



Dear Spitalfields Campaign

**Your complaint 16886497 about Official Complaint by the Town Council Campaign regarding the Spitalfields and Banglatown Community Governance Review**

Thank you for your recent complaint.

The Council has taken this consultation process very seriously and will consider the points you raise in this letter, along with your previous communications, whilst preparing the report setting out the Council's final recommendations for the review.

However, please find below an initial response to the points you have raised.

**Overall Consultation Process**

The Council considers that the consultation process has been more than sufficient for this particular review. The consultation has followed the Gunning principles for a consultation in that:

- The consultation has taken place at a formative stage for the proposal with the consultation launching shortly after the original petition was validated.
- Sufficient information must be presented to the public with a detailed website and consultation documentation available. The Consultation included distribution of letters and brochures, a detailed website (including FAQs following the first stage consultation), press releases, content in the Council magazine, social media engagement and drop-in sessions in local buildings. In short, the Council went beyond what was required for a consultation of this type.
- Adequate time must be made available for the consultation – with 24 weeks of consultation over the two phases (including additional time at the request of your campaign) this was met.
- The results of the consultation must be considered properly. The Council are ensuring full transparency for the consultation with the results presented at General Purposes Committee and Cabinet in

advance of a final report on the Community Governance Review being presented to Council on 17 July 2019.

The Consultation has also followed the relevant legislative framework for undertaking a Community Governance