



Meeting of the

TOWER HAMLETS COUNCIL

Wednesday, 23 January 2019 at 7.00 p.m.

A G E N D A

VENUE

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

Democratic Services Contact:

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Directorate of Governance

Democratic Services
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London E14 2BG

Tel **020 7364 4651**

www.towerhamlets.gov.uk

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

You are summoned to attend a meeting of the Council of the London Borough of Tower Hamlets to be held in **THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON, E14 2BG** at 7.00 p.m. on **WEDNESDAY, 23 JANUARY 2019**

Will Tuckley
Chief Executive

Public Information

Attendance at meetings.

The public are welcome to attend meetings of the Council. However seating is limited and offered on a first come first served basis and meetings tend to reach full capacity.

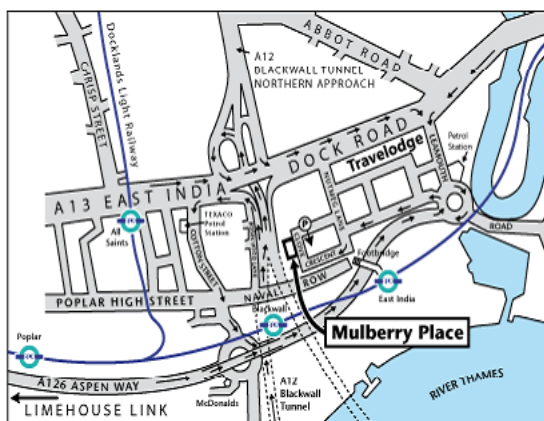
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QR code for smart phone users

LONDON BOROUGH OF TOWER HAMLETS

COUNCIL

WEDNESDAY, 23 JANUARY 2019

7.00 p.m.

PAGE
NUMBER

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 - 36

To confirm as a correct record of the proceedings the unrestricted minutes of the Ordinary Meeting of the Council held on 21st November 2018

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

5. **TO RECEIVE PETITIONS**

37 - 38

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

The attached report presents the received petition to be discussed. Should any further petitions have been received they would have been listed to be noted but not discussed. No further petitions were received.

6. **MAYOR'S REPORT**

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

A maximum of six minutes is allowed for the Elected Mayor's report, following which the Speaker of the Council will invite the leader of the opposition group to respond for up to two minutes should he so wish.

7.	ADMINISTRATION MOTION DEBATE	39 - 42
	To debate a Motion submitted by the Administration in accordance with Rules 11 and 13 of the Council's Constitution. The debate will last for a maximum of 30 minutes.	
8.	OPPOSITION MOTION DEBATE	43 - 46
	To debate a Motion submitted by the Opposition Group in accordance with Rules 11 and 13 of the Council's Constitution. The debate will last for a maximum of 30 minutes.	
9.	TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL	47 - 50
	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.	
10.	REPORTS FROM THE EXECUTIVE AND THE COUNCIL'S COMMITTEES	
10 .1	Report from the Executive: Local Council Tax Reduction Scheme 2019-2020	51 - 74
	To consider the report on proposed changes to the Local Council Tax Reduction Scheme, forwarded for consideration of Council by the Mayor in Cabinet on Wednesday 9 January 2019.	
11.	OTHER BUSINESS	
11 .1	Appointment of Chair of Pensions Committee	75 - 78
	A report to allow an appointment to the vacant Chair of the Pensions Committee.	
12.	TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL	79 - 80
	The motions submitted by Councillors for debate at this meeting are set out in the attached report.	

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Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

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

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

Interests and Disclosable Pecuniary Interests (DPIs)

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

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

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

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

Effect of a Disclosable Pecuniary Interest on participation at meetings

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

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

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

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

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

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

Further advice

For further advice please contact:-

Asmat Hussain, Corporate Director, Governance 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, 21 NOVEMBER 2018

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

Members Present:

Mayor John Biggs	Councillor Rabina Khan
Councillor Faroque Ahmed	Councillor Tarik Khan
Councillor Sabina Akhtar	Councillor James King
Councillor Sufia Alam	Councillor Gabriela Salva Macallan
Councillor Amina Ali	Councillor Eve McQuillan
Councillor Shah Ameen	Councillor Ayas Miah
Councillor Asma Begum	Councillor Puru Miah
Councillor Rachel Blake	Councillor Abdul Mukit MBE
Councillor Kevin Brady	Councillor Victoria Obaze
Councillor Mufedah Bustin	Councillor Kyrsten Perry
Councillor Kahar Chowdhury	Councillor John Pierce
Councillor Shad Chowdhury	Councillor Leema Qureshi
Councillor Dipa Das	Councillor Zenith Rahman
Councillor David Edgar	Councillor Candida Ronald
Councillor Peter Golds	Councillor Dan Tomlinson
Councillor Ehtasham Haque	Councillor Helal Uddin
Councillor Muhammad Harun	Councillor Abdal Ullah
Councillor Danny Hassell	Councillor Motin Uz-Zaman
Councillor Mohammed Ahabab Hossain	Councillor Val Whitehead
Councillor Asma Islam	Councillor Bex White
Councillor Sirajul Islam	Councillor Andrew Wood
Councillor Denise Jones	

The Speaker of the Council, Councillor Ayas Miah in the Chair

The Speaker of the Council brought the Council up to date with some of his activities since the previous Council meeting.

He advised that he was very pleased to have hosted and attended a variety of events. This included:

- Citizenship ceremonies and community awards celebrating local achievements.
- Charity events including an anniversary celebration of the Queen Victoria Seaman's Rest and an annual celebration of Blind Aid.
- Welcoming the Mayor of Sylhet City and a talk about Tower Hamlets and the links with Sylhet.
- A visit to RAF Northolt and a tour of the Battle of Britain Bunker.

- Several large civic events, including the Annual Civic Service in Westminster and an event in St. Paul's Cathedral to mark National Hate Crime Awareness Week.
- Meeting Princess Anne at an event to mark the links between the Corporation of Trinity House and the City of London.
- A Diwali celebration event.
- Remembrance ceremonies and fundraising activities, marking 100 years since the end of World War 1. This included: a Service of Remembrance at City Hall, the Remembrance Sunday service at Tower Hill and a special preview of the Shrouds of the Somme.
- A Cadets Parade day.
- Hosting several local Primary Schools in Local Democracy Week, where they had an opportunity to learn about local decision making.
- Welcoming a Plenary Conference of the British – Irish Parliamentary Assembly to Tower Hamlets.

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

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 for tonight's meeting.

3. MINUTES**RESOLVED:**

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.

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

The Chief Executive updated the Council on a number of recent developments. He welcomed to the meeting Neville Murton who was now the Acting Corporate Director, Resources. He also reported that Dan Jones, the new Divisional Director for Public Realm, would be joining the Council next week. He thanked Robin Payne for all his work in this role.

He also advised that the Council had been shortlisted for a number of Local Government Awards and would find out in March whether they had been successful.

He also reported that the Council's next Ofsted Visit was due to take place in December and that the Council would also be joined in the same week by the Investors in People assessors.

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.

RESOLVED:

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

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. He stated that the Council had provided information to the petitioners and responded to requests for information, showing that East End Homes lawfully owned the site and it was no longer open space at the time of the transfer. The Mayor also stated that, subject to legal advice, he was happy to make further information available.

Regarding the development plans, he hoped that the proposals would include public open space.

RESOLVED:

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

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. She acknowledged the concerns of the petitioners regarding the future rights of EU citizens. She advised that Labour politicians would continue to campaign at all levels to ensure that EU citizens had the right to vote and stand locally.

RESOLVED:

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

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. Whilst recognising the concerns about Israeli/Palestinian relations, he stated that he completely stood by the Council's decision to adopt the International Holocaust Remembrance Alliance Guidelines on Anti-Semitism.

RESOLVED:

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

Note – during the above item the Speaker adjourned the meeting for 10 minutes at 7:40pm to restore order in the public gallery. The meeting was reconvened at 7:50pm.

6. MAYOR'S REPORT

The Mayor made his report to the Council, referring to his written report circulated, 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, Councillor Andrew Wood, Leader of the Conservative Group, briefly responded 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**.

RESOLVED:

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.

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 mMany 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.**

RESOLVED:

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:

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

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

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:

Can the Mayor or Cabinet Member set out what the council is doing to encourage more residents to become foster carers, particularly in light of Afia Choudhury winning the 2018 Fostering Network President's Award after being a foster carer with Tower Hamlets for 13 years?

Response of Councillor Danny Hassell, Cabinet Member for Children, Schools and Young People:

This is a particularly important issue to us all as corporate parents as we know that providing enough foster homes for our most vulnerable children and young people helps to give them a chance of having a loving and supporting home and environment. We are all deeply proud of Afia Choudhury's hard work and that her tireless dedication to fostering has been highlighted by this award. As the Mayor said, she is an inspiration who has welcomed over 27 children into her home. Prior to the announcement of Afia's award, we took steps to strengthen and increase our social media activity. Our campaign has resulted in a significant increase in interest over the past 2 months. It has risen from 20 enquiries per month prior to the campaign to 47 enquiries in September and 37 in October.

This activity has also taken place alongside our usual recruitment activities and advertising within our local communities. I can assure you that we will continue to highlight the benefits of fostering and also the positive work of foster carers in our borough.

Supplementary question from Councillor Islam:

Could you also elaborate on what support mechanisms we have in place to support existing foster carers and newly recruited foster carers?

Councillor Hassell's response to the supplementary question:

We provide an excellent range of support to our foster carers. We make sure that their voice is represented through decision making so we have representatives on the Corporate Parenting Board. I know when I speak to many foster carers, and a number of you come from neighbouring boroughs, they really value the support that we provide as a Local Authority. So I would like to pay tribute to our fostering team for all that they do, in that work. We have six different support groups. We provide a £6000 grant funding towards the local TH foster carers association, as well as providing annual memberships to fostering networks for members who foster for us. This enables them to get the peer support that they need. We run a mentoring scheme and we are recruiting and training experienced carers as part of that and we pay the mentors for that work.

9.2 Question from Councillor Andrew Wood:

Given that the Council recently signed the "Violence Against Women and Girls Charter" why did the Council choose not to inform nearby female residents of the threat of sexual assaults from a lone male on Blackwall Way although it did send an internal warning message to its own staff?

