

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.00 P.M. ON WEDNESDAY, 21 NOVEMBER 2018

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

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Ruhul Amin
- Councillor Mohammed Pappu

Apologies for lateness were received on behalf of Councillor Rabina Khan

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Amina Ali declared an Interest that must be registered (Other Interests) in agenda item 5.1, a Petition regarding drug dealing and ASB on Three Colt Street and the Thames Path E14.

The following Councillors declared an Interest that must be registered (Other Interests) in agenda item 9.12, a Member question regarding the new financial health centre, operated by THH. This was on the grounds that they were Board Members of Tower Hamlets Homes:

- Councillor Tarik Khan
- Councillor Asma Islam
- Councillor John Pierce
- Councillor Sabina Akhtar

Councillor Ayas Miah declared an Interest that must be registered (Other Interests) in agenda item 9.12, a Member question regarding the new financial health centre, operated by THH. This was on the grounds he was the leaseholder of a Tower Hamlets Homes property

The Monitoring Officer advised that she had granted Councillor Dan Tomlinson a dispensation in respect of Agenda Item 7, Administration Motion regarding Universal Credit.

3. MINUTES

DECISION:

1. That the unrestricted minutes of the ordinary Council Meeting held on 19th September 2018 be confirmed as a correct record and the Speaker be authorised to sign them accordingly.

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

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

Please see the minutes.

5. TO RECEIVE PETITIONS

5.1 Petition regarding Stop drug dealing and ASB on Three Colt Street and the Thames Path E14

Petition not presented due to the absence of the petitioner.

DECISION

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

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

5.2 Petition regarding the disposal of part of Island Gardens.

Ralph Hardwick addressed the meeting on behalf of the petitioners and responded to questions from Members. Mayor John Biggs then responded to the matters raised in the petition.

DECISION:

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

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

5.3 Petition regarding the rights of EU citizens to vote in local elections.

Spencer Wood and others addressed the meeting on behalf of the petitioners and responded to questions from Members. Councillor Amina Ali, Cabinet Member for Culture, Arts and Brexit responded to the matters raised in the petition.

DECISION:

1. That the petition be referred to the Corporate Director, Governance and Monitoring Officer for a written response within 28 days.

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

5.4 Petition Safeguard regarding Palestinian Solidarity

Sybil Cock addressed the meeting on behalf of the petitioners and responded to questions from Members. Mayor John Biggs then responded to the matters raised in the petition.

DECISION:

1. That the petition be referred to the Corporate Director, Governance and Monitoring Officer for a written response within 28 days

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

6. MAYOR'S REPORT

The Mayor presented his report to the Council. Councillor Andrew Wood, Leader of the Conservative Group, then responded briefly to the Mayor's report.

7. ADMINISTRATION MOTION DEBATE

7 – Administration Motion regarding Universal Credit

Councillor Rachel Blake **moved** and Councillor Dan Tomlinson **seconded** the motion as printed in the agenda.

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

DECISION:

This Council notes:

1. Universal Credit, the new social security payment which replaces 6 other benefits, is currently being rolled out across the country, including Tower Hamlets.

2. That the system and the rollout have been beset by numerous problems leading to real hardship.
3. The problems with Universal Credit are numerous and can have devastating impacts. These include cash flow crises, debt, rent arrears and evictions, and given that Universal Credit payments are made to a single bank account per household, this makes it easier for perpetrators of domestic abuse to control and exploit their victims.
4. That it can take up to 5 weeks before the first payment under Universal Credit is made.
5. That the Department of Work & Pensions (DWP) own survey of claimants published on 8th June showed that 40% of claimants are experiencing financial hardship even nine months into a claim and that 20% of claimants are unable to make a claim online.
6. That despite the roll-outs major problems, highlighted in a National Audit Office report (NAO, June 2018), the government sought to undermine it rather than address the very serious concerns it raised.
7. The NAO report also raised concerns that 'it is not clear that Universal Credit will cost less to administer than the existing benefits system.'
8. Tower Hamlets Council submitted written evidence to the Work and Pensions Committee inquiry into Universal Credit last year, on a joint basis with three other London boroughs.
9. The Times reported before the Budget that Esther McVey, Work & Pensions Secretary, confirmed to cabinet colleagues that millions of families could lose £200 per month under Universal Credit.
10. That under Mayor Biggs' Tackling Poverty Fund, £1m has been allocated to support Tower Hamlets residents affected by Universal Credit. This sits alongside a programme of Tackling Poverty work the council is undertaking.
11. Only 46% of respondents to Tower Hamlets own survey reported that they received correct payment from the start and an extraordinary 35% reported that they did not.
12. Tower Hamlets has launched our own Universal Credit Support service which has already started to work with clients who have moved onto UC.

