy Statement as approved by the Council.

9.4 The Council is ultimately responsible for risk management in relation to its treasury activities. However, in determining the risk and appropriate controls to put in place the Council has obtained independent advice from Capita Treasury Services who specialise in Council treasury issues.

10 **CRIME AND DISORDER REDUCTION IMPLICATIONS**

10.1 There are no any crime and disorder reduction implications arising from this report.

APPENDICES

Appendix 1 – Economic, Financial and Credit Commentary for the Period

Appendix 2 – Investments Outstanding at 30 September 2017

Appendix 3 – Opt up process flowchart

Appendix 4 – Retail Clients Protections under MiFID II

Appendix 5 – Glossary

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

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

Arlingclose LTD - Treasury Management Benchmarking Report and Mid-Year 2017/18 Report Template

Brief description of “background papers’ Name and telephone number of holder and address where open to inspection

Bola Tobun, x4733, Mulberry Place

Appendix 1

ECONOMIC, FINANCIAL AND CREDIT BACKGROUND FOR PERIOD

1. **Economic backdrop:** Commodity prices fluctuated over the period with oil falling below \$45 a barrel before inching back up to \$58 a barrel. UK Consumer Price Inflation (CPI) index rose with the data print for August showing CPI at 2.9%, its highest since June 2013 as the fall in the value of sterling following the June 2016 referendum result continued to feed through into higher import prices. The new inflation measure CPIH, which includes owner occupiers' housing costs, was at 2.7%.
2. The unemployment rate fell to 4.3%, its lowest since May 1975, but the squeeze on consumers intensified as average earnings grew at 2.5%, below the rate of inflation. Economic activity expanded at a much slower pace as evidenced by Q1 and Q2 GDP growth of 0.2% and 0.3% respectively. With the dominant services sector accounting for 79% of GDP, the strength of consumer spending remains vital to growth, but with household savings falling and real wage growth negative, there are concerns that these will be a constraint on economic activity in the second half of calendar 2017.
3. The Bank of England made no change to monetary policy at its meetings in the first half of the financial year. The vote to keep Bank Rate at 0.25% narrowed to 5-3 in June highlighting that some MPC members were more concerned about rising inflation than the risks to growth. Although at September's meeting the Committee voted 7-2 in favour of keeping Bank Rate unchanged, the MPC changed their rhetoric, implying a rise in Bank Rate in "the coming months". The Council's treasury advisor Arlingclose is not convinced the UK's economic outlook justifies such a move at this stage, but the Bank's interpretation of the data seems to have shifted.
4. In contrast, near-term global growth prospects improved. The US Federal Reserve increased its target range of official interest rates in June for the second time in 2017 by 25bps (basis points) to between 1% and 1.25% and, despite US inflation hitting a soft patch with core CPI at 1.7%, a further similar increase is expected in its December 2017 meeting. The Fed also announced confirmed that it would be starting a reversal of its vast Quantitative Easing programme and reduce the \$4.2 trillion of bonds it acquired by initially cutting the amount it reinvests by \$10bn a month.
5. Geopolitical tensions escalated in August as the US and North Korea exchanged escalating verbal threats over reports about enhancements in North Korea's missile programme. The provocation from both sides helped wipe off nearly \$1 trillion from global equity markets but benefited safe-haven assets such as gold, the US dollar and the Japanese yen. Tensions remained high, with North Korea's threat to fire missiles towards the US naval base in Guam, its recent missile tests over Japan and a further testing of its latent nuclear capabilities.
6. Prime Minister Theresa May called an unscheduled General Election in June, to resolve uncertainty but the surprise result has led to a minority

Conservative government in coalition with the Democratic Unionist Party. This clearly results in an enhanced level of political uncertainty. Although the potential for a so-called hard Brexit is diminished, lack of clarity over future trading partnerships, in particular future customs agreements with the rest of the EU block, is denting business sentiment and investment. The reaction from the markets on the UK election's outcome was fairly muted, business confidence now hinges on the progress (or not) on Brexit negotiations, the ultimate 'divorce bill' for the exit and whether new trade treaties and customs arrangements are successfully concluded to the UK's benefit.

7. In the face of a struggling economy and Brexit-related uncertainty, Arlingclose expects the Bank of England to take only a very measured approach to any monetary policy tightening, any increase will be gradual and limited as the interest rate backdrop will have to provide substantial support to the UK economy through the Brexit transition.
8. **Financial markets:** Gilt yields displayed significant volatility over the six-month period with the appearing change in sentiment in the Bank of England's outlook for interest rates, the push-pull from expectations of tapering of Quantitative Easing (QE) in the US and Europe and from geopolitical tensions, which also had an impact. The yield on the 5-year gilts fell to 0.35% in mid-June, but then rose to 0.80% by the end of September. The 10-year gilts similarly rose from their lows of 0.93% to 1.38% at the end of the quarter, and those on 20-year gilts from 1.62% to 1.94%.
9. The FTSE 100 nevertheless powered away reaching a record high of 7548 in May but dropped back to 7377 at the end of September. Money markets rates have remained low: 1-month, 3-month and 12-month LIBID rates have averaged 0.25%, 0.30% and 0.65% over the period from January to 21st September.
10. **Credit background:** UK bank credit default swaps continued their downward trend, reaching three-year lows by the end of June. Bank share prices have not moved in any particular pattern.
11. There were a few credit rating changes during the quarter. The significant change was the downgrade by Moody's to the UK sovereign rating in September from Aa1 to Aa2 which resulted in subsequent downgrades to sub-sovereign entities including local authorities. Moody's downgraded Standard Chartered Bank's long-term rating to A1 from Aa3 on the expectation that the bank's profitability will be lower following management's efforts to de-risk their balance sheet. The agency also affirmed Royal Bank of Scotland's and NatWest's long-term ratings at Baa1, placed Lloyds Bank's A1 rating on review for upgrade, revised the outlook of Santander UK plc, and Nationwide and Coventry building societies from negative to stable but downgraded the long-term rating of Leeds BS from A2 to A3. The agency downgraded long-term ratings of the major Canadian banks on the expectation of a more challenging operating environment and the ratings of the large Australian banks on its view of the rising risks from their exposure to the Australian housing market and the elevated proportion of lending to residential property investors.

12. S&P also revised Nordea Bank's outlook to stable from negative, whilst affirming their long-term rating at AA-. The agency also upgraded the long-term rating of ING Bank from A to A+.
13. Ring-fencing, which requires the larger UK banks to separate their core retail banking activity from the rest of their business, is expected to be implemented within the next year. In May, following Arlingclose's advice, the Authority reduced the maximum duration of unsecured investments with Bank of Scotland, HSBC Bank and Lloyds Bank from 13 months to 6 months as until banks' new structures are finally determined and published, the different credit risks of the 'retail' and 'investment' banks cannot be known for certain.
14. The new EU regulations for Money Market Funds were finally approved and published in July and existing funds will have to be compliant by no later than 21st January 2019. The key features include Low Volatility NAV (LVNAV) Money Market Funds which will be permitted to maintain a constant dealing NAV, providing they meet strict new criteria and minimum liquidity requirements. MMFs will not be prohibited from having an external fund rating (as had been suggested in draft regulations). Arlingclose expects most of the short-term MMFs it recommends to convert to the LVNAV structure and awaits confirmation from each fund.