Response of Councillor Asma Begum, Deputy Mayor and Cabinet Member for Community Safety and Equalities:

Tower Hamlets Police have their own communication channels that they use to promote a warning to the public about incidents in a specific area. Given the sensitivities of police investigations, the council relies on the police partnership communications on this incident and we work closely with them.

The decision regarding the timing and extent to which the public were informed of this crime was an operational policing decision that was made by a Detective Chief Inspector who was fully consulted in the drafting of this particular response. The police launched an appeal for information which resulted in regional and local media coverage which many of our residents would have seen. A suspect has since been arrested.

As for why we chose to inform staff, when police published the warning on its channels, we took the decision to notify our staff internally.

Supplementary question from Councillor Wood:

You have 15,000 people following your twitter feed. You have thousands of people on your Facebook page. So the question is why did you not repeat that police warning on your own communication channels, when we gave coverage to Rod Liddle's stupid and obnoxious remark in the Sunday Times. Was that more important than actually sharing this warning message with our residents?

Councillor Begum's response to the supplementary question:

It is an operational policing decision and it is not practical for the council to put out messages by partners on our channels which reach residents across the whole of Tower Hamlets and beyond. In addition, we need to be mindful to not compromise ongoing investigations and when it was appropriate, the Police sent out a message.

9.3 Question from Councillor Abdul Mukit MBE:

Can the Cabinet Member please confirm to me who the new developer planning to develop Bishopsgate Goodsyrd is and when local residents may have opportunities to raise their concerns?

Response of Councillor Rachel Blake, Deputy Mayor and Cabinet Member for Regeneration and Air Quality:

The planning applicant is a joint venture between Hammerson Plc and Ballymore. The planning application was called in by the former Mayor of London in 2015. GLA officers have recommended refusal of the current proposals but the application was not determined and was instead deferred for further amendments to address the reasons for refusal.

The Mayor of London remains the planning authority for this application.

Amended proposals are currently out for public consultation. We have been very keen to advise the developer of who they should be working with, where they should be carrying out consultation events, and linking them up to community networks. In addition, Tower Hamlets and Hackney Council planning teams are working with the GLA to provide feedback on the amended proposals and we anticipate that amended plans will be formally submitted to the GLA in early 2019. A representation hearing for the Mayor of London to make a final decision is expected to take place next summer

Supplementary question from Councillor Mukit:

Given the commitment by the Executive Mayor regarding social housing, what level of social housing will be provided?

Councillor Blakes' response to supplementary question:

The previous application was submitted with appalling low levels of affordable housing. I think they started off at just 5% and this was completely thrown out by Local Authority planning officers. Sadiq Khan, the Labour Mayor of London has established a policy where he expects a minimum threshold of 35% affordable housing, and that is certainly what we will be pushing in our representations.

9.4 Question from Councillor Peter Golds:

Why did Tower Hamlets only receive £13 million of the £1,029 million government grant allocated to London Boroughs by the Mayor of London to build new affordable homes despite currently having the highest housing targets in London?

Response of Councillor Sirajul Islam, Statutory Deputy Mayor and Cabinet Member for Housing:

Firstly I would like to welcome the news that the Mayor of London has agreed plans worth over £1 billion to deliver 11,000 badly needed Council homes across London. I am also delighted that Tower Hamlets received £13 million to deliver 675 homes in the Borough. In addition, Tower Hamlets has delivered the most homes in the UK. We have ambitious plans to provide 2000 new Council homes and we are investing into providing temporary homes for homeless families, I would also like to remind Councillor Golds that the majority of our programme to deliver 2000 new Council homes is funded by the use of right to buy receipts and borrowing. The Government's own rules prevent the use of right to buy receipts combined with GLA grant funding for the same property. It is because of this that the Council only bid for GLA grant for a small proportion of the overall housing programme. The GLA grant will be used to provide 130 one bed flats making maximum use of the funding per property combined with HRA borrowing. The rest of the Council's programme will be funded by right to buy receipts and further borrowing. I look forward to Councillor Golds setting out his party's vision for housing in this Borough.

Supplementary question from Councillor Golds:

You have asked me about my party's vision, I have two points: the last government to deliver an enormous amount of social housing was that under John Major. When the Labour Government came in, they capped the social housing numbers. On the issue of Newham getting £107 million and Tower Hamlets getting far less, do you think there is a chance that Labour Members and activists could consult with the Mayor of Newham to discuss how they got that £107 million, and we only received £13million.

Councillor Islam's response to supplementary question:

I have already explained the reason why we applied for this smaller amount of money, because we do have quite an ambitious housing programme within our own resources. I welcome that Newham secured this extra amount of money and a Labour Council are showing this ambition and delivering more and more social housing for Londoners.

9.5 Question from Councillor Victoria Obaze:

What is the council doing to help and support EU citizens in Tower Hamlets before and after Brexit?

Response of Councillor Amina Ali, Cabinet Member for Culture, Arts and Brexit:

The Council has set up the Brexit Commission and has also started to prepare our own contingency plans in the event of a deal or no deal. The Brexit Commission work has included some roadshows on EU settlement rights, following Brexit. We have so far delivered two roadshows for the community and new residents. The first was held in the Whitechapel Idea Store, where we held stores from relevant organisations and specialist EU solicitors and offered advice to around 60-70 residents and a small number of non-residents who came to seek advice. Our second roadshow was held in Canary Wharf where two colleagues from the Council handed out information, guidance and leaflets from the Home Office, to those who are interested. We are planning our third roadshow in the Isle of Dogs and a further one in Mile End in the coming months. We also have an on line form on our website where residents can share their concerns. Finally the Brexit Commission report will also shed light on the support that EU residents will require. The report will be launched in mid February 2019

Supplementary question from Councillor Obaze:

How will the Council ensure that EU citizens in our Borough will not face any discrimination on their entitlements after the EU Brexit?

Councillor Ali's response to the supplementary question:

We will continue our roadshows offering advice to EU Citizens in Tower Hamlets. We will be lobbying central government and the GLA. We will also be campaigning on issues that affect Tower Hamlets residents after Brexit as and when they occur.

9.6 Question from Councillor Kahar Chowdhury:

Can the Mayor or Cabinet Member please update members on how the Tackling Poverty Fund is being used?

Response of Councillor Rachel Blake, Deputy Mayor and Cabinet Member for Regeneration and Air Quality:

The tackling poverty fund is being used to pay for our Crisis and Support scheme, which will be re launched in the beginning of December, to make sure that we provide additional support to residents and ensure they are getting all the services they possibly can through our new scheme. We talked about this evening our Resident Support Outreach Team. In which Universal Credit advisors are in GP's surgeries and in community centres supporting people who are going through the misery of moving on to Universal Credit. We have established a £200,000 Innovation Fund to support partners to test innovative ways of tackling poverty.

Supplementary question from Councillor Chowdhury:

Owing to the cuts and coupled with the increasing demands for services, it is conceivable that the allocated fund will be fully used. Therefore, do we have a contingency plan to top it up?

Councillor Blake's response to the supplementary question:

Currently our funds for this programme have been drawn out of reserves and I very much hope that we will consider continuing certainly the residents support scheme and the crisis fund, as we go into our budget setting programme.

9.7 Question from Councillor Sufia Alam:

What were the outcomes from the Violent Crime Summit and how will it shape the council's work going forward?

Response of Councillor Asma Begum, Deputy Mayor and Cabinet Member for Community Safety and Equalities:

The Violent Crime Summit was held on 21st September 2018. It was a useful conversation and we heard from various individuals and organisations about the concerns of the community, voluntary sector groups, and professionals about violence in the borough.

We need our police, council, voluntary sector, schools and youth services to work effectively together through a multi-agency approach.

A number of priorities were identified and are being developed into a 'Statement for Action' that will be publicised, and I'll make sure that councillors receive this as well.

The Community Safety Partnership and public health partners are also developing a public health approach to look at long term prevention.

We are also developing an integrated approach with the co-location of police gangs team, exploitation team, Children' services, commissioned gang workers and others.

Drug related crime is rooted in complex issues and there is no quick fix for it. However we are making progress with our partnership work and the Violent Crime Summit was a really useful step.

No supplementary question was asked

9.8 Question from Councillor Dan Tomlinson:

To ask the Mayor/Cabinet for an update on our use of Public Space Protection Orders (PSPOs). In particular, how many PSPO areas we have in the borough and if we have any plans to add more in the years ahead?

Response of Councillor Asma Begum, Deputy Mayor and Cabinet Member for Community Safety and Equalities:

Tower Hamlets currently has four Public Spaces Protection Orders. There is a Borough wide PSPO, a PSPO in Brick Lane, Ropemakers Fields and Kings Arms Court. The first is the Borough wide PSPO which is for responsible drinking. The PSPO in Brick Lane is in regards to serious and persistent anti-social behaviour. The Ropemakers Fields PSPO is in regards to a cracking down on large groups. The Kings Arms Court PSPO is due to a busy pedestrian footpath. Since the Brick Lane PSPO, we have issued between April to September 2018, 17 fixed penalty notices and for the same period in the Borough wide PSPO, we have issues 37 Fixed Penalty notices

Supplementary question from Councillor Tomlinson:

Do we have plans to introduce more PSPO's at the moment?

Councillor Begum's response to the supplementary question:

Currently given these orders can be restrictive in terms of what people can do and how they behave in public spaces, it is important that the restriction that is imposed is focused. So we don't have any more PSPO's in train, but it will be a tool we will be using if it's required.

9.9 Question from Councillor Kyrsten Perry:

November is “safeguarding” month and currently one in three women and girls experience gender violence in their life time. Therefore, I wanted to ask about why the Violence Against Women and Girls Charter has been developed and what it aims to achieve?

Response of Councillor Asma Begum, Deputy Mayor and Cabinet Member for Community Safety and Equalities:

The VAWG Charter sets out Tower Hamlets Council’s commitment to tackling gender based violence. Our strategy is to ensure support and protection for victims, enforce action against perpetrators and work with communities to raise awareness and challenge gender-based violence.