This Council believes:

1. Universal Credit should be stopped completely, and that a genuinely comprehensive system should be introduced in which nobody will be worse off.
2. As the Prime Minister has announced that "austerity is over", the Chancellor should reverse the cuts to social security.
3. That the Chancellor's announcement of an extra £1.7bn for Universal Credit work allowances is less than a quarter of the £7bn of welfare cuts planned over the next 5 years.
4. That the social security system is there to support individuals and families in tough times, not to punish them.

This Council resolves:

1. To call on the Government to stop the roll-out completely and deliver a genuinely comprehensive system in which nobody will be worse off.

(Action by: Mayor's Office).

8. OPPOSITION MOTION DEBATE

8 – Opposition Motion by the Conservative Group regarding affordable housing in Tower Hamlets

Councillor Andrew Wood **moved** and Councillor Peter Golds **seconded** the motion as printed in the agenda.

Councillor Rachel Blake **moved** and Councillor Sirajul Islam **seconded** the following amendment to the motion to be debated as tabled:

Added text underlined
Deleted text scored out.

The Council notes:

The results of the 2018 Tower Hamlets Annual Residents' Survey show that the second highest concern for residents was a lack of affordable housing with 37% concerned.

This council further notes:

That the Chancellor Philip Hammond has announced that the Housing Revenue Account cap that controls local authority borrowing for house building will be abolished from 29 October 2018 in England, a welcome move which has long been called for by local authorities.

In response to the scrapping of the cap, Polly Neate, chief executive of homelessness charity Shelter, said: "Scrapping the borrowing cap lays down the gauntlet to local authorities to bring forward home-building plans – no more excuses."

Polly Neate also wrote this year that 'our country is in the grip of a worsening housing crisis as homelessness rises, and millions of people struggle to contend with the high-cost and deep insecurity of private renting.'

As well as working with Registered Provider partners to deliver the highest numbers of new affordable homes in the UK over the last 3 years, Tower Hamlets Council has its own ambitious plans to provide 2,000 new council homes.

The majority of our programme to deliver 2,000 new council homes is funded by the use of Right To Buy receipts and borrowing, and the Government's own rules about use of RTB receipts do not allow these receipts to be combined with GLA grant funding within the same property.

It is because of this that the Council only bid for GLA grant for a small proportion of our overall housing programme.

That the Mayor of London on the 23rd October 2018 released £1,029 million of government grants to build new affordable housing in London. Tower Hamlets ~~only~~ received £13 million from the Mayor of London, ~~the fifth lowest number across London Boroughs~~ in a warmly welcomed announcement.

By contrast our five neighbours will each receive:

Newham £107 million
Southwark £89 million
Hackney £45.6 million
Lewisham £37.7 million
Greenwich £32.6 million

~~This is despite~~ Tower Hamlets currently ~~having~~ has the highest housing targets in London (2nd highest targets in London when new London Plan approved)

The government funding, announced in the Government's Budget for 2017, is part of the provision of over £44 billion of new financial support for housing between 2017-18 and 2022-23 although the Budget document and supporting documents themselves clarified that only £15.3bn of this was 'new' money.

That the Government's flagship Housing & Planning Act merely exacerbated the housing crisis, and many of the measures announced within it have been indefinitely delayed or abandoned.