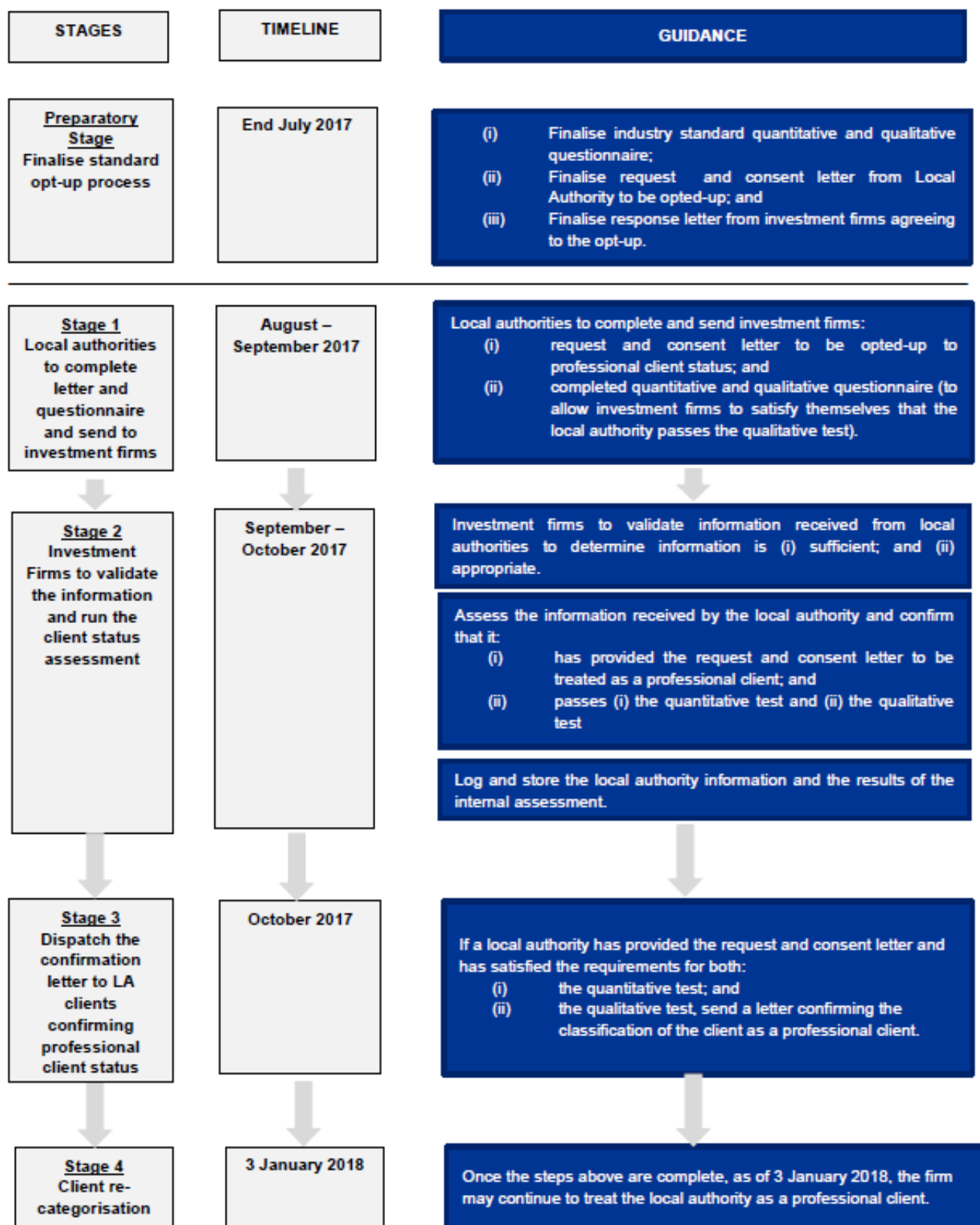
Appendix 2: Investments Outstanding as at 30th September 2017

Time to Maturity	Counterparty	From	Maturity	Amount £m	Rate
Overnight	Amundi MMF		MMF	21.10	
	BNP Paribas MMF		MMF	25.00	
	SUB TOTAL			46.10	
< 1 Month	Surrey County Council	05/07/2017	05/10/2017	20.00	0.25%
	Rabobank	06/07/2017	06/10/2017	20.00	0.26%
	Toronto Dominion Bank	13/10/2016	12/10/2017	10.00	0.59%
	Canadian Imperial Bank of Commerce	17/10/2016	16/10/2017	10.00	0.63%
	Canadian Imperial Bank of Commerce	17/10/2016	16/10/2017	10.00	0.63%
	Toronto Dominion Bank	17/10/2016	16/10/2017	10.00	0.61%
	Goldman Sachs International Bank	24/10/2016	24/10/2017	10.00	0.90%
	Rabobank	26/10/2016	25/10/2017	10.00	0.66%
	Wirral MBC	26/09/2017	25/10/2017	5.00	0.25%
		SUB TOTAL			105.00
1 - 3 Months	Commonwealth Bank of Australia	09/08/2017	09/11/2017	5.00	0.26%
	Goldman Sachs International Bank	14/11/2016	14/11/2017	10.00	0.93%
	Middlesbrough Council	26/09/2017	30/11/2017	5.00	0.32%
	Stockport Metropolitan Borough Council	22/09/2017	15/12/2017	5.00	0.32%
	SUB TOTAL			25.00	
3 - 6 Months	London Borough of Croydon	22/09/2017	02/01/2018	10.00	0.35%
	London Borough of Hounslow	26/09/2017	02/01/2018	6.50	0.35%
	South Tyneside Metropolitan Borough Council	29/09/2017	02/01/2018	10.00	0.35%
	Santander		CALL 95	20.00	0.60%
	Tameside MBC	26/09/2017	03/01/2018	10.00	0.35%
	Kent County Council	14/09/2017	22/01/2018	10.00	0.30%
	Royal Bank of Scotland	30/01/2015	30/01/2018	5.00	1.20%
	Slough Borough Council	20/02/2017	19/02/2018	5.50	0.60%
	Kent County Council	14/09/2017	22/02/2018	10.00	0.32%
	Development Bank of Singapore	06/09/2017	06/03/2018	20.00	0.34%
	Skipton BS	23/03/2017	22/03/2018	5.00	0.78%
	Cambridgeshire County Council	28/09/2017	28/03/2018	10.00	0.50%
	Northamptonshire County Council	29/09/2017	29/03/2018	14.00	0.50%
		SUB TOTAL			136.00
6 - 9 Months	Principality Building Society	06/04/2017	06/04/2018	5.00	0.78%
	Newcastle Building Society	28/04/2017	27/04/2018	5.00	0.80%
	Royal Bank of Scotland	28/04/2017	30/04/2018	5.00	1.79%
	Nottingham Building Society	09/05/2017	08/05/2018	5.00	0.77%
	Australia & New Zealand Banking	17/05/2017	16/05/2018	10.00	0.52%
	Commonwealth Bank of Australia	17/05/2017	16/05/2018	15.00	0.53%
	Australia & New Zealand Banking	17/05/2017	16/05/2018	10.00	0.52%
	Royal Bank of Scotland	22/12/2016	22/06/2018	5.00	0.79%
	SUB TOTAL			60.00	
9 - 12 Months	Commonwealth Bank of Australia	03/07/2017	03/07/2018	10.00	0.52%
	Royal Bank of Scotland	31/07/2017	31/07/2018	10.00	0.90%
	Royal Bank of Scotland	19/08/2017	19/08/2018	5.00	0.91%
	Royal Bank of Scotland	22/12/2016	24/09/2018	5.00	0.84%
	Enfield Council	26/09/2017	24/09/2018	15.00	0.55%
	Lancashire County Council	26/09/2017	24/09/2018	10.00	0.55%
	SUB TOTAL			55.00	
> 12 Months	Bournemouth Borough Council	26/09/2017	25/09/2019	20.00	0.75%
	SUB TOTAL			20.00	
	TOTAL			447.10	

* This is a structured deal, the terms of which could change during its tenor.

Appendix 3

UK Local Authority Client Opt-Up Process



Appendix 4

Warnings - loss of protections as a Professional Client

Professional Clients are entitled to fewer protections under the UK and EU regulatory regimes information purposes only, a summary of the protections that you will lose if you request and agree to be treated as a Professional Client.