The Charter was signed by Cabinet late last month and marks our ongoing commitment to services with the potential to save lives. It outlines our offer of practical support, like the Sanctuary Scheme to improve the security of a victim’s home and it promises ongoing work with children who live with domestic abuse. The charter provides an additional commitment to lobby the Government to make misogyny a hate crime.

It further aims to promote awareness around VAWG and the services are available within Borough to those experiencing VAWG

Supplementary question from Councillor Perry:

Will the work such as the outcomes of the charter be reviewed?

Councillor Begum’s response to the supplementary question:

We have come to the end of our consultation for our Violence Against Women and Girls strategy, which has now been prepared and I will be looking at the draft. We will also be refreshing the charter as well next year.

9.10 Question from Councillor Mohammed Ahab Hossain:

Can the cabinet member please update me on the work of the Brexit Commission?

Response of Councillor Amina Ali, Cabinet Member for Culture, Arts and Brexit:

The Commission was launched in September 2018, since then we have been gathering evidence and drafting the report of our steering group. Alongside the data collected and the analysis for the report, we have organised some community events and road shows that have been taking place up and down the Borough. Regarding the Commission’s work we have held two oral evidence sessions. One on the public services and the other on the local economy. Both of which secured local media coverage. We are planning our

third and final oral evidence session to be held on 27 November on the civil society.

No supplementary question was asked.

9.11 Question from Councillor Mufeedah Bustin:

What is the process and timings for the Master Plan for the parks on the south of the Isle of Dogs?

Response of Councillor Amina Ali, Cabinet Member for Culture, Arts and Brexit:

The development of the master plan is the first stage of work, looking at improving the offer to the public in terms of the facilities and linkages in the open space on the Isle of Dogs. A brief is currently being developed which sets out our objectives, which are broadly to secure the improvement and the refurbishment of facilities in the three open spaces, and linkages between them. We will also be inviting bids from experienced, suitable and qualified master plan teams, to produce a deliverable master plan for the long-term and improvement of the three open spaces. This will include an analysis of the spaces and consultation with local stakeholders and an investigation of a number of options. The brief will be submitted for bid in 2019 with an anticipation of a completion date in June 2019.

Supplementary question from Councillor Bustin:

Will councillors and residents be able to contribute to the consultation?

Councillor Ali's response to the supplementary question:

There will be room for consultation with local stakeholders, which is key to us, and I look forward to working with you as part of that consultation.

9.12 Question from Councillor Ehtasham Haque:

How will the new financial health centre, operated by THH, benefit residents?

Response of Councillor Candida Ronald Cabinet Member for Resources and the Voluntary Sector:

The growing pressure from the ever-increasing welfare reform and the rollout of Universal Credit across Tower Hamlets has seen a large number of residents experiencing greater poverty and more financial exclusion. In this current climate, there is a greater need for support and training in financial matters. In response to this, THH has developed the Borough's first Financial Health Centre. Residents can book appointments or drop in any weekday to receive advice and support on debt; welfare benefits; universal credit; money management; training; job searching; disability matters and more. Since the centre's launch on 17th September our advisors have supported over 300 people, £140,000 worth of debt have been consolidated and over £210,00

worth of benefits have been applied for. 65 residents have been helped with employment and training advice and 11 people have secured jobs as a result.

Supplementary question from Councillor Haque:

It is good to see THH doing their bit to help the residents. Are any other housing associations providing similar services and do you think they should do so?

Councillor Ronald's response to the supplementary question:

I know that some Housing Associations are doing similar sorts of things and I hope that the success of this one will show that this is something that their residents need.

9.13 Question from Councillor Puru Miah:

Does the lead member acknowledge the concerns ordinary residents of Mile End have over the proposed TFL North South Cycle Route, in particular the adverse impact anticipated on the Burdett/Mile End Road junction?

Response of Councillor David Edgar, Cabinet Member for Environment

The Mayor, Council Officers and I are aware of the concerns people have about the impact of the proposed North South Cycle Route on local accessibility. We are working closely with Transport for London to make sure that residents access is maintained and at measures in regards to rat runs as clearly they are a problem for local residents as well. We also want to provide opportunities for improving pedestrian safety as well as encouraging more cycling. We all know that air pollution in this Borough is a real problem and the extent that cycling can help with addressing that, is something we should welcome. So positive conversations are taking place about the reinstatement of the right turn from Burdett Road, which was closed by TfL some time ago. The design work continues and outline plans will come forward and further public consultation will take place in May 2019.

Supplementary question from Councillor Miah:

Does the Lead Member acknowledge that the local campaign with regards to the no right turn and the anger and concerns is not in regards of the cycle route but more towards the fact that residents feel that they have been ignored by TfL with regards to the no right turn. As I look towards the Conservative Councillors, the message from the residents of Mile End is the Burdett and Mile End Road junction is for turning.

Councillor Edgar's response to the supplementary question:

It is clearly the case that the Council (Officers, the Mayor, ward Councillors) have worked really hard to try and persuade TfL that they do need to think again about this right turn. I think that some progress has been made, but I do think that we need to make sure that when they come forward with the

detailed proposals about how they are going to respond to the concerns that all of the knock on effects are also thought through. So we don't end up with a change that simply creates a new set of problems in a different place. We need to really press TfL into thinking very carefully about any changes that they make in response to the pressure that we have been applying.

9.14 Question from Councillor Shah Ameen:

Would the lead member agree, that the recent application by the Police for Closure Order for the ASB behaviour in the communal areas of Delafield House, and Berner North Estate, is a step in the right direction to the ongoing problems of drugs and ASB in Whitechapel?

Response of Councillor Sirajul Islam, Statutory Deputy Mayor and Cabinet Member Housing

Closure Orders are one of several powers introduced by the Anti-Social Behaviour, Crime and Policing Act 2014. This Order is normally valid for three months and one extension can be obtained at court provided there is evidence of an ongoing problem.

It is never a one size fits all approach and the council and police will adopt appropriate tactics and powers on a case by case basis. However based on previous experience at other locations Tower Hamlets Homes ASB Team have observed an almost instant reduction in drug-related ASB when the Partial Premises Closure Orders were put in place.

Because it is a temporary measure, this is why it must and will be used as an effective short term measure to bring respite to residents whilst continuing to work with police and other partners in housing and support services to solve the issues on a longer term basis. A key challenge once an order is obtained is monitoring compliance. The investment in police resources funded by the Mayor is key to supporting this activity.

Supplementary question from Councillor Ameen:

Thank you Councillor Islam for working to make our estates a safer place. It has given a positive impact on the current Administration. Do you have any feedback on what our residents feel about the closure orders?

Councillor Islam's response to the supplementary question:

Nothing formal, but anecdotally I think that residents have taken it positively. I will give you an example, when the Police Sergeant was putting up the closure order signs in Delafield House, a child asked what the Police Officer was doing. When he explained, the reaction of the boy was thank you very much and at least I can walk safely to my home now.

Questions 9.15 and 9.16 were not put due to lack of time. A Written response would be provided to the questions. (Note the written responses are included in Appendix A to these minutes)

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

10.1 Report 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.

RESOLVED:

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.

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**.

RESOLVED:

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 believes that despite this being an Executive decision, the decision to proceed should be debated by full council and 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.

12. OTHER BUSINESS

There was no other business.

The meeting ended at 10.00 p.m.

Speaker of the Council

APPENDIX A – WRITTEN RESPONSES TO QUESTIONS THAT WERE NOT PUT AT THE FULL COUNCIL MEETING (21 NOVEMBER 2018)

9.15 Question from Councillor Tarik Khan:

Will the gas holders in St. Peter's be protected under the Tower Hamlets local plan?

Response from Councillor Rachel Blake, Deputy Mayor for Regeneration and Air Quality.

The gasholders are not listed but are located in a designated conservation area (Regents Canal Conservation area) and the detailed policy guidance specific to this is set out in the Regents Canal Conservation Area Character Appraisal and Management Plan, November 2009. The appraisal acknowledges the importance that the gasholders play within the conservation area.

The wording of the design principles for Marian Place Gas Works and The Oval reflect this emphasis as it states that development is expected to 'retain, reuse and enhance the existing heritage assets including no.2 and no. 5 gasholders'.

Parts 2, 3 and 4 of Policy S.DH3 set out the requirements of developments that affect a Conservation Area. Given that the gasholders fall within the conservation area, any application for development affecting them would need to meet those policy requirements.

9.16 Question from Councillor Rabina Khan

Why did LBTH under Mayor Biggs secure only 13 million pounds of grant funding for housing from the GLA and could he clarify the number of 1,2 and 3 bedrooms that he bid for?

Response from Councillor Rachel Blake, Deputy Mayor for Regeneration and Air Quality.

Firstly I would like to warmly welcome the news that the Mayor of London has agreed plans worth over £1bn to deliver 11,000 badly needed council homes across London – and I'm also delighted that Tower Hamlets will be receiving £13m to support the delivery of 675 homes in our borough. We should also celebrate that this funding from the Mayor of London is getting Councils across London building Council Homes, a programme that we started in 2015.

Here in Tower Hamlets: we've delivered the highest numbers of affordable homes in the UK; we've got ambitious plans to provide 2,000 new council homes; and we're investing millions in temporary accommodation for the homeless.


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.

The GLA grant will be used to build 130 one-bedroom flats (making use of the maximum available £100,000 grant per property, combined with HRA borrowing).

The rest of the Council's programme will be funded by RTB receipts and further borrowing.

We continue to have one of the largest affordable housing outputs in London.

Non-Executive Report of the: Council 23 January 2019	 TOWER HAMLETS
Report of: Asmat Hussain, Corporate Director, Governance	Classification: Unrestricted
Petitions to Council	

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

SUMMARY

1. This report sets out details of the valid petitions submitted for presentation at the Council meeting on Wednesday 23 January 2019. The text of the petition received for presentation to this meeting is set out in the attached report.
2. The Council’s Constitution provides for up to four petitions to be heard at each ordinary Council meeting. These are taken in order of receipt, except that petitions for debate (those in excess of 2,000 signatures) will take precedence. Should more than four petitions be received, all remaining petitions will be listed to be formally noted by Council.
3. For Petitions listed as for debate:
 - a. Petitioners may address the meeting for no more than 3 minutes.
 - b. Members may then question the petitioners for a further 4 minutes.
 - c. 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).
 - d. The speaker will invite the Mayor or (at the Mayor’s discretion) the relevant Lead Member or Committee Chair to respond to the petition for up to 3 minutes.
 - e. Following the petition debate, any motions moved will be put to the vote in the order they were tabled.