This council further notes:

The Council has committed to building 2,000 new Council homes but and a Council response to an Overview & Scrutiny question ~~defined new council homes as including~~ highlighted that the delivery of new council homes includes:

- The new build programme
- Purchase of s106 properties
- Buy backs of former council homes
- Delivery of modular homes
- Conversion of community buildings for temporary accommodation

~~Also, that m~~Many residents believe that affordable housing is unaffordable, it is extremely difficult to actually find information on the Councils website to get a full understanding of the different rent levels and service charges so that they have a proper understanding of the actual costs of new affordable housing. and the Mayor's Housing Policy & Affordability Commission looked closely at this issue. Following the Commission, new rent guidance was issued for newly built affordable homes, which means that some families will be nearly £6,000 better off.

This Council believes:

That the lifting of the HRA cap provides an opportunity to review our affordable housing targets and to build more new homes

~~That buying s106 properties already with planning permission or already built former Council homes is not delivering new Council homes (it just changes the ownership of homes being occupied by residents of Tower Hamlets)~~

~~That by competing with housing associations to purchase s106 properties mean less money being spent on new affordable homes within Tower Hamlets as housing associations will instead purchase new homes elsewhere~~

~~That only the delivery of new homes which would not otherwise be built and at affordable prices will deliver what residents need~~

That homes bought from the private market by the Council meet local housing needs and enable us to relocate homeless families out of poorer quality, less secure and more expensive nightly paid temporary accommodation;

That acquiring affordable homes through s106 agreements can accelerate the pace of delivery and ensure that assets are not only retained to meet long term local needs but also deliver revenue returns that are invested locally.

The Council's diverse approach – building new homes on Council land, converting redundant Council buildings into homes, buying homes on the private market, acquiring from developers through s106 agreements – ensures continued delivery across a portfolio of programmes, spreading risk and acting flexibly to take advantage of opportunities as they arise.

This Council therefore recommends the following:

1. To increase endorse the current housing targets in the light of the additional funding now available
2. To change recognise the definition of that new Council homes should be called 'new' when a dwelling is now available as a council home where it wasn't immediately previously. to mean new property that would otherwise not be built but still:
 - a. ~~Including modular homes like Place Ladywell as a way of speeding up delivery~~
 - b. ~~Including converting community buildings which does deliver genuinely new homes~~
That the definition of new Council homes does not include buying existing homes or those already with planning permission as that does not increase the total stock of homes in Tower Hamlets
3. ~~That in the next round of allocations by the Mayor of London that Tower Hamlets bids for more government grant better reflecting its status as the number one deliverer of new homes in London.~~

4. That the Council will continue to submit to the government a bid for a large slice of the funds available in the Housing Infrastructure Fund from the GLA and MHCLG.
5. To provide residents a better understanding of how affordable housing works and what it actually costs

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

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

DECISION:

The Council notes:

The results of the 2018 Tower Hamlets Annual Residents' Survey show that the second highest concern for residents was a lack of affordable housing with 37% concerned.

This council further notes:

That the Chancellor Philip Hammond has announced that the Housing Revenue Account cap that controls local authority borrowing for house building will be abolished from 29 October 2018 in England, a welcome move which has long been called for by local authorities.

In response to the scrapping of the cap, Polly Neate, chief executive of homelessness charity Shelter, said: "Scrapping the borrowing cap lays down the gauntlet to local authorities to bring forward home-building plans – no more excuses."

Polly Neate also wrote this year that 'our country is in the grip of a worsening housing crisis as homelessness rises, and millions of people struggle to contend with the high-cost and deep insecurity of private renting.'

As well as working with Registered Provider partners to deliver the highest numbers of new affordable homes in the UK over the last 3 years, Tower Hamlets Council has its own ambitious plans to provide 2,000 new council homes.

The majority of our programme to deliver 2,000 new council homes is funded by the use of Right To Buy receipts and borrowing, and the Government's own rules about use of RTB receipts do not allow these receipts to be combined with GLA grant funding within the same property.

It is because of this that the Council only bid for GLA grant for a small proportion of our overall housing programme.