1. Communicating with clients, including financial promotions

As a Professional Client the simplicity and frequency in which the firm communicates with you may be different to the way in which they would communicate with a Retail Client. They will ensure however that our communication remains fair, clear and not misleading.

2. Information about the firm, its services and remuneration

The type of information that the firm provides to Retail Clients about itself, its services and its products and how it is remunerated differs to what the firm provides to Professional Clients. In particular,

(A) The firm is obliged to provide information on these areas to all clients but the granularity, medium and timing of such provision may be less specific for clients that are not Retail Clients; and

(B) there are particular restrictions on the remuneration structure for staff providing services to Retail Clients which may not be applicable in respect of staff providing services to Professional Clients;

(C) the information which the firm provides in relation to costs and charges for its services and/or products may not be as comprehensive for Professional Clients as it would be for Retail Clients, for example, they are required when offering packaged products and services to provide additional information to Retail Clients on the risks and components making up that package; and

(D) when handling orders on behalf of Retail Clients, the firm has an obligation to inform them about any material difficulties in carrying out the orders; this obligation may not apply in respect of Professional Clients.

3. Suitability

In the course of providing advice or in the course of providing discretionary management services, when assessing suitability for Professional Clients, the firm is entitled to assume that in relation to the products, transactions and services for which you have been so classified, that you have the necessary level of experience and knowledge to understand the risks involved in the management of your investments. The firm will assess this information separately for Retail Clients and would be required to provide Retail Clients with a suitability report.

4. Appropriateness

For transactions where the firm does not provide you with investment advice or discretionary management services (such as an execution-only trade), it may be required to assess whether the transaction is appropriate. In respect of a Retail Client, there is a specified test for ascertaining whether the client has the requisite investment knowledge and experience to understand the risks associated with the relevant transaction. However, in respect of a Professional Client, the firm is entitled to assume that they have the necessary level of experience, knowledge and expertise to understand the risks involved in a transaction in products and services for which they are classified as a Professional Client.

5. Dealing

A range of factors may be considered for Professional Clients in order to achieve best execution (price is an important factor but the relative importance of other different factors, such as speed, costs and fees may vary). In contrast, when undertaking transactions for

Retail Clients, the total consideration, representing the price of the financial instrument and the costs relating to execution, must be the overriding factor in any execution.

6. Reporting information to clients

For transactions where the firm does not provide discretionary management services (such as an execution-only transactions), the timeframe for our providing confirmation that an order has been carried out is more rigorous for Retail Clients' orders than Professional Clients' orders.

7. Client reporting

Investment firms that hold a retail client account that includes positions in leveraged financial instruments or contingent liability transactions shall inform the Retail Client, where the initial value of each instrument depreciates by 10% and thereafter at multiples of 10%. These reports do not have to be produced for Professional Clients.

8. Financial Ombudsman Service

The services of the Financial Ombudsman Service may not be available to you as a Professional Client.

9. Investor compensation

Eligibility for compensation from the Financial Services Compensation Scheme is not contingent on your categorisation but on how your organisation is constituted. Hence, depending on how you are constituted you may not have access to the Financial Services Compensation Scheme.

10. Exclusion of liability

The FCA rules restrict the firm's ability to exclude or restrict any duty of liability which the firm owes to Retail Clients more strictly than in respect of Professional Clients.

11. Trading obligation

In respect of shares admitted to trading on a regulated market or traded on a trading venue, the firm may, in relation to the investments of Retail Clients, only arrange for such trades to be carried out on a regulated market, a multilateral trading facility, a systematic internaliser or a third-country trading venue. This is a restriction which may not apply in respect of trading carried out for Professional Clients.

12. Transfer of financial collateral arrangements

As a Professional Client, the firm may conclude title transfer financial collateral arrangements with you for the purpose of securing or covering your present or future, actual or contingent or prospective obligations, which would not be possible for Retail Clients.

13. Client money

The requirements under the client money rules in the FCA Handbook (CASS) are more prescriptive and provide more protection in respect of Retail Clients than in respect of Professional Clients.

It should be noted that at all times you will have the right to request a different client categorisation and that you will be responsible for keeping the firm informed of any change that could affect your categorisation as a Professional Client.

Appendix 5 – Glossary

Asset Life	How long an asset, e.g. a Council building is likely to last.
Borrowing Portfolio	A list of loans held by the Council.
Borrowing Requirements	The principal amount the Council requires to borrow to finance capital expenditure and loan redemptions.
Capitalisation direction or regulations	Approval from central government to fund certain specified types of revenue expenditure from capital resources.
CIPFA Code of Practice on Treasury Management	A professional code of Practice which regulates treasury management activities.
Capital Financing Requirement (CFR)	Capital Financing Requirement- a measure of the Council's underlying need to borrow to fund capital expenditure.
Certificates of Deposits	A certificate of deposit (CD) is a time deposit, a financial product. CDs are similar to savings accounts in that they are insured and thus virtually risk free; they are "money in the bank." They are different from savings accounts in that the CD has a specific, fixed term (often monthly, three months, six months, or one to five years) and, usually, a fixed interest rate. It is intended that the CD be held until maturity, at which time the money may be withdrawn together with the accrued interest.
Commercial paper	Commercial paper is a money-market security issued (sold) by large corporations to obtain funds to meet short-term debt obligations (for example, payroll), and is backed only by an issuing bank or corporation's promise to pay the face amount on the maturity date specified on the note. Since it is not backed by collateral, only firms with excellent credit ratings from a recognized credit rating agency will be able to sell their commercial paper at a reasonable price. Commercial paper is usually sold at a discount from face value, and carries higher interest repayment rates than bonds
Counterparties	Organisations or Institutions the Council lends money to e.g. Banks; Local Authorities and MMF.
Corporate bonds	A corporate bond is a bond issued by a corporation. It is a bond that a corporation issues to raise money effectively in order to expand its business. The term is usually applied to longer-term debt instruments, generally with a maturity date falling at least a year after their issue date.
Covered bonds	A covered bond is a corporate bond with one important enhancement: recourse to a pool of assets that secures or "covers" the bond if the originator (usually a financial institution) becomes insolvent. These assets act as additional credit cover; they do not have any bearing on the contractual cash flow to the investor, as is the case with Securitized assets.
Consumer Prices Index &	The main inflation rate used in the UK is the CPI. The

Retail Prices Index (CPI & RPI)	Chancellor of the Exchequer bases the UK inflation target on the CPI. The CPI inflation target is set at 2%. The CPI differs from the RPI in that CPI excludes housing costs. Also used is RPIX, which is a variation of RPI, one that removes mortgage interest payments.
Credit Default Swap (CDS)	A kind of protection that can be purchased by MMF companies from insurance companies (for their investment) in exchange for a payoff if the organisation they have invested in does not repay the loan i.e. they default.
Credit watch	Variety of special programs offered by credit rating agencies and financial institutions to monitor organisation/individual's (e.g. bank) credit report for any credit related changes. A credit watch allows the organisation/individuals to act on any red flags before they can have a detrimental effect on credit score/history.
Credit Arrangements	Methods of Financing such as finance leasing
Credit Ratings	A scoring system issued by credit rating agencies such as Fitch, Moody's and Standard & Poors that indicate the financial strength and other factors of a bank or similar Institution.
Creditworthiness	How highly rated an institution is according to its credit rating.
Debt Management Office (DMO)	The DMO is an agency of the HM Treasury which is responsible for carrying out the Government's Debt Management Policy.
Debt Rescheduling	The refinancing of loans at different terms and rates to the original loan.
Depreciation Method	The spread of the cost of an asset over its useful life.
Gilt	Gilt-edged securities are bonds issued by certain national governments. The term is of British origin, and originally referred to the debt securities issued by the Bank of England, which had a gilt (or gilded) edge. Hence, they are known as gilt-edged securities, or gilts for short. Today the term is used in the United Kingdom as well as some Commonwealth nations, such as South Africa and India. However, when reference is made to "gilts", what is generally meant is "UK gilts," unless otherwise specified.
Interest Rate exposures	A measure of the proportion of money invested and what impact movements in the financial markets would have on them.
The International Monetary Fund (IMF)	is an intergovernmental organisation which states its aims as to foster global monetary cooperation, secure financial stability, facilitate international trade, promote high employment and sustainable economic growth, and reduce poverty around the world.
Impaired investment	An investment that has had a reduction in value to reflect changes that could impact significantly on the benefits expected from it.