- f. 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.
4. For Petitions listed as to be heard:
 - a. Petitioners may address the meeting for no more than 3 minutes.
 - b. Members may then question the petitioners for a further 4 minutes.
 - c. Finally, the speaker will invite the Mayor or (at the Mayor's discretion) the relevant Lead Member or Committee Chair to respond to the petition for up to 2 minutes. The petition will then be referred to the relevant Corporate Director for attention who will provide a written response within 28 days of the date of the meeting.
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.
6. For Petitions listed as to be noted, petitioners may not address the meeting. The Speaker will state where they will go for a full response.
7. Responses to all petitions will be sent to the lead petitioner and displayed on the Council's website.

PETITIONS FOR DEBATE

No petitions for debate had been received by the petitions deadline.

PETITIONS TO BE HEARD


5.1 Petition for CCTV – York Square Chasley/Flamborough/Barnes Streets from Maria Graydon and others.

We the residents of the Mercers Estate South, ask that you the Council install CCTV at strategic locations in the above streets named, to observe the drug activity and the associated anti - social behaviour surrounding the said streets. This request being made as we have no police presence in the area.

PETITIONS TO BE NOTED

None.

Agenda Item 7

Non-Executive Report of the: COUNCIL 23 January 2019	 TOWER HAMLETS
Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer	Classification: Unrestricted
Motion for debate submitted by the Administration	

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

SUMMARY

1. Council Procedure Rule 11 allows for time at each Ordinary Council meeting for the discussion of one specific Motion submitted by the Administration. The debate will follow the rules of debate at Council Procedure Rule 13 and will last no more than 30 minutes.
2. The motion submitted is listed overleaf. The Administration Motion is submitted by the Labour Group.
3. Motions must be about matters for which the Council or its partners has a direct responsibility. 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. Notice of any proposed amendments to the Motions must be given to the Monitoring Officer by Noon the day before the meeting.

MOTION

Set out overleaf is the motion that has been submitted.

7 – Administration Motion regarding Violence against Women and Girls services (VAWG)

Proposer: Councillor Eve McQuillan

Seconder: Councillor Asma Begum

This Council notes:

Addressing violence against women and girls is a priority for London Borough of Tower Hamlets. Approximately 70% of all known victims of interpersonal violence in Tower Hamlets are female and 1 in 3 women and girls will experience gender based violence in their lifetime with similar levels of domestic abuse in LGBT relationships and in heterosexual relationships, regardless of gender. In the UK, two women are murdered each week by a current or former partner, and 1 in 5 will be raped in her lifetime.

Since 2010, VAWG services have been decimated. Nationally, the majority of women who seek a refuge space are turned away because there is not enough space. Since 2015, this administration has chosen not to cut funding for VAWG services. The council launched its VAWG charter in November, as part of our manifesto commitments to tackle violence against women and girls.

Tower Hamlets has a multi-agency strategy in place to address violence against women and girls. As a council

- We have maintained all of our specialist refuge provision for women and girls fleeing abuse
- We have piloted and commissioned innovative new programmes, such as Female Genital Mutilation Community Engagement Programme and a Multiple Disadvantages VAWG Project
- We have maintained provision of life saving Independent Domestic Violence Advocates and Serious and Violent Crime Caseworkers.
- We have maintained our resources for our Multi-Agency Risk Assessment Conference, Specialist Domestic Violence Courts, Domestic Abuse One Stop Shop, Sanctuary Scheme and Positive Change Services, including work with children living with domestic abuse
- We have developed the VAWG Champions Programmes and preventative VAWG programmes within schools and with young people across the borough.
- We run campaigns such as 16 Days of Activism, reaching around 1,000 residents each year, Ask for Angela in the night time economy and our Domestic Abuse No Excuse campaign.

Refuges are currently partly funded by housing benefit. This excludes those who are ineligible for housing benefit because they have no recourse to public funds. It also excludes those who are ineligible because they are working; leading to the perverse situation where people needing to access refuge spaces may have to leave their jobs, making themselves more vulnerable, in order to access help, or have to pay extremely high costs themselves. The government has tried ring-fence funding for 'supported housing services'. This funding structure is unsuitable for refuge provision because it incentivises councils to provide generic supportive housing services for older people, people with drug and alcohol dependencies, street homeless people and domestic violence survivors, rather than specialised services.

Refuge spaces are allocated on a multi-local authority basis, meaning that people likely won't be placed in the local authority in which they live. This means that when other councils cut funding for refuge services, women from Tower Hamlets are affected.

The biggest barrier to women leaving abusive situations is housing, with domestic abuse one of the leading causes of homelessness amongst women. The Chartered Institute of Housing (CIH), the Domestic Abuse Housing Alliance (DAHA) and Women's Aid have created the Make a Stand pledge which includes the following 4 commitments:

1. To put in place and embed a policy to support residents who are experiencing domestic abuse
2. To make information about national and local domestic abuse support services available on your website and in other places which are easily accessible to residents and staff
3. To put in place a HR policy and procedure on domestic abuse, or to incorporate this into an existing policy, to support members of staff who are experiencing domestic abuse
4. Appoint a champion in your organisation to own the activity you are doing to support people experiencing domestic abuse.

Universal credit payments to a single account for a whole household present a risk that perpetrators will gain control over a victim's finances.

This Council believes:

It is alarming that other councils have chosen to cut VAWG provision which has led to a reduction in refuge spaces.

Housing benefit should not be used to fund refuge spaces. Instead there should be ring-fenced funding for domestic violence services so that they are available for anyone who needs them, regardless of immigration status or income.

Whilst LBTH cannot deal with this issue alone, as councillors we are able to play a role by championing VAWG initiatives in our casework and our communities, and as a council we can campaign for better funding.

Universal credit makes those experiencing domestic abuse more vulnerable.


It is wrong that it is often the victim who loses the secure tenancy, rather than the perpetrator.

This Council resolves:

1. To call on all members of the council to become VAWG champions.
2. We will campaign for adequate funding for refuges and call on the council to champion this issue.
3. To call on the mayor and the lead member to advise other boroughs of the dangers of reducing funding for refuge services.
4. To ensure that this borough has adequate refuge spaces that meet the level of need.

5. To campaign to encourage all RSLs in Tower Hamlets to sign up to the Make a Stand pledges, improving their services for victims and survivors of domestic violence.
6. To call on MPs to advocate for increases to funding levels to domestic violence services so that funding at least matches 2010 levels. We call on them to campaign for changes to the funding structure for refuge provision in parliament, so that funding is ring-fenced specifically for refuges. We also call on them to campaign for split payments to reduce the risk of financial abuse.

Agenda Item 8

Non-Executive Report of the: COUNCIL 23 January 2019	 TOWER HAMLETS
Report of: Asmat Hussain, Corporate Director, Governance and Monitoring Officer	Classification: Unrestricted
Motion for debate submitted by an Opposition Group	

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

SUMMARY

1. Council Procedure Rule 11 allows for time at each Ordinary Council meeting for the discussion of one Motion submitted by an Opposition Group. The debate will follow the rules of debate at Council Procedure Rule 13 and will last no more than 30 minutes.
2. The motion submitted is listed overleaf. In accordance with Council Procedure Rule 11, submission of the Opposition Motion for Debate will alternate in sequence between the opposition groups. This Opposition Motion is submitted by the Conservative Group.
3. Motions must be about matters for which the Council or its partners has a direct responsibility. 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. Notice of any proposed amendments to the Motions must be given to the Monitoring Officer by Noon the day before the meeting.

MOTION

Set out overleaf is the motion that has been submitted.

8 – Opposition Motion by the Conservative Group - Regarding Democracy and Civic Participation Commission

Proposer: Councillor Andrew Wood

Seconder: Councillor Peter Golds

The Council notes:

That Newham Council in November 2018 set out proposals to establish a Democracy and Civic Participation Commission in 2019 to look at options for replacing the Directly Elected Mayor system with recommendations presented to Newham residents and elected representatives. It will look at participatory democracy in its broadest sense and models of council decision-making.

That Lewisham Council in July 2018 set up a Democracy Review Working Group to provide recommendations to Council about how the Council could enhance openness and transparency, further developing public involvement in Council decisions and promoting effective decision-making.

That May 2020 is the 10th anniversary of the referendum in Tower Hamlets to establish a directly elected Mayor. Which means that a referendum could take place in Tower Hamlets after this date to replace the directly elected Mayor system with a different system of governance.

That the Spitalfields & Banglatown Town Council campaign has initiated a Community Governance Review to create a new Town Council in Tower Hamlets.

This council further notes:

That on the 1st January 2019 a campaign was launched to call for a referendum in Tower Hamlets on the directly elected Mayoral system

That 58% of registered voters in Tower Hamlets in the 3rd May 2018 did not vote in the local elections. Compared to 31% not voting in the June 2017 General Election in Tower Hamlets.

That social media and technology are changing the world and how we engage with each other.

That the population of Tower Hamlets is forecast to grow substantially according to this GLA forecast.

Year	2011	2020	2030
Population	256,685	328,043	380,598
Increase on 2011		28%	48%


That Tower Hamlets has one of the youngest and most diverse populations in the country with a number of residents not entitled to vote because of their nationality.

That the UK operates with a very centralised political system.