That the Mayor of London on the 23rd October 2018 released £1,029 million of government grants to build new affordable housing in London. Tower Hamlets received £13 million from the Mayor of London, in a warmly welcomed announcement.

By contrast our five neighbours will each receive:

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Tower Hamlets currently has the highest housing targets in London (2nd highest targets in London when new London Plan approved)

The government funding, announced in the Government's Budget for 2017, is part of the provision of over £44 billion of new financial support for housing between 2017-18 and 2022-23 although the Budget document and supporting documents themselves clarified that only £15.3bn of this was 'new' money.

That the Government's flagship Housing & Planning Act merely exacerbated the housing crisis, and many of the measures announced within it have been indefinitely delayed or abandoned.

This council further notes:

The Council has committed to building 2,000 new Council homes but and a Council response to an Overview & Scrutiny question highlighted that the delivery of new council homes includes:

- The new build programme
- Purchase of s106 properties
- Buy backs of former council homes
- Delivery of modular homes
- Conversion of community buildings for temporary accommodation

Many residents believe that affordable housing is unaffordable, and the Mayor's Housing Policy & Affordability Commission looked closely at this issue. Following the Commission, new rent guidance was issued for newly built affordable homes, which means that some families will be nearly £6,000 better off.

This Council believes:

That the lifting of the HRA cap provides an opportunity to review our affordable housing targets and to build more new homes

That homes bought from the private market by the Council meet local housing needs and enable us to relocate homeless families out of poorer quality, less secure and more expensive nightly paid temporary accommodation;

That acquiring affordable homes through s106 agreements can accelerate the pace of delivery and ensure that assets are not only retained to meet long term local needs but also deliver revenue returns that are invested locally.

The Council's diverse approach – building new homes on Council land, converting redundant Council buildings into homes, buying homes on the private market, acquiring from developers through s106 agreements – ensures continued delivery across a portfolio of programmes, spreading risk and acting flexibly to take advantage of opportunities as they arise.

This Council therefore recommends the following:

1. To endorse the current housing targets in the light of the additional funding now available
2. To recognise that new Council homes should be called 'new' when a dwelling is now available as a council home where it wasn't immediately previously.
3. That the Council will continue to bid for a large slice of the funds available from the GLA and MHCLG.
4. To provide residents a better understanding of how affordable housing works and what it actually costs

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

9. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL

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

9.1 Question from Councillor Asma Islam regarding foster care recruitment.

9.2 Question from Councillor Andrew Wood regarding incidents on Blackwall Way.

9.3 Question from Councillor Abdul Mukit MBE about the Bishopsgate Goodsyrd development and the consultation process.

9.4 Question from Councillor Peter Golds regarding the allocation of grant funding for the delivery of new affordable homes.

9.5 Question from Councillor Victoria Obaze regarding the provision of support to EU citizens in Tower Hamlets before and after Brexit.

9.6 Question from Councillor Kahar Chowdhury requesting an update on the allocation of the Tackling Poverty Fund.

9.7 Question from Councillor Sufia Alam regarding the outcome of the Violent Crime Summit in terms of how will it shape future work. (No supplementary question was asked).

9.8 Question from Councillor Dan Tomlinson regarding the use of Public Space Protection Orders in the Borough

9.9 Question from Councillor Kyrsten Perry enquiring about the development of the Violence Against Women and Girls Charter and what it aimed to achieve.

9.10 Question from Councillor Mohammed Ahbab Hossain requesting an update on the work of the Brexit Commission. (No supplementary question was asked).

9.11 Question from Councillor Mufeedah Bustin about progress with the Master Plan for the parks on the south of the Isle of Dogs

9.12 Question from Councillor Ehtasham Haque regarding the benefits for residents of the new financial health centre, operated by THH.

9.13 Question from Councillor Puru Miah regarding the proposed TFL North South Cycle Route in terms of the impact anticipated on the Burdett/Mile End Road junction.

9.14 Question from Councillor Shah Ameen regarding the recent application by the Police for Closure Order for ASB behaviour in communal areas.