LIBID	The London Interbank Bid Rate – it is the interest rate at which major banks in London are willing to borrow (bid for) funds from each other.
Market Loans	Loans from banks available from the London Money Market including LOBOS (Lender Option, Borrowing Option) which enable the authority to take advantage of low fixed interest for a number of years before an agreed variable rate comes into force.
Money Market Fund (MMF)	A 'pool' of different types of investments managed by a fund manager that invests in lightly liquid short term financial instruments with high credit rating.
Monetary Policy Committee (MPC)	Committee designated by the Bank of England, whose main role is to regulate interest rates.
Minimum Revenue Provision (MRP)	This is the amount which must be set aside from the revenue budget each year to cover future repayment of loans.
Non Specified Investments	Investments deemed to have a greater element of risk such as investments for longer than one year
Premium	Cost of early repayment of loan to PWLB to compensate for any losses that they may incur
Prudential Indicators	Set of rules providing local authorities borrowing for funding capital projects under a professional code of practice developed by CIPFA and providing measures of affordability and prudence reflecting the Council's Capital Expenditure, Debt and Treasury Management.
PWLB	Public Works Loan Board, a statutory body whose function is to lend money to Local Authorities (LAs) and other prescribed bodies. The PWLB normally are the cheapest source of long term borrowing for LAs.
Specified Investments	Investments that meet the Council's high credit quality criteria and repayable within 12 months.
Supranational bonds	Supranational bonds are issued by institutions that represent a number of countries, not just one. Thus, organisations that issue such bonds tend to be the World Bank or the European Investment Bank. The issuance of these bonds are for the purpose of promoting economic development
Treasury bills (or T-bills)	Treasury bills (or T-bills) mature in one year or less. Like zero-coupon bonds, they do not pay interest prior to maturity; instead they are sold at a discount of the par value to create a positive yield to maturity. Many regard Treasury bills as the least risky investment available.
Unrated institution	An institution that does not possess a credit rating from one of the main credit rating agencies.
Unsupported Borrowing	Borrowing where costs are wholly financed by the Council.

Non-Executive Report of the: Council Wednesday 22 November 2017	
Report of: Asmat Hussain, Corporate Director, Governance	Classification: Unrestricted
Review of proportionality and allocation of places on committees and panels of the Council 2017/18	

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

Summary

A change in the political composition of the Council has occurred recently with Councillor Mohammed Mufti Miah joining the Independent Group having formally been Independent (Ungrouped).

Consequent to this change the Council must review the allocation of places on Committees and other bodies covered by the proportionality requirements in the 1989 Act. The proposed new committee allocations are set out at paragraph 4.2 overleaf.

Recommendations:

Council is recommended to:

1. Consider the review of proportionality as at section 3 of this report overleaf and agree the allocation of seats on committees and panels for the remainder of the Municipal Year 2017/18 as set out at paragraph 4.2.
2. Note the committees and panels established for the municipal year 2017/18 as listed in paragraph 4.2 as agreed at the Annual Council meeting held on Wednesday 17 May 2017.
3. Agree that Members and deputies be appointed to serve on those committees and panels in accordance with nominations from the political groups to be notified to the Corporate Director, Governance.
4. The Corporate Director, Governance be authorised to approve the appointment of ungrouped Councillors to any committee places not allocated by the Council to a political group, after consultation with those Councillors and the Speaker of the Council.

1. REASONS FOR THE DECISIONS

- 1.1 Changes to the political composition of the Council require a review of the proportionality calculations for the Council's Committees.

2. ALTERNATIVE OPTIONS

- 2.1 No alternative options.

3. DETAILS OF REPORT

- 3.1 Section 15(1) of the 1989 Act requires the Council as soon as practicable after a change in the political composition to carry out a review to determine the allocation to the political groups of seats on the committees/panels of the Council. The principles which must be adopted are:
- (i) that in relation to each body covered by the Act, all seats are not allocated to the same political group;
 - (ii) that the majority of seats on each body must go to the political group with the majority on the Council (if any);
 - (iii) that subject to (i) and (ii) the number of seats on the total of all the ordinary committees/panels of the authority allocated to each group bears the same proportion as that group's proportion of the seats on the full Council; and
 - (iv) that subject to the above three principles, the number of seats on each ordinary committee/panel of the authority allocated to each political group bears the same proportion as that group's proportion of the seats on the full Council.
- 3.2 Once the political groups have been allocated their places in accordance with the above rules, the Council may appoint ungrouped members to any remaining positions.
- 3.3 Neither the Cabinet and any executive sub-groups of the Cabinet; nor the Tower Hamlets Health and Wellbeing Board, are covered by the requirement for proportionality.

- 3.4 Following the changes described in the Executive Summary to this report, the political composition of the Council is now as follows:

GROUP	SEATS (on Council)	PROPORTION ON COUNCIL	ENTITLEMENT (to seats on Committees)
Labour	22	48.89%	33.74 (34)
Independent Group	10	22.22%	15.33 (15)
Conservative	5	11.11%	7.67 (8)
Tower Hamlets People's Alliance	5	11.11%	7.67 (8)
Ungrouped	3	0*	4 (remainder)
	45		69

* Ungrouped Councillors are not included in the proportionality calculation. As two Councillors are required to form a group the Liberal Democrat Councillor is included in the 'ungrouped' designation above.

4. Allocation of Places on Committees

4.1 The committees and panels established by the Council for the municipal year 2017/18 are listed below. There is a recommended total of 69 places on these committees and panels.

4.2 Applying the principles in the 1989 Act as closely as is reasonably practicable, the proposed allocation of places on the committees and panels covered by the requirement for proportionality for the remainder of the municipal year or until the next review of proportionality, whichever is sooner, is as follows:-

Committee/panel	Total	Labour	Independent Group	Conservative	People's Alliance of Tower Hamlets	Ungrouped
Overview & Scrutiny Committee (plus 6 co-optees)	9	5	2	1	1	
Audit Committee	7	3	1	1	1	1
Development Committee	7	4	<u>2</u>	1	0	<u>0</u>
Strategic Development Committee	8	4	2	1	1	
General Purposes Committee	9	5	2	1	1	
Licensing Committee	15	7	3	1	2	2
Pensions Committee	7	3	1	1	1	1
Standards Advisory Committee (plus 7 co-optees)	7	3	2	1	1	
TOTALS	69	34	15	8	8	4

4.3 The above will result in the allocation of all committee places amongst the political groups in accordance with the rules set out in the 1989 Act. The change from the last report is shown in bold/underlined.

4.4 It is for the Overview and Scrutiny Committee to agree arrangements for its own Sub-Committees. However, this change will not result in any changes to the Overview and Scrutiny Sub-Committee proportionality calculations.

5. COMMENTS OF THE CHIEF FINANCE OFFICER

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

6. LEGAL COMMENTS

5.1 The legal considerations are set out in the main body of the report.

7. ONE TOWER HAMLETS CONSIDERATIONS

6.1 None specific to this report.

8. BEST VALUE (BV) IMPLICATIONS

7.1 None specific to this report.

9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 None specific to this report.