This Council therefore recommends the following:

1. To set up a Democracy and Civic Participation Commission which will:
 - a. Look at alternative models to a directly elected Mayor including Leader and Cabinet model or a Committee Structure. Procedures have also been amended to enable councils to adopt hybrid approaches to management which they consider suit their particular areas and circumstances.
 - b. Consider work done already by other Councils including Kirklees Borough Council and Cornwall Unitary Council who have held an independent review of governance arrangements, taking evidence from a wide range of sources. Democracy commissions have also been initiated and undertaken by a range of authorities including Birmingham, Liverpool, Cambridgeshire, Cheshire East and Lambeth, all of which have varying degrees of management ranging from an Executive Mayor in Liverpool to the strong leader and Cabinet model.
 - c. That we will encourage devolution and hand back power and resources to communities where appropriate to encourage greater participation in local decisions.
 - d. That we will look at extending democracy locally
 - e. That we will ensure that we take the right decisions at the right level, that where local knowledge is key, we take decisions locally but where economies of scale dictate centralised decision making that we do so. That the Commission will look at how we find the right balance as to where and at what level decisions should be made.
 - f. Look at work done internationally. Tower Hamlets is one of the most international places in the world and in its height, density and massing is becoming very different to even the rest of London.
2. That any working group set up has membership reflecting all political parties in Tower Hamlets as well as stakeholders from the wider community as well as taking inputs from academia.
3. That it should engage all residents in the process with a particular objective of improving their knowledge not only of the powers of local government but how residents can contribute to the exercising of those powers.
4. That this should report back to the January 2020 full Council meeting, a year from now. That it should include information about the different governance options available through referendums, how we can devolve power and resources and how we get more people to engage in local politics

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Non-Executive Report of the: Council 23 January 2019	 TOWER HAMLETS
Report of: Asmat Hussain, Corporate Director, Governance	Classification: Unrestricted
Questions submitted by Members of the Council	

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

SUMMARY

1. Set out overleaf are the questions that were submitted by Members of the Council for response by the Mayor, the Speaker or the Chair of a Committee or Sub-Committee at the Council meeting on Wednesday 23rd January 2019.
2. In accordance with Council Procedure Rule 9.4, 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 10.7 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

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

9.1 Question from Councillor John Pierce

How has the Overview and Scrutiny Committee scrutinised the Council's proposed 2019-20 Budget and the MTFS 2019-22?

9.2 Question from Councillor Peter Golds

Why did the Mayor say in 2017 the "Illegally demolished historic cottages (on Eastferry road) must be rebuilt brick by brick" when in 2005 the "Council were happy at that time to see them demolished" according to the Planning Inspectorate?

9.3 Question from Councillor Dipa Das

Could the Lead Member please provide an update on the Brexit Commission?

9.4 Question from Councillor Andrew Wood

Why did the Council on the 5th November 2018 ask the Grants Scrutiny Sub-Committee to agree to spend £650,000 on a new health app when on the 27th September 2018 the national NHS started beta testing of their own health app with very similar or additional features? (the NHS app was available on Google Play and Apple app stores from the end of 2018)

9.5 Question from Councillor Victoria Obaze

Can the Mayor or cabinet member please tell me what preparations the Council has made for rough sleepers during cold weather?

9.6 Question from Councillor Puru Miah

Can the lead member for Place please confirm whether additional community and public engagement is taking place with regards to the recent planning application of the infill house building programme on the Locksley Estate in Mile End Ward (known as Locksley D).

9.7 Question from Councillor Bex White

Could the Mayor outline how the council is taking forward the concerns raised regarding dangerous driving and air quality?

9.8 Question from Councillor Marc Francis

Will the Lead Member update me on the progress of the refurbishment of the Victoria Park One O'clock Club, including a date when it will be re-opened for stay and play sessions for young children?

9.9 Question from Councillor Sufia Alam

Can the Lead Member please update us on work around the recruitment and retention of social workers?

9.10 Question from Councillor Kyrsten Perry

I'd like to ask Deputy Mayor Councillor Rachel Blake for an update on the Breathe Clean awareness campaign, given Tower Hamlets air pollution is the 5th worst of any London borough.

9.11 Question from Councillor Asma Islam

Can the Lead Member please provide an update on the findings of the latest Ofsted monitoring visit of Children's Social Care?


9.12 Question from Councillor Val Whitehead

I would like to thank the Lead Member for inviting me to the Mayor's Early Years Summit in November and ask him to update us on the issues raised and the next steps to be taken.

9.13 Question from Councillor Sabina Akhtar

Can the cabinet member please update members about the £1.5m investment in the borough's leisure centres?

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<p>Council Cover Sheet</p> <p>23 January 2019</p>	
<p>Report of: Neville Murton; Acting Corporate Director, Resources</p>	<p>Classification: Unrestricted</p>
<p>Local Council Tax Reduction Scheme 2019-2020</p>	

Originating Officer(s)	Steve Hill, Head of Benefit Services Lee Fearon, Benefits Policy and Procedures Manager
Wards affected	All wards

Executive Summary

The Mayor in Cabinet considered the attached report on the Local Council Tax Reduction Scheme 2019-20 at Cabinet on 9 January 2019. He agreed the proposed recommendations with one amendment. The amendment was to not accept Recommendation 5 (to agree to use the same child allowances in the local Council Tax Reduction Scheme assessments as those used in Child Tax Credit, Housing Benefit and the Local Council Tax Reduction assessments for pensioners and to apply this in respect of third or successive children born after April 2019).


He therefore agreed that the report be presented to Council for consideration subject to that amendment.

Recommendations:

The Council is therefore recommended to:

1. To consider the feedback from the consultation on the Local Council Tax Reduction Scheme.
2. To consider the options to revise the current scheme.
3. To agree Recommendations 1-4 and 6 of the attached Report to Council proposing amendments to the Local Council Tax Reduction Scheme.

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Non-Executive Report of the: Council 23 rd January 2019	
Report of: Neville Murton – Acting Corporate Director Resources	Classification: Unrestricted
Local Council Tax Reduction Scheme 2019-2020	

Originating Officer(s)	Steve Hill – Head of Benefits Services Lee Fearon – Benefits Policy and Procedures Manager
Wards affected	All wards

Executive Summary

This report seeks full council approval for changes to the existing Local Council Tax Reduction scheme.

Since the abolition of the national Council Tax Benefit scheme, Tower Hamlets has maintained a Local Council Tax Reduction scheme which protects those on the lowest incomes in the Borough by provision of a 100% Council Tax rebate.

The Mayor in Cabinet received reports on 25th July and 31st October 2018 seeking views on proposed changes to the Local Council Tax Reduction scheme for 2019/20 together with results of the full public consultation on those changes and the recommendations for change.

For each financial year, the council is required by law to consider whether to revise its scheme or replace it with a different scheme. Any revision or replacement must be made by 11th March, prior to the new financial year.

Recommendations:

The council is recommended to change the Local Council Tax Reduction scheme for 2019/2020 and:

1. Agree the recommendation to limit the maximum disabled non dependant deduction to £4 per week.
2. Agree the recommendation to adjust the minimum level of income for self-employed under 25's to reflect age rules.
3. Agree the recommendation to enhance the support available to increase earnings and income for self-employed claimants.
4. Agree the recommendation to increase backdating provision for the scheme from 4 weeks to 52 weeks.

5. Agree the recommendation to use the same child allowances in the Local Council Tax Reduction scheme assessments as those used in Child Tax Credit, Universal Credit, Housing Benefit and the Local Council Tax Reduction assessments for pensioners and to apply this in respect of third or successive children born after April 2019.
6. To note the equalities impact assessment arising from the recommended changes to the scheme as set out in section 4 of this report.

1. REASONS FOR THE DECISIONS

1.1 Background

- 1.2 Each year the Council needs to consider whether to make changes to its local Council Tax Reduction scheme (LCTRS).
- 1.3 The national scheme, Council Tax Benefit, was abolished with effect from 1st April 2013. A national scheme for pensioners identical to Council Tax Benefit has remained in place since 2013 and Local Authorities assumed responsibility for the design and administration of a local replacement scheme for working age residents.
- 1.4 Under Council Tax Benefit all awards were fully funded by central Government via an annual subsidy grant predicated on the total amount of benefit awarded. However, subsidy for LCTRS awards has been frozen at the amount awarded for 2012/13 less 10% since April 2013, representing a national reduction of funding to Local Authorities of £500m. The funding provided by Central government is now included within the Revenue Support Grant and such the amount in respect of CTR cannot be separately identified.
- 1.5 The Council continued to operate a LCTRS for working age residents which was broadly based on Council Tax Benefit from April 2013 to March 2017. Although this protected residents, the reduction in Government Subsidy meant there was a cost to the Council estimated at between £2m and £4m per annum.
- 1.6 Due to increasing financial pressures and the need to respond to the introduction of Universal Credit, the Council decided to change its LCTRS with effect from 1st April 2017.
- 1.7 In changing the scheme in 2017, the Council ensured that residents on the lowest incomes retained 100% rebate of their Council Tax liability. Tower Hamlets remains one of only a handful of London councils who have retained this provision within their LCTRS since April 2013 and in doing so the Council has and continues to offer one of the most generous schemes in London.
- 1.8 The cost of the council's Local Council Tax Reduction scheme for 2017/18 was £24.7m; the current cost estimate for the scheme for the current financial year 2018/19 is £25.1m.

2. ALTERNATIVE OPTIONS

- 2.1 The Council can consider making any changes to its LCTRS annually from the start of the next financial year. Changes cannot be made in year.
- 2.2 Changes can only be made in relation to working age households as pensioners are protected. Any changes must be subject to a meaningful full public consultation as required by the Local Government Finance Act 1992 which stipulates that changes can only be enacted from the start of the subsequent financial year.
- 2.3 The council can decide not to make any changes to the current scheme.

3. DETAILS OF THE REPORT

3.1 Tower Hamlets current Local Council Tax Reduction Scheme

- 3.2 The Council's current LCTRS has been operating since April 2017 and is based primarily on the assessment criteria used for Council Tax Benefit. Consequently:
 - Maximum entitlement is based on 100% of Council Tax liability
 - Entitlement is based on the claimant's and partner's joint income and capital
 - Income is compared to set allowances identical to those used in the assessment of Housing Benefit
 - If total income is at or below the set allowances, maximum CTR is awarded less any non-dependant deductions
 - If total income is above the set allowances, 20% of the excess is subtracted from Council Tax liability and the remainder is awarded as CTR less any non-dependant deductions. Consequently the amount of Council Tax the resident is required to pay is the lower of either 20% of their income above the applicable allowances or the full Council Tax liability
 - Deductions from CTR are made in respect of non-dependants (adults other than the claimant and partner who live in the household)
 - The LCTRS caseload as at 31st October 2018 was 27,934 made up of 7,950 pensioners and 19,984 working age households.
- 3.3 Cabinet considered a report on possible LCTRS scheme changes in July and agreed that a full public consultation on the possible changes to the scheme be undertaken. The results of the full public consultation were reported back to Cabinet in October. The results are attached at appendix 1 of this report. The consultation received an excellent response rate, which were broadly in agreement to the proposed changes.
- 3.4 Appendix 2 of this report provides an analysis of Local Authority LCTR schemes in London. It shows the minimum Council Tax payments due from households after full LCTR is awarded (Figures shown are for 2017/18). For information, the appendix also captures councils who have advised that they

currently apply the minimum income floor and two child allowance restrictions in the assessment of LCTRS.