Questions 9.15 - 9.16 were not put due to lack of time. A Written response would be provided to the questions. (Note the written responses will follow)

(Action by:—Matthew Mannion, Committee Services Manager, Democratic Services to arrange written responses)

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

10.1 Report from Audit Committee: Treasury Management Mid-Year Report for 2018/19

The Council considered a report from the Audit Committee setting out the Treasury Management Mid-Year Report 2018/19. The Council noted that recommendation 2 on the cover report should read £447.62m.

DECISION:

That the Council notes:

1. That the treasury management activities and performance against targets for the half year ending 30 September 2018; and

2. The Council's investments as set out in Appendix 1 to the report. The balance outstanding as at 30 September 2018 was £447.62m which includes £10m pension fund cash awaiting investment.

(Action by: Neville Murton, Acting Corporate Director Resources).

11. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

11.1 –Motion regarding Remaining Local Authority Day Nurseries

Councillor Peter Golds **moved** and Councillor Andrew Wood **seconded** the motion as printed in the agenda.

Councillor Danny Hassell **moved** and Mayor John Biggs **seconded** the following amendment to the motion to be debated as tabled:

Added text underlined.

Deleted text scored out.

This council notes that there has been considerable concern amongst both members and residents regarding the closure of the three remaining Local Authority Day Nurseries, namely; John Smith, Overland and Mary Sambrook. We further note that a public consultation was held on the proposals which attracted 592 responses, 53% of which were in favour of the proposal to close the Local Authority Day Nurseries, and that there are clearly diverse views on this matter.

The council further notes that the call-in members expressed concern in their call-in requisition that

“no ‘other operators’ were considered as providers to run the three LADNs” though notes that this statement was disputed by council officers.

In addition, the members highlighted the alternatives presented to the Schools Forum all resulted in closure of the three nurseries although again this followed an earlier decision from the Schools Forum which made clear their intention to withdraw funding from the LADNs.

In addition, the call-in members suggest that the result of the decision will result in a ‘depreciation of service’ for service users and is therefore in contrast to what was agreed by full council in 2017 but note that this is not accepted by the leadership and particularly that the Mayor has stated he plans to bring forward new proposals for Early Years initiatives as part of the forthcoming Budget process which will have a wider positive impact for local residents and that there will be no reduction in early years places and that it is proposed that a number of pilot initiatives will be developed following the imminent early years summit.

The council notes that whilst the Mayor has responsibility for Executive decisions, members retain certain responsibilities as to the budget.

Constitution - 4.02 Functions of Council

Only Council will exercise the following functions:

(b) approving or adopting the policy framework and the budget;

The council also notes the letter from the former Section 151 Officer and the Monitoring Officer which explicitly set out that despite claims to the contrary the decision regarding the LADNs was for the Executive not the council, and that this was both clarified in writing to O&S before and again after the call-in.

~~Therefore,~~ The Council believes that despite this being an Executive decision, in this case there are budgetary implications and therefore the decision to proceed should be debated by full council has, by consideration of this motion, been debated and enabled enabling members to invite the Mayor to explain the situation to full council and in light of the council debate whether to proceed with the closures.

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

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

DECISION:

This council notes that there has been considerable concern amongst both members and residents regarding the closure of the three remaining Local Authority Day Nurseries, namely; John Smith, Overland and Mary Sambrook. We further note that a public consultation was held on the proposals which attracted 592 responses, 53% of which were in favour of the proposal to close the Local Authority Day Nurseries, and that there are clearly diverse views on this matter.

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The council also notes the letter from the former Section 151 Officer and the Monitoring Officer which explicitly set out that despite claims to the contrary the decision regarding the LADNs was for the Executive not the council, and that this was both clarified in writing to O&S before and again after the call-in.

The Council believes that despite this being an Executive decision, the decision to proceed has, by consideration of this motion, been debated and enabled members to invite the Mayor to explain the situation to full council and in light of the council debate whether to proceed with the closures.

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

12. OTHER BUSINESS

There was no other business.

The meeting ended at 10:00pm