10. RISK MANAGEMENT IMPLICATIONS

9.1 None specific to this report.

11. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 None specific to 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

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Non-Executive Report of the: COUNCIL 22 November 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. Twenty One motions have been submitted by Members of the Council under Council Procedure Rule 13 for debate at the Council meeting on Wednesday 22 November 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 Council Tax Reduction Scheme

Proposer: Councillor Oliur Rahman

Secunder: Councillor Ohid Ahmed

The Council Notes:

Because of changes made by the administration to the Council Tax Reduction Scheme for poor and vulnerable residents, many residents are suffering – especially the self-employed residents and tax payers.

One of the changes made by the administration was to use notional earnings equivalent to 35 hours at the National Living Wage in the assessment of Council Tax Reduction for residents who have been self-employed for over one year and whose declared earnings are below this figure.

The Council Resolves:

The Council must reconsider its approach and reinstate its Council Tax Reduction Scheme to pre-April status as the change put in place by the Mayor and the administration are having a significant negative impact on the residents.

12.2 Motion regarding Operation Lynemouth

Proposer: Councillor Peter Golds

Secunder: Councillor Andrew Wood

This council notes the publication of the second interim report by Her Majesty's Inspectorate of Constabulary and Fire & Rescue in respect of Operation Lynemouth, the inspection of the Metropolitan Police Service's review and reassessment of alleged criminal offences arising from the 2014 mayoral election in the London Borough of Tower Hamlets and, in particular, the following important paragraphs:

From Page 12

"It would appear that the original MPS investigation failed to secure pivotal evidence which could have led to further enquiries. Operation Lynemouth has done so and is seeking early advice from the CPS as to whether the evidence provides realistic opportunities for investigation and prosecution."

From Page 14

"The MPS's fraud squad considered ten matters during the original investigation, including allegations of fraud, bribery, perjury and tax evasion, but did not make any arrests. Operation Lynemouth has already identified potential evidential opportunities, although there is still much work to be done."

The council further notes:

That the residents of the borough will look to the police, electoral officials, political parties, their candidates and supporters to ensure that the elections to be held in 2018 are free, fair and untainted by the malpractice which so damaged the reputation of this borough in 2014.

The Council:

Calls on political parties and electoral officials to ensure that the corporate council itself remains impartial and remains apart from the political process and that council services and facilities are not used by candidates for political purposes.

The Council further:

Calls on all members and political parties when required, not to use council owned parks and facilities for political and electoral events.

12.3 Motion regarding Tower Hamlets Brexit Task Force

Proposer: Councillor Rabina Khan

Seconder: Councillor Abjol Miah

This Council Notes:

1. That a recent YouGov poll on Brexit shows that a rising number of people regret the decision to leave the EU, with 47% of respondents saying it was wrong for the UK to vote Leave, compared with 42% who believe it was the right decision.
2. That two-thirds of the public think that Brexit negotiations are going badly, compared with just over a third in March this year.
3. That in June 2017, one year after Brexit, the pound was 14% lower against the dollar and 13% lower against the euro.
4. That Tower Hamlets has one of the most drastic levels of wealth inequality nationwide: 48.7% of households have an annual income of less than £30,000, 17% have an annual income exceeding £60,000 and another 17% have an annual income of less than £15,000.
5. That London has ranked among the European cities with the worst outlook for 2018, according to a survey of more than 800 real estate professionals.

The Council Further Notes:

1. That the impact of a hard Brexit would cost London's economy over £100 billion over five years, according to research.
2. That Tower Hamlets would be one of the hardest hit boroughs, losing some eight per cent of output worth £11 billion, because of its reliance on industries that are significant exporters, at risk of offshoring to the EU, or are deeply embedded in international supply chains.
3. That a hard Brexit will cause financial firms to move from Canary Wharf to more favourable cities in Europe, resulting in fewer jobs and reduced commercial and housing development.
4. The Bank of England stated that the decision to leave the European Union is having a noticeable impact on the economic outlook and will probably hamper productivity and slow growth.
5. That research from the Centre for London found that Brexit is already leading to fewer Europeans seeking work in London, a decline in confidence among businesses and a deceleration in house price growth.
6. That MPs on the Communities and Local Government Select Committee are due to look at which powers currently held by the EU could be transferred to town halls after the UK leaves.

7. That the Brexit vote has diminished London's status as an international haven for enterprise and created uncertainty in the property market. As Lucian Cook, Director of Residential Research at Savills has said: "When you've got people borrowing bigger multiples of income, they are much more exposed to a change of sentiment of any degree of uncertainty about the impact of Brexit."

8. Liam Booth-Smith, Director of the thinktank Localis said that the post-Brexit labour supply squeeze will affect parts of the country in very different ways. Many EU nationals, for example, are leaving the NHS following Brexit and employers' access to the EU labour market may be linked to the issue of skills shortages in the capital. This is particularly relevant to Tower Hamlets, because of The Royal London Hospital, one of the capital's leading trauma and emergency care centres.

This Council Believes:

1. That EU nationals living in Tower Hamlets should have the right to remain in the UK.
2. That EU funding, or its replacement, is vital support to economic regeneration, helping new and current businesses to create thousands of jobs and supporting broadband, new roads and bridges and other local infrastructure projects.
3. That Tower Hamlets Council must do all it can to protect the local economy, local regeneration projects, its residents, workers, businesses and all those in receipt of EU funding, or benefitting from services funded by EU funds during this time of uncertainty.

This Council Resolves:

To set up a Tower Hamlets Brexit Task Force to plan for a number of Brexit scenarios, with the following aims and objectives:

1. Proactively to campaign to ensure the EU funds expected by Tower Hamlets and local recipients of EU funds will be honoured until the end of 2020, in order to improve our local economy, development, infrastructure, employment and training.
2. To instruct the Senior Management Team to provide a dedicated help and information line to residents and businesses, with comprehensive and up-to-date information on the progress of Brexit and its effects on the Borough and address productivity and competitiveness challenges among local firms, enabling them to compete internationally.
3. To create new policies and programmes for education and skills to equip the local workforce for current and future jobs.
4. To work with local businesses to understand the changing market dynamics and focus on growing local SMEs.
5. To call on the Mayor and all Councillors to support this motion, to ensure that the resolutions are carried out and for the Tower Hamlets' Brexit Task Force to report on the progress of implementing the resolutions.

12.4 Motion regarding Operation Lynemouth

Proposer: Mayor John Biggs

Seconder: Councillor Sirajul Islam

This Council notes:

1. That Operation Lynemouth has published its second interim report, which is investigating *'any alleged criminal or electoral wrongdoing... committed, counselled or procured by a senior figure (or senior figures) within the London Borough of Tower Hamlets'* between 25 October 2010 and 23 April 2015.

This Council believes that:

1. Although, as was stated in the election Court judgement *'the election of all THF (Tower Hamlets First) Councillors must be taken to have been achieved with the benefit of the corrupt and illegal practices'*, all councillors in Tower Hamlets have a legal and moral duty to support the police investigation into the wrongdoing of the past;
2. While many councillors who were elected as part of Tower Hamlets First still serve on the Council in the Tower Hamlets Independent Group and the People's Alliance of Tower Hamlets, including potentially two Mayoral Election candidates, and that they remain in denial about the corrupt regime which they were a part of, all sitting councillors and the Mayor have a personal responsibility to address the failures and criminality of the Lutfur Rahman administration and help the borough move forward. We note with sadness that while a majority accept this responsibility a sizeable minority clearly do not.

This Council resolves:

1. To welcome and fully support the HMIC investigation into alleged criminal offences arising from the 2014 mayoral election;
2. That every councillor should cooperate fully with any police investigation into criminality, including coming clean about any of their own actions and proactively offering any evidence they may have of wrongdoing;
3. To work to ensure the highest possible standards in the coming election and consign the electoral fraud of the previous administration to the past;
4. To condemn in the strongest possible terms the illegality of the former mayor.