- 3.5 Limiting Disabled Non Dependant deductions to £4.00 per week
- 3.6 Non dependant deductions are applied based on non dependant's income. An unintended consequence of the scheme has been that some disabled non dependants attract a non dependant deduction higher than £4 per week, which is the lowest non dependant deduction. A change is therefore proposed to apply a maximum £4 deduction to disabled non dependants, regardless of their income.
- 3.7 If this change is agreed the financial impact will be cost neutral to the council as currently these households can qualify for S13A discount which effectively reduces the deduction to £4.00 per week; this in acknowledgement of any deduction higher than £4.00 was an unintended consequence of the scheme and the small numbers affected.
- 3.8 Adjusting notional income levels for self-employed claimants under 25 years
- 3.9 Notional earnings equivalent to 35 hours at National Living Wage is applied to claimants who have been self-employed for 12 months or more and have declared earnings below the notional income level. This has the advantage of enabling the Council to support and encourage residents to increase their earnings and reduce the risk of a significant loss of benefits entitlement when they migrate to Universal Credit.
- 3.10 The notional income provision was applied from 1 April 2017 for claimants who had completed 12 months self-employment at this date and from the date on which 12 months self-employment is completed for claimants who had worked less than 1 year at 1st April 2017.
- 3.11 This proposed change seeks to adjust the minimum level of income for under 25's to reflect associated national minimum age rules.
- 3.12 There are very few cases affected by this proposed change and consequently if this change is agreed the financial impact will be negligible/cost neutral to the council.
- 3.13 Enhancing support available for Self-employed claimants
- 3.14 This proposed change will ensure that the Benefits Service will work with the Enterprise Team established within "Workpath" to set up an enhanced referral process for self-employed residents affected by the MIF. Those residents referred will be able to access specialist employment support and advice provided by one of the Enterprise Teams partner organisations.
- 3.15 Following a referral from the Council's Benefits Service the Enterprise Team will initially contact the resident to establish their requirements to enable them

to tailor the support provided to the resident's individual needs and increase self-employed earnings and income.

- 3.16 A S13A discount is likely to be initially applied to help where financial assistance is considered appropriate and the referral process is undertaken. This will be reviewed periodically as progress is assessed.
- 3.17 If this change is agreed, the financial impact to the council is an administration cost which will be covered by existing resources.
- 3.18 Backdating – increase in provision from one month to 52 weeks
- 3.19 An award of Council Tax Reduction (CTR) will usually start from the week following receipt of an application and there is currently provision to backdate an award for one month if there are valid reasons for the delay in applying. However, the introduction of Universal Credit appears to have caused some confusion and the council is experiencing increasing incidents of residents who delay claiming CTR for longer than one month; consequently residents are having to pay more council tax than they can reasonably be expected to afford.
- 3.20 This change proposes increasing backdating provision from one month to 52 weeks to help to address this and ensure residents receive LCTRS they are entitled to.
- 3.21 If this change is agreed it is likely to increase the cost of the scheme, however the increase is difficult to quantify as it is entirely dependant on the number of claims made where backdating will apply. Where backdating is appropriate the increased cost to the council will be offset by the cost of recovering monies which would otherwise be unlikely or extremely difficult to recover given the claimants financial circumstances.
- 3.22 Two Child allowance restriction in the assessment of Council Tax Reduction
- 3.23 Currently the Local Council Tax Reduction scheme assessment process is not aligned with Child Tax Credit, Universal Credit, Housing Benefit and the pensioner Local Council Tax Reduction rules in respect of child allowances. Consequently to bring the LCTR scheme into line a change is proposed whereby the same two child allowance restrictions are used in the assessment of LCTR for our working age residents.
- 3.24 This proposed change is complex and appendix 3 provides a case study example to demonstrate the assessment process.
- 3.25 The number of current households that could be affected is estimated at approximately 218 losing between £1.10 and £13.38 per week with the average loss of £9.66. The cost is approximately £110k. However, given the intention of this proposal is to realign the working age LCTRS assessment process with pensioner LCTRS, Child Tax Credit, Universal Credit and Housing Benefit; these households would be protected by applying the

change to third or successive children born after April 2019 (and not April 2017). Consequently to ensure these households are protected the proposal is to introduce this change from April 2019.

- 3.26 It is not possible to quantify or forecast the number of households who will have a third child from April 2019 onwards, however the effect of the change will be that households with a third or successive child born from April 2019 will not see any change to their current LCTRS entitlement on the birth of an additional child. The case example at appendix 3 demonstrates this.
- 3.27 If this proposed change to the scheme is agreed and is applied to households who have a third or successive child from April 2019, as existing cases will be protected and new cases from April 2019 will continue to receive the same LCTRS as they receive currently, the change will be cost neutral to the scheme.
- 3.28 It is important to note that any exceptional financial needs arising from the implementation of this and any of the proposed scheme changes will be met by the support available under S13A.

4. EQUALITIES IMPLICATIONS

- 4.1 The Local Council Tax reduction scheme was subject to a full equality analysis when the changes were introduced from April 2017.
- 4.2 The changes that are proposed to the existing scheme contained within this report do not adversely impact service users.
- 4.3 The change proposed that reduces non dependant deductions for disabled non dependants to the minimum £4 weekly deduction will have a positive impact on disabled residents who were previously subject to a higher deduction due to their income levels.
- 4.4 Adjusting the minimum income levels to reflect the levels set for under 25's will have a positive impact on younger self-employed residents.
- 4.5 Enhancing the support provided to self-employed residents to maximise their income and earnings from self-employment will have a neutral impact on target groups. This support will be available to all households.
- 4.6 Increasing the backdating provision from one month to 52 weeks will have a neutral impact on target groups and will apply to any household that can demonstrate good reason for failing to make their claim earlier.
- 4.7 The proposals to align the Local Council Tax Reduction assessment process for working age households with more than two children with the assessment process used for Child Tax Credit, Universal Credit, Housing Benefit and the pensioner Local Council Tax Reduction, could impact on approximately 218 households. An analysis of these cases has been undertaken. It should be

noted that diversity monitoring information has only been provided by residents on 59% of all LCTRS claims.

- 4.8 The number of current households affected by the two child restriction assessment is proportionately very low, estimated at 218 from a caseload of 27,934 of which 19,984 are working age.
- 4.9 Analysis of the 218 households shows that 54% of households are from Asian/Bangladeshi background however it should be noted that 39% have not supplied any diversity information. This would suggest that while mitigated by the small number of cases affected, this change may adversely impact on Asian/Bangladesh households. However, the proposal is to introduce and apply this change to households with a third or successive child born after April 2019 and if accepted, these households will have their LCTRS entitlement protected. The council will monitor the impact of this change and any exceptional financial needs arising from the implementation of this change will be met by S13A support.

5. **OTHER STATUTORY IMPLICATIONS**

- 5.1 This report acknowledges the financial pressures on the council and the need to set the best affordable Local Council Tax Reduction scheme.

LCTR scheme costs since 2012/13

The table below shows the annual cost of the council's LCTR scheme from 2012/13 which was the last year of the national Council Tax Benefit scheme. LCTRS came in from April 2014.

Year	LCTR Scheme cost	Notes
2012/13	£29.4 m	Last year of national CTB scheme
2013/14	£29.1m	First year of LCTRS
2014/15	£27.9m	
2015/16	£26.8m	
2016/17	£26.3m	
2017/18	£24.7m	
2018/19	£25.1m	Current forecast

- 5.2 The proposed changes to the scheme have been subject to a full public consultation with every household in the borough contacted by post or via email and a high response rate has been received.

5.3 Best value - Self-employed Notional earnings (Minimum Income Floor)

From its introduction in April 2017, the Minimum Income Floor provision (MIF) means instead of actual earnings Council Tax Reduction is assessed on notional earnings equivalent to 35 hours at national minimum wage for residents who:

- have been self-employed for longer than 12 months and
- are earning below the notional earnings rate

The rationale for inclusion of notional earnings is as follows:

- align Local Council Tax Reduction assessment with Universal Credit. Full Universal Credit, (UC) has been introduced in Tower Hamlets and includes an equivalent minimum income floor applicable to self-employed earnings following 12 months self-employment.
- it provides the council with an opportunity to engage with self-employed residents earning less than the national minimum wage to ascertain what help or advice can be provided to help them develop their self-employed business and to increase their income or reduce costs.
- to partly offset the government's funding reductions to the LCTRS that were previously fully absorbed by the Council.

5.4 Cost of the self-employed MIF (notional earnings) scheme provision

Due to caseload churn and in year changes to claimant's circumstances the annual cost to the council arising from the self-employed notional earnings is extremely difficult to estimate.

The most accurate method of doing so is to compare the self-employed caseload and total annual LCTR awarded to self-employed residents at 31 March 2017 (immediately prior to the inclusion of notional earnings) and the caseload and annual LCTR subsequent to April 2017 as represented in the table below:

Date	Total LCTRS entitlement	Self-employed Claim totals
March 2017	£2,085,183.36	2,511
June 2017	£460,011.24	758
Estimated annual cost of excluding notional earnings	£1,625,172.12	

When considering the best affordable LCTR scheme it is worth noting that the scheme costs would increase by an estimated £1.6m were the self-employed MIF provisions to be excluded from the LCTR scheme.

- 5.5 An analysis of all self-employed cases that were affected by the introduction of notional earnings (MIF) from April 2017 has been undertaken. This shows that Council Tax collection rates for these self-employed cases is 96% with the Borough average of 97.5%.
- 5.6 The main risk to the scheme is to ensure the Council has an agreed scheme for LCTRS approved by full Council before 11th March 2019 and that it is in place by the beginning of the financial year 2019/2020; that the scheme is written and approved by Legal and any changes to the LCTRS Benefits ICT system are delivered.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 Following comprehensive consultation this report sets out the proposed changes to the current Local Council Tax Reduction Scheme (LCTRS), while acknowledging current financial pressures on the Council and the need to put in place an affordable LCTRS.
- 6.2 With the on streaming of Universal Credit the current forecasted cost of the LCTRS in 2018/19 is estimated at £25.1m, as per para1.8.
- 6.3 The limiting of the maximum disabled non dependant deduction, as set out in para 3.7, is not likely not to increase the financial burden on the Council's General Fund budget.
- 6.4 While introducing adjustments to the minimum level of income for the self-employed under 25's to reflect age rules is anticipated to have a negligible impact on scheme costs due to the small number of under 25 self-employed cases; the report does acknowledge that the notional earnings for self-employed claimants (minimum income floor) would cost an estimated £1.6m in the event that the council were to decide to end the use of notional earnings for self-employed.
- 6.5 Enhancing support for self-employed claimants will require the Council to work in collaboration with other agencies, to in essence provide a tailor made service supporting the individual residents needs and increase self-employed earnings and income. The administration cost that the council will incur to achieve these better outcomes will be absorbed by existing financial resources.
- 6.6 The backdating increase in provision from one month to 52 weeks increases the resident's potential to maximise LCTRS entitlement. The impact of this change is set out between para 3.19 - 3.21 potentially this will increase the need for the Councils bad debt provision to be increased as the Council seeks to recover funds from claimants that are in challenging financial circumstances.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The Council has the legal obligation to publish a scheme detailing the availability of Council Tax reduction should it so wish to make available a reduction.
- 7.2 The Council has the legal power to make the proposed amendments to the previously published scheme
- 7.3 The Council has the legal duty to consult with its residents before introducing or amending a published scheme. This has occurred.

- 7.4 The amendments proposed in this paper could have an appreciable effect on persons who have a protected characteristic for the purposes of the Equality Act 2010. However, the Council has taken appropriate steps to consider what the effects might be and to take such considerations into account whilst this decision is at a formative stage.
-

Linked Reports, Appendices and Background Documents

Linked Reports

- **Cabinet Report – 25th July 2018 – Local Council Tax Reduction Scheme**
<http://democracy.towerhamlets.gov.uk/documents/g8858/Public%20reports%20pack%2025th-Jul-2018%2017.30%20Cabinet.pdf?T=10>
- **Cabinet Report – 31st October 2018 – Local Council Tax Reduction Scheme 2019/20**
<http://democracy.towerhamlets.gov.uk/documents/g8860/Public%20reports%20pack%2031st-Oct-2018%2016.00%20Cabinet.pdf?T=10>
- **LBTH Council Tax Reduction Scheme: A Scrutiny Challenge Report**

Appendices

- Appendix 1 - LCTRS consultation responses 2018
- Appendix 2 – London Boroughs LCTRS 2017/18 – minimum Council Tax payment
- Appendix 3 - Two child allowance restriction assessment in LCTRS

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:

Steve Hill – Head of Benefits Services

Appendix 1 – LCTRS consultation responses 2018

The consultation closed on 24th October 2018.

Disabled Non Dependant deductions

Non dependant deductions are applied based on non dependant's income. An unintended consequence of the scheme has been that some disabled non dependants attract a non dependant deduction higher than £4 per week, which is the lowest non dependant deduction. A change is therefore under consideration to apply a maximum £4 deduction to disabled non dependants, regardless of their income.

The consultation asked do you agree that the council should limit the maximum deduction to £4 for disabled non dependants.

3,860 responses were received

Should the council limit disabled non dependant deductions to £4 per week?	Percentage	Number
Agree	55.36%	2,137
Disagree	26.27%	1,014
Don't know	18.37%	709

Self-employed claimants under 25 years

A minimum income floor (MIF) equivalent to 35 hours at National Living Wage is applied to claimants who have been self-employed for 12 months or more and have declared earnings below the MIF level. A benefit of using the MIF for self-employed people allows the Council to support and encourage residents to increase their earnings and reduce the risk of a significant loss of benefits entitlement when they migrate to Universal Credit.

The MIF was applied from 1 April 2017 for claimants who had completed 12 months self-employment at this date and from the date on which 12 months self-employment is completed for claimants who had worked less than 1 year at 1st April 2017.

The consultation asked do you agree the minimum level of income for under 25's who are self-employed should be adjusted to reflect minimum age rules.

3,860 responses were received

Should the minimum level of income for self-employed under 25's be adjusted to reflect minimum age rules?	Percentage	Number
Agree	69.04%	2,665
Disagree	22.64%	874
Don't know	8.32%	321

Self-employed claimants – enhanced support package

Tower Hamlets Benefits Service is currently working with the Enterprise Team established within Workpath to set up an enhanced referral process for self-employed residents affected by the MIF. Those residents referred will be able to access specialist employment support and advice provided by one of the Enterprise Teams partner organisations.

The Enterprise team will initially contact resident to establish their requirements to enable them to tailor the support provided to the resident's individual needs.

A S13A discount is likely to be initially applied to help avoid hardship whilst the referral process is undertaken and will be reviewed periodically as progress is assessed.

The consultation asked do you agree that support for self-employed claimants should be enhanced to increase their earnings and income.

3,860 responses were received

Should the support for self-employed claimants be enhanced to increase earnings and income?	Percentage	Number
Agree	54.95%	2,121
Disagree	32.15%	1,241
Don't know	12.90%	498

Backdating – increase in provision

An award of CTR will usually start from the week following receipt of an application and there is currently provision to backdate an award for one month if there are valid reasons for the delay in applying. However, the introduction of Universal Credit appears to have caused some confusion and we are experiencing increasing incidents of residents who delay claiming CTR for longer than 1 month, consequently residents are having to pay more council tax than they can reasonably be expected to afford.

Increasing backdating provision from one month to 52 weeks should help to avoid this.

The consultation asked do you agree that entitlement to claim should be increased to up to 52 weeks.

3,860 responses were received

Should the council increase its backdating provision up to 52 weeks?	Percentage	Number
Agree	63.78%	2,462
Disagree	30.08%	1,161
Don't know	6.14%	237

Child allowances used in the assessment of Council Tax Reduction

Currently the Local Council Tax Reduction scheme assessment process is not aligned with Child Tax Credit, Universal Credit and Housing Benefit in respect of child allowances. Consequently to bring the LCTR scheme into line a change is proposed whereby the same child allowances are used in the assessment of Council Tax Reduction.

The consultation asked do you agree that the council should change child allowances in the assessment of Local Council Tax Reduction to reflect those used in the assessment of Child Tax Credit, Universal Credit and Housing Benefit.

3,860 responses were received

Should the council use the same child allowances in LCTRS as that used in Child Tax Credit, Universal Credit and Housing Benefit?	Percentage	Number
Agree	54.72%	2,112
Disagree	22.95%	886
Don't know	22.33%	862

LCTRS Public consultation written submissions and public comments

As part of the consultation written responses were received from the Greater London Authority (GLA) as a precepting authority, and also from our local advice agency Toynbee Hall.

The full responses are available as background papers for this report.

We also received 762 free text comments from the public which will also be summarised as background papers.

GLA written submission - summary

The GLA advise that in principle they support the proposed changes outlined in the consultation and their submission is broadly favourable. They acknowledge that the process should be more flexible in recognising individuals' differing circumstances and in particular will provide support to self-employed workers under 25 and those with disabilities, health difficulties and hardship.

The GLA note the backdating proposal to increase provision to 52 weeks appears sensible.

The GLA note that under the two child restriction proposal, some families may lose some entitlement to LCTR in comparison with the current scheme.

The Council acknowledges that some families affected by this change will get less LCTR; previously they will have benefited from the Council's decision not to align the Child Premium with their Child Allowance from April 2017. The change will also align LCTRS with Housing Benefit, the national CTR provision for pension age residents, Universal Credit and Child Tax Credit. If any families experience hardship as a result of the change, they will be offered S13A support.

The GLA make a broad comment about delaying managed migration of Universal Credit, but the council's proposals are predicated on the fact that full service UC was introduced in most of Tower Hamlets from March 2017 and DWP have given no indication that they intend to halt this process.

Toynbee Hall – written submission - summary

Toynbee raised two concerns:

Self-employed Minimum Income Floor (MIF) – Toynbee wanted to clarify whether S13A would be applied for hardship regardless of take up of employment support. The Council intend(s) to formalise and publish guidelines for the use of S13A provision for this group of claimants. Reference is also made to ensuring it is not council policy to advise self-employed residents to register as unemployed, which is noted.

Two Child Restriction – Toynbee Hall have presented this as “Removing Family Allowance” which is not accurate. The Child Allowance included in Child Tax Credit and Universal Credit has been removed in respect of any third or subsequent child born on or after 4 April 2017. Consequently the Child Premium included in the assessment of Housing Benefit and Council Tax Reduction for pension age residents; which effectively disregards the Child Allowance they get was removed for these children from April 2017. The purpose of this was to align the income disregarded with the level of Child Allowance awarded.

However, as Tower Hamlets LCTRS currently includes a Child Premium for any third or subsequent child, it is in effect including a disregard for income the resident no longer gets, and consequently the disregard is applied to other income such as earnings which is not what was intended when the scheme was designed.

Therefore the rationale for removing the Child Premium for the third and subsequent child is to ensure the disregard applied in the assessment of CTR aligns with the amount of Child Allowance the resident actually gets.

The council is aware that CPAG have commenced a legal challenge against the Government's two child restriction and the intention is to draft the new scheme to ensure that the disregard applied in LCTRS aligns with the Child Allowance included in Child Tax Credit and Universal Credit. This will ensure that the council's LCTRS will conform with the outcome of the legal challenge.

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Appendix 2 - London Boroughs LCTRS - Minimum Council Tax Payment

The table below sets out the latest information available for 2017/18 LCTR schemes and details the minimum council tax contribution after LCTRS is applied for households on the lowest income in each of 33 London boroughs.

The table also shows LA's who apply the self-employed Minimum Income Floor and the two child allowance in the LCTRS assessment for working age households.