12.5 Motion regarding the new direction from the secretary of state for education about failure of tower hamlets children services

Proposer: Councillor Muhammad Ansar Mustaqim

Secunder: Councillor Mahbub Alam

The Council Notes:

1. On 12 September 2017, The Secretary of State for Education, Justine Greening, issued a fresh “Direction” to Tower Hamlets Council because John Biggs led Labour administration was failing the residents in the critical statutory area of ‘children social care’.

2. Full details of the decision can be found here on the Government website https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/643844/Tower_Hamlets_Direction_Sept_2017_signed_v2.pdf

3. Tower Hamlets Children’s Services Improvement Board was already chaired by a former DCLG appointed Commissioner in a new capacity as the Improvement Board Chair due to failure in April 2017 when OFSTED judged Tower Hamlets Children Services to be “inadequate” – the worst possible rating. The same service was judged “Good” with outstanding features under the previous OFSTED inspection.

4. The Secretary of State has now imposed fresh “Intervention Advisers” from two outside authorities (Islington and Lincolnshire County Council), whose own OFSTED inspection reports revealed their own services to be Good with Outstanding features, and the first line of their Terms of Reference state “London Borough of Tower Hamlets has failed in its delivery of children’s social care services.”

5. The latest decision by the Secretary of State is a clear proof that Government have no trust in John Biggs led Labour administration and their existing plan of improvement for Tower Hamlets Children Services.

6. After shambolic OFSTED failure, in yet another damning verdict on John Biggs’s mayoralty, the new “Direction” letter from the Secretary of State stated, inter alia, the following:

· “...the Council is failing to perform to an adequate standard, some or all of the functions to which section 497A of the Education Act 1996 (“the 1996 Act”) is applied by section 50 of the Children Act 2004 (“children’s social care functions”);

· The Secretary of State, having considered representations made by the Council, considers it expedient, in accordance with her powers under section 497A(4B) of the Education Act 1996, to direct the Council as set out below in order to ensure that all of the Council’s children’s social care functions are performed to an adequate standard; and

· Pursuant to section 497A(4B) of the Education Act 1996, the Secretary of State directs the Council as follows:

a. To comply with any instructions of the Secretary of State in relation to the improvement of the Council’s exercise of its children’s social care functions and to provide such assistance as may be required;

b. To co-operate with the Intervention Advisers, including on request allowing the Intervention Advisers at all reasonable times access:

- i. to any premises of the Council;
- ii. to any document of or relating to the Council; and
- iii. to any employee or member of the Council”

The Council believes:

1. The latest ‘Order’ from the Secretary of State shows that his mayoralty is not just in a crisis but in a complete meltdown – and the buck stops with him.
2. in addition to the political leadership, the catastrophic failure of the Council’s top professional leadership in Children Services in performing their duties and responsibilities as evident in 2017 OFSTED inspection result of “inadequate” – the worst possible rating, together with, the damaging data breach and leaking of confidential and sensitive council information about a 5-year-old foster girl.

The Council resolves:

1. John Biggs has not done what is required. He must act now to put Children Services back on track.
2. John Biggs must ensure to provide the political and officer level leadership that has clearly been lacking thus far. The Secretary of State clearly feels that John Biggs and the Council have not done what is required - hence the fresh “Direction”.
3. Banish all talk about delivering a Good OFSTED rated service in the next two years but only talk about our intention to receive an Outstanding OFSTED rating as soon as is practicable.
4. That the Council appoint an independent person to investigate individual cases like that of the 5-year-old foster child to ensure that we have full confidence in the handling of such cases while Children's Services rebuilds its credibility.

12.6 Motion regarding the Tower Hamlets Local Plan 2031.

Proposer: Councillor Andrew Wood

Secunder: Councillor Chris Chapman

This council notes that the administration were, after considerable public comment, forced into holding a meeting on October 16th to enable Isle of Dogs residents to discuss and comment on the Tower Hamlets Local Plan 2031.

The council further notes:

That despite 56% of all proposed new development in the borough being within the northern part of the Isle of Dogs and South Poplar the only two initially advertised meetings were to be in Whitechapel and Bethnal Green, where development is relatively minimal by comparison.

The council notes:

After pressure from local councillors and residents a meeting was organised but was poorly advertised and resulted in a low attendance, a limited number of tickets were advertised even though Jack Dash House can take up to 100 people, indeed residents who wished to attend were told that the event was completely full.

The council also notes:

That the authority had as at September 2017, £88.295 million of Section 106 funds and £35.184 million in respect of the new Community Infrastructure Levy, the overwhelming majority of which has come from development on the Isle of Dogs.

Development is focussed on relatively small parts of the Borough but S106 is being spent equally across the whole Borough leading to an ever increasing funding deficit for the Isle of Dogs which the GLA believe to be over £200 million pounds over 25 years.

That contrary to expectations relatively few people who live on the Isle of Dogs actually work in Canary Wharf.

That historic promises made to the residents of the Isle of Dogs regarding stepping down from Canary Wharf and infrastructure to match the developments have been ignored by the successive Labour and Tower Hamlets First administrations. The net result is that the average of the last fourteen planning applications on the island shows an average density of 900 homes per hectare versus a maximum recommendation in the London Plan of 405 homes per hectare. Millharbour has according to the ONS been the densest place in the UK since 2014.

The council therefore:

Calls upon the Mayor to reconsider the policy of mass development on the Isle of Dogs and to call on the Mayor of London, in the emerging London Plan.

12.7 Motion regarding Retain Career's Service Personalised Support

Proposer: Councillor Shah Alam

Seconded: Councillor Aminur Khan

This Council Notes:

1. That the last round of cuts saw a reduction of around £200,000 to the Borough's careers service. In 2017/18, there has been a reduction from £1,047,000 (£800,000 being core) to £653,000 core (reduction of £394,000). It is estimated that in the period 2019/20, there will be a further reduction from £653,000 core to £510,000 core (reduction of £143,000).
2. That there has purportedly been an overspend of £200,000 in the service, which is forecast to rise to at least £362,000 in 2017/18. However, no details have not been provided as to the makeup of the overspend and forecast.
2. That there are essentially 4 teams within the careers service, which include:
 - Management
 - SEND Lead Advisers (SLAs) – minimum level 6 qualification
 - Careers Advisers (CAs) – minimum level 6 qualification
 - Information & Advice Personal Advisers (I&As) – minimum level 4 qualification(*Level 4 is sufficient to practice as a CA or SLA; therefore, Level 6 is a self-imposed condition for the role by the Service Head)
3. That once the restructure is complete, the careers service and the remaining staff will move from Children's Services Directorate (learning and achievement) over to Place Directorate (economic regeneration) to be part of the Integrated Employment Service (IES) or Tower Hamlets Work Path, a unique employment service for all Tower Hamlets' residents, providing support for people at all levels of work, skill or experience.
4. That the purpose of the IES is to combine all council services that help residents with preparation and placement into education, employment and training under one umbrella. The aim is to save costs, avoid duplications and promote cohesion, although each service will continue to be managed by its existing service head.
5. That the I&As are disproportionately affected in comparison to other teams within the service with a proposed 88% reduction. I&As offer one-to-one support to vulnerable young people and are crucial in preventing NEET and reducing NEET figures.
6. That drastically reducing the I&A team will cause more young people to become NEET, dependent on welfare and prone to engaging in anti-social behaviour and crime.
7. That Ofsted has reported that as a result of the I&A work, an increasing number of previous offenders are now in education, employment and training, compared to the rest of England. The I&A team was instrumental in reducing youth unemployment from 10.9% in 2006 to 3.4% in 2016.

The Council Further Notes:

1. That in order to justify the reductions to I&As, the argument is that since young people are now encouraged to remain in education and training until they are 18, the I&Es are no longer required. However, there is no enforcement attached to this legislation, which means that many vulnerable young people remain disengaged from learning after the age of 16.
2. That one could also argue that CAs are no longer required, because the statutory obligation for providing careers' guidance is now placed on the schools and no longer with the local authority.
3. That it has been suggested that Skillsmatch would fill the I&A gap without any additional funding being provided to them. However, Skillsmatch do not hold the same level of qualifications and expertise that I&As possess and currently do not work with young people who have special needs, looked after children, young offenders and young people with ongoing social and behavioural issues. The I&As, on the other hand, specialise in engaging with and supporting hard to reach clients.
4. That the I&A team is predominantly BME, while the other teams are predominantly – or all – ethnically white.

This Council Believes:

1. That the reduction in the I&A team will have a hugely detrimental effect on vulnerable groups in the borough. There will be no concentrated support for year 11s at risk of NEET, nor for looked after children, graduates, women and young offenders.
2. That this small group of staff could easily be slotted into roles in the Integrated Employment Service as they already have the skill sets, training and qualifications to adapt, and enhance IES delivery.
3. That the Economic Regeneration Unit has secured a large amount of funding (ESF, growth bids) that have not yet been allocated to any particular teams within the IES.
4. That the Integrated Employment Service is likely to create a number of roles over the coming months, as outlined in the Reorganisation of the Careers Service Pack. Nevertheless, there has been a delay in the creation of these roles meaning that by the time these vacancies do become available, staff would already have been made redundant.
5. That it will be difficult to manage contracts without the frontline staff to deliver them. How will the workload be covered, for example, when one I&A goes on leave?
6. That the budget in the Economic Regeneration Unit could accommodate creating 7.7 I&A posts and one team leader post.
7. That the costs of redundancy and potential recruitment of Information and Advice Personal Advisers in the future could be offset by ensuring staff transfer over

to the Integrated Employment Service.

8. That since the IES is likely to draw down significant sums via ESF contracts, other central government funds and grants etc., a small proportion of that money could ensure that the Careers Service continues to employ a small number of I&As to support the most vulnerable young people in the community.

This Council Resolves:

1. To place pressure on the relevant management to expedite changes taking place in Place Directorate and finalise the structure of IES.
2. To instruct directors in Children's Services and Place to agree a way forward to ensure that a small amount of money is set aside to create posts within the next few months to ensure this valuable resource and asset is utilised for the benefit of young people and adults in the borough.

12.8 Motion regarding the future of Old Ford Housing Association

Proposer: Councillor Marc Francis

Seconder: Mayor John Biggs

This Council notes:

1. Old Ford Housing Association (OFHA) was established in 1998 as the successor body to Tower Hamlets Housing Action Trust (HAT);
2. OFHA was a subsidiary of Circle 33 Housing Trust for financing purposes, but was accountable to its own Board of tenants, leaseholders and independent members;
3. In 2005, Circle 33 merged with Anglia Housing to form Circle Anglia Ltd, and that other associations joined later to form Circle Housing Group;
4. In July 2007, LBTH transferred the "Parkside" council estates to OFHA with the promise to refurbish individual flats and the estates within five years;
5. In 2015, following complaints from LB Islington and LBTH about the performance of its repairs service, the Social Housing Regulator found evidence of "serious detriment" to tenants and downgraded Circle Housing Group, requiring an action plan to improve governance;
6. In response, Circle put forward an "action plan", which involved closing down its subsidiaries, including Old Ford HA, and centralising services, moving most Bow-based staff to a new call-centre in Kent;
7. In summer 2016, despite clear evidence of a continuing deterioration in services, including tenants being left without heating for weeks on end, the Regulator upgraded Circle again;
8. Within days, Circle announced its intention to merge with Affinity Sutton "*to create the largest housing association in Western Europe*";
9. In response to Circle's "consultation", more than 1,000 residents signed a petition opposing the proposed closure of Old Ford, which led to Old Ford's Board declining to agree to Circle's proposal;
10. Following a Parliamentary debate initiated by Rushanara Ali MP, the Regulator finally began an investigation, which confirmed "serious detriment" had again been caused to tenants and resulted in the newly-merged Circle / Affinity Sutton being downgraded again in December 2016;
11. The former Chief Executive and Chair of Circle have both left the new organisation - Clarion Housing Group - and it is now run by former Affinity Sutton staff;
12. While Clarion's new Management Team has made some improvement in services, it is continuing with Circle's plan to close subsidiaries and centralise services;
13. Clarion has asked Old Ford's Board to consult residents again on closing Old Ford;

14. At least two other local community-based housing associations have expressed an interest in coming together with Old Ford.

This Council believes:

1. The ex-HAT and “Parkside” estates in Bow were transferred to Old Ford on the basis that it would be a “*community-based housing association*”, and that residents voted in favour of the transfers from LBTH on that basis;
2. As the former landlord, Tower Hamlets Council has a moral and legal responsibility to ensure that any substantive changes to the governance arrangements at Old Ford are only made with the consent of residents;

This Council resolves:

1. To oppose any attempt by Clarion Housing Group to close Old Ford without the formal consent of residents;
2. To support the Mayor and Cabinet in opposing these plans publicly, including by raising objections to the Housing Minister and Social Housing Regulator, and by legal means if necessary;
3. To support the Mayor and Cabinet in facilitating direct discussions between Old Ford’s Board and those other community-based housing associations that have expressed an interest in combining with Old Ford.

12.9 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.

12.10 Motion regarding the Canary Wharf to Rotherhithe cycle and pedestrian river crossing

Proposed by: Cllr Chris Chapman
Seconded by: Cllr Andrew Wood

This Council notes the start of the public consultation by Transport for London (TfL) on the Canary Wharf to Rotherhithe cycle and pedestrian river crossing on the 8th November 2017.

That the upfront capital costs are between £30 million for the ferry option to £335 million for a tunnel and TfL are clearly indicating their preference for a bridge costing between £120 million and £180 million upfront with annual running and maintenance costs of up to £2.4 million a year.

This Council further notes:

The Councils Infrastructure Delivery Plan October 2017 shows a funding gap of £648 million over the next 15 years across Tower Hamlets with no detail yet on how that gap will be filled. The draft GLA Isle of Dogs and South Poplar Opportunity Area Planning Framework Development Infrastructure Funding Study also indicates a large funding gap exists in the OAPF area.

That in October 2016 the Labour Mayor of London announced the delivery of a Rotherhithe to Canary Wharf bridge by 2020 before work had even started by TfL looking at the different options for a crossing.

This Council believes:

That the current consultation paper contains a number of questionable assumptions and that the need to prove that a bridge is required after it was announced by the Mayor is constraining the detailed analysis of potential options.

This Council:

Supports an improved river crossing but remains to be convinced about the value for money, timing, location and the rush to deliver this bridge. The council believes that a more open process may well result in a better solution and avoids the risk of another Garden Bridge debacle.

That without some certainty over how local infrastructure is funded; the council should not support an expensive and uncertain project.

12.11 Motion regarding Retain the Day Care Nurseries Motion

Proposer: Cllr Shafi Ahmed

Seconder: Cllr Aminur Khan

This Council notes

1. That our Local Authority day nurseries – John Smith Children’s Centre, Mary Sambrook and Overland Day Nursery – are described by the council as providing for ‘the most vulnerable children in the borough’ and in particular that:
 - i) 40% of children who attend John Smith have a form of learning disadvantage or disability;
 - ii) Overland has a specialist deaf unit and provides 10 part-time nursery spaces for deaf children and staff who are trained in sign language;
 - iii) Mary Sambrook supports children from disadvantaged backgrounds and whose first language is not English;
 - iv) staff at all three nurseries are trained to support children with very complex needs and who require above-average staff/child ratios;
 - v) staff are also skilled at helping families dealing with stress and prioritise places for vulnerable children on child protection plans.
2. That a money saving proposal that “voluntary, independent or private organisations be commissioned to deliver in house day nursery provision where they are currently being provided directly by the council” was included in the Mayor’s budget for 2017-2020.
3. That one of the borough’s MPs, Rushanara Ali, has written to the Mayor asking him to reconsider this proposal.