Local Authority	Lowest income households minimum Council Tax Payment after LCTRS %	Self-employed MIF for working age households	Two child allowance for working age LCTRS assessments
Tower Hamlets	0%	YES	
Camden	0%		
City of London	0%		
Hammersmith & Fulham	0%		
Hounslow	0%		
Kensington & Chelsea	0%		YES
Kingston Upon Thames	0%		YES
Merton	0%		
Westminster	0%		
Islington	8.5%	YES	YES
Croydon	15%		
Greenwich	15%		YES
Hackney	15%		
Havering	15%		
Lambeth	15%		
Richmond Upon Thames	15%		YES
Southwark	15%		YES
Sutton	17.5%	YES	
Haringey	19.8%		
Barnet	20%		
Bexley	20%		YES
Brent	20%		
Newham	20%		YES
Redbridge	20%		
Waltham Forest	24%	YES	YES
Barking & Dagenham	25%		
Bromley	25%		YES
Ealing	25%	YES	
Hillingdon	25%		YES
Enfield	26.5%		YES
Harrow	30%		
Wandsworth	30%		
Lewisham	33%		YES

Tower Hamlets is one of only 9 London boroughs offering a 100% rebate through its Local Council Tax Reduction Scheme (LCTRS) to its lowest income households.

This means that Tower Hamlets residents who qualify for the maximum council tax reduction through LCTRS do not have to pay any council tax.

Appendix 3 – Two child allowance restriction assessment in LCTRS

Two Child Allowance restriction

The effect of the two child restriction is probably best described by first explaining that most the benefits assessment process involves comparison an applicant's income with national amounts prescribed by DWP to reflect a household needs (for ease of reference we will refer to these as a "needs allowance").

The needs allowance includes amounts for the claimant/partner and an amount for each dependant child known as a "Child Premium". **It is relevant to note the level of Child Premium(s) is approximately the same as the amount of Child Allowance included in Child Tax Credit or Universal Credit payments and as such the Child Premium applied in Housing Benefit and Council Tax Reduction effectively acts as a disregard to the amount of Child Allowance included in the applicant's CTC/UC award**

However, the Government withdrew the Child Allowance included in Child Tax Credit and Universal Credit for any third or subsequent child born on or after 4 April 2017 and consequently the Child Premium was removed for these children in the assessment of both Housing Benefit and pensioner LCTR.

Applicants whose income is equal to or below their needs allowance will get full Housing Benefit and LCTR (less any non-dependant deductions). This includes recipients of Income Support/Job Seekers Allowance and Employment Support Allowance because these benefits are assessed using the same needs allowances as Housing Benefit and LCTR; consequently an award of IS/JSA/ESA "passports" the recipient to full Housing Benefit /LCTR.

Where an applicant's income is above their needs allowance a taper is applied to the excess and this is deducted from full entitlement.

The taper is:

- 65% for Housing Benefit
- 20% for Council Tax Reduction

Case example

Couple with 2 children, weekly rent is £200 weekly council tax is £20.00.

Net earnings after Tax/NI and disregards	£200.00 per week
Working Tax Credit	£50.00 per week
Child Tax Credit	<u>£100.00</u> per week
Total weekly income	£350.00

Needs Allowance	
Couple	£114.85
Family Premium	£17.45
Child Premium	<u>£133.80</u>
(£66.90 for each child x 2)	
Total	£266.10

Total income	£350.00 less
Needs Allowance	<u>£266.10</u>
Excess Income	£83.90

Housing Benefit

Rent £200.00 per week

65% of excess income (£83.90) for Housing Benefit = £54.54

£200.00 rent less £54.54

= **£145.46 Housing Benefit** entitlement

LCTR

Council Tax £20.00 per week

20% of excess income (£83.90) for LCTR = £16.78

£20.00 less £16.78

= **£3.22 LCTR** entitlement

If the same couple had a third child born on or after 4 April 2017 their Child Tax Credit would not change as they would not qualify for a Child Allowance in respect of the third child. Similarly Housing Benefit would remain the same as a Child Premium would not be included in their needs allowance in respect of the third child; which appears logical because there is no Child Allowance paid for this child.

However, due to the fact that we did not apply the two child allowance restriction to our working age LCTRS, the assessment of CTR for affected families is more generous than for Housing Benefit because we are continuing to apply a Child Premium even though they do not get any Child Allowance for this child. Consequently the Child Allowance for the third child is instead offset from their other income as follows:

**The same couple but now with a third child born after 4 April 2017.
Weekly rent is £200 weekly council tax is £20.00.**

Net earnings after Tax/NI and disregards	£200.00 per week
Working Tax Credit	£50.00 per week
Child Tax Credit	<u>£100.00 per week</u>
Total weekly income	£350.00

Needs Allowance (CTR) - Child premium included for third child.	
Couple	£114.85
Family Premium	£17.45
Child Premium (£66.90 x 3 children)	<u>£200.70</u>
Total	£333.00

Total income	£350.00 less
Needs Allowance	<u>£333.00</u>
Excess Income	£17.00 (20% = £3.40).

LCTR (current scheme)

Council Tax £20.00 per week
 20% of excess income = £3.40
 £20.00 less £3.40
 = **£16.60 LCTR** entitlement.

However, if we changed LCTRS to apply the 2 Child Restriction from April 2019, the effect would be as follows (essentially although they have three children they would be restricted to two for the purposes of calculating LCTR):

Needs Allowance (CTR) - Child premium excluded for third child.	
Couple	£114.85
Family Premium	£17.45
Child Premium (£66.90 for 2 children - restricted)	<u>£133.80</u>
Total	£266.10

Total income	£350.00 less
Needs Allowance	<u>£266.10</u>
Excess Income	£83.90 (20% = £16.78).

LCTR (with two child allowance restriction)

Council Tax £20.00 per week
 20% of excess income = £16.78
 £20.00 less £16.78
 = **£3.22 LCTR** entitlement.

So, currently this resident is entitled to £13.38 CTR per week more than he/she would have got had we applied the two child allowance restriction for working age LCTRS cases from April 2017. This is due to the fact that our LCTRS continued to apply the Child Premium in respect of the third child from April 2017 to 31 March 2019 even though these families would not have had the Child allowance for the child included in their CTC or UC payments.


The effect of this is that the Child Premium which would normally apply as a disregard to the Child allowance in the assessment of CTR is instead disregarded against the residents other income thus increasing their CTR entitlement.

As CTR awards are not subsidised by the Government this effectively means that the council are using local funds to partially offset the effects of the Government's decision to withdraw financial support for the third child in CTC/UC.

However, the negative impact on families who have a third or subsequent child between April 2017 and April 2019 would be avoided if we only applied the 2 child restriction in respect of a families where a third or subsequent child is born from April 2019.

It is worth noting that:

1. The two child allowance restriction is applied within all pensioner LCTRS cases.
2. If we were to apply the two child allowance restriction in LCTRS only those residents with income above their needs allowance would be affected. Those on passported benefits (IS/JSA/ESA) would not be affected.
3. According to our records this would affect approximately 218 residents.

Non-Executive Report of the: Council Wednesday, 23 January 2019	
Report of: Asmat Hussain, Corporate Director, Governance	Classification: Open (Unrestricted)
Appointment to Chair of Pensions Committee	

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

Executive Summary

At the Annual Meeting Council appointed the Chairs of its Committees following nominations from the political groups.

A vacancy has arisen for the Chair of the Pensions Committee following the resignation of former Councillor Muhammad Harun. Council is therefore asked to consider any nominations for Chair of the Pensions Committee and to confirm an appointment.

Recommendations:

Council is recommended to:

1. Appoint to the Chair of the Pensions Committee from amongst the nominations received.
2. That should the above appointed Councillor not be currently appointed to the Pensions Committee that they be appointed to the Committee.

1. REASONS FOR THE DECISIONS

- 1.1 Council is the body that appoints the Chairs of its Committees.

2. ALTERNATIVE OPTIONS

- 2.1 There are no alternative options.

3. DETAILS OF THE REPORT

- 3.1 The Council at its Annual Meeting on 23 May 2018, agreed to establish as set of Committees of the Council. It also agreed nominations to those committees.
- 3.2 At the meeting former Councillor Muhammad Harun was appointed Chair of the Pensions Committee. However, following his resignation from the position a vacancy has arisen.
- 3.3 Council is therefore asked to appoint to fill the vacancy. Any nominations received will be put to the vote at the meeting to determine a new appointment.

4. EQUALITIES IMPLICATIONS

- 4.1 No implications arising from this report.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,
 - Environmental (including air quality),
 - Risk Management,
 - Crime Reduction,
 - Safeguarding.
- 5.2 No implications arising from this report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

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

7. COMMENTS OF LEGAL SERVICES

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

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- None

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

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


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

- None

Officer contact details for documents:

N/A

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Non-Executive Report of the: COUNCIL 23 January 2019	
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. One motion has been submitted by Members of the Council under Council Procedure Rule 11 for debate at the Council meeting on Wednesday 23rd January 2019

2. The motions submitted are listed overleaf. In accordance with the Council Procedure Rules, the motions 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.

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 is the motion that has been submitted.

12.1 Motion regarding the TUC Great Jobs Agenda

Proposer: Mayor John Biggs

Secunder: Councillor Motin Uz-Zaman

This Council believes that everyone at work deserves a great job, where workers in our borough are paid and treated fairly and with respect; work in a safe and healthy workplace; have regular hours; have the chance to be represented by unions and be consulted on what matters at work; and get the chance to learn and progress at work and get on in life.

This Council resolves to:

1. Support the TUC's Great Jobs Agenda, which sets out the actions employers and the government must take for every job to be a great job.
2. Ensure as an employer we continue providing great jobs for our own employees.
3. Continue to value meaningful workforce engagement and representation through our recognised trade unions.
4. Continue our work with employers in the borough to influence their employment practices, and to ensure that business growth is sustainable and ethical.
5. Make increasing job quality a key part of the conversation when pursuing local economic development opportunities in the city.
6. Use our commissioning and procurement processes where possible to raise employment standards amongst those suppliers and providers we work with.
7. Where appropriate, engage with government and other bodies who hold regulatory powers, to tackle issues which local authorities do not have statutory powers to address directly.
8. Write to our MPs informing them of our position and encouraging them to support the Great Jobs Agenda too.