This Council believes

1. That “voluntary, independent or private organisations” cannot match the service currently run by the Council with in house staff who have built up expertise over many years

That such organisations cannot be expected to be accountable to the public and therefore to service users in the same way as council-run services are.

That it is invidious for the taxpayer to prop up the profits of private companies.

2. That this element of the Mayor’s budget overlooks the needs of the disabled children who use these nurseries and abandons the low income families these nurseries currently serve.

3. That this cost saving measure is short sighted and any money saved would be offset in the short term by the costs of tendering the service and monitoring the contract and in the medium and long term by having to provide extra help for children who would miss out on specialised support in Council nurseries and would need extra support once they reach school age.

4. That if the Council no longer provides this service access will be reduced for the most vulnerable children, and this will have a negative impact upon social

mobility in the borough.

This Council resolves

To request that the Mayor

- a) Retains the provision of in-house day nurseries and explores alternative methods of saving money;
- b) Brings forward a programme that reintroduces Sure Start/Council-run nurseries across the borough.

12.12 Motion regarding Thrive LDN

Proposer: Councillor Denise Jones

Seconder: Councillor Amina Ali

This Council acknowledges that two million Londoners experience poor mental health, which equates to 62,500 people in each borough, and that London's suicide rate increased by 33 per cent from 552 to 735 incidents between 2014 and 2015 – the highest figure recorded by the Office for National Statistics since records began.

This Council understands that employment for Londoners with a mental health problem is 31 per cent lower than the UK average and that the financial cost of mental ill-health is approximately £700million for each London borough.

This Council reaffirms its commitment to approach mental health and wellbeing as a key priority and to work collaboratively with partners within and outside the borough to address and tackle mental ill-health across our communities.

This council commits to support and work with Thrive LDN to:

1. Create a citywide movement for all Londoners that empowers individuals and communities in our borough to lead change, address inequalities that lead to poor mental health and create their own ways to improve mental health.
2. Following on from the examples set by Harrow Thrive and Black Thrive in Lambeth, look in to localising Thrive LDN to Tower Hamlets by exploring the practicalities of establishing a local Thrive hub that responds to local needs
3. Examine new methods to support more people in Tower Hamlets to access a range of activities that help them to maintain good mental health and wellbeing.
4. Work closely with partners across Tower Hamlets to end mental health stigma and discrimination.
5. Build on the great work happening across London to engage children and young people in mental health by helping Thrive LDN to develop training and resources for youth organisations, schools and student societies.
6. Support employers to make mental health and wellbeing central to the workplace.
7. Work with partners to explore new ways to access services and support, and consider the use of digital technologies to promote mental health and improve information about accessing support.
8. Work with partners and build on the excellent work being done across the borough to reduce suicides in Tower Hamlets. We will build on existing suicide reduction and prevention initiatives by establishing a zero suicide ambition for Tower Hamlets.

12.13 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.

12.14 Motion regarding Tower Hamlets Communities to shape neighbourhoods and council services in decision making NOT a closed Mayoral Decision of £3.5 million contract to consultants to transform our services and communities

Proposer: Councillor Aminur Khan

Secunder: 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.

12.15 Motion regarding Westferry Printworks Secondary School

Proposer: Councillor Dave Chesterton

Secunder: Councillor Candida Ronald

The Council notes;

1. The Council's Local Plan adopted in April 2013 identifies the site of the former Printworks on Westferry Road as a priority location for a new secondary school on the Isle of Dogs.
2. A new 1,200 place secondary school on this site was granted planning consent in May 2016. When this opens this will be the first new second secondary school on the Isle of Dogs since George Green's School opened in 1975, more than 40 years ago;
3. Currently there is a surplus of secondary school places on the Isle of Dogs (just over 7% across all year groups). Current projected demand for secondary school places indicates that additional provision will not be required until the start of the school year 2021/22;
4. The "free school presumption" is the process Local Authorities have to follow where they intend to open a new school. It is set out in section 6(A) of the Education & Inspections Act 2006 which provides that where a Local Authority believes that a new school needs to be established in their area, they must seek proposals for the establishment of an Academy or Free School;
5. However, the guidance clearly states (para 17) that 'In considering the need for a new school, local authorities should factor in any other free school projects that the department has approved and are due to open;'
6. The Secretary of State has made it clear that she considers Canary Wharf College to be an appropriate provider as it is already open as a school and includes secondary provision from September 2016;
7. Even where the Council decides to run a competition, the Secretary of State is the ultimate decision maker and may decide to appoint a sponsor other than that recommended to her by a local authority following competition. The guidance states: "The Secretary of State reserves the right to agree a sponsor of her own choice (from the list of approved sponsors) on the basis that she may have further evidence about a proposer, or proposers, which means that none of those put forward is suitable." In this instance it seems likely she may decide to appoint Canary Wharf College despite other expressions of interest submitted, making the process abortive for the Council and other schools who bid;
8. If the Council opts to run a competition, the Council could bear costs of up to £30million, in addition to the costs of running the free school competition. The costs would remain the responsibility of the Council regardless of the Secretary of State's decision on who the provider will be;
9. If the school goes ahead as a central free school determined by the Department for Education, and the Council does not run a competition, the capital costs and the pre and post-opening costs for the school would be borne by the Department for Education;

This council also believes:

10. That the previous Regional Schools Commissioner indicated that, by virtue of the fact Canary Wharf College has already been approved by the Secretary of State to open a secondary school on the Isle of Dogs, it would be fair to assume the Government intends to approve Canary Wharf College despite any recommendation process.

The Council Believes;

1. There is no need to rush to select an operator for the Westferry Printworks Secondary School, this secondary school will not be required until September 2021;
2. The process by which an operator for this new school is selected should be by open competition, completely transparent and the views of parents placed at the centre of the selection process;
3. Potential operators must be able to evidence outstanding success in:
 - a. High educational attainment for children from diverse backgrounds;
 - b. Community cohesion and inclusiveness;
 - c. Actively reaching out to children from poor families;
 - d. Actively reaching out to children of parents from all faiths;
 - e. Positively encouraging children with special needs.
4. Ideologically motivated interference by the Secretary of State in this selection process is unacceptable;
5. That by making the Council liable for what could cost £30m, without giving them the power to decide on who will run the school is entirely wrong and flies in the face of parents' wishes and local democracy;

The Council Resolves to;

1. Ask the Mayor to continue to stand up for the rights of local parents, to have their voices heard and to write to the Secretary of State urging her to properly consider and be guided by local opinion before making any decision on this site;
2. Ask the Mayor to urge the Secretary of State and Regional Schools Commissioner not to undermine local decision-making and accountability, and to be open about their intentions relating to the Westferry Printworks Secondary School and to make this process fully open by waiving in advance of any local competition, the requirement for council to fund as much as £30m costs should the recommendation of such a competition not be approved by the Secretary of State;
3. Call on Conservative Councillors to add their voices to local concerns and make representations to the Department for Education to enable a genuine free school competition where the decision is not pre-determined and which does not cost the council millions even if the local process is then overturned by Government;
4. Refer the petition signed by local people to the Secretary of State and Regional Schools Commissioner.

12.16 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.

12.17 Motion regarding housing in Tower Hamlets

Proposer: Councillor Sirajul Islam
Secunder: 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.

12.18 Motion regarding Fire Safety in Tower Hamlets for Residents

Proposer: Councillor Kibria Choudhury

Seconder: 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.

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

12.19 Motion regarding Acid Attacks

Proposer: Councillor Mahbub Alam

Seconder: 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.

12.20 Motion regarding the Public Sector Pay Cap – including Tower Hamlets staff and emergency workers

Proposer: Councillor Harun Miah

Secunder: 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.

12.21 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.

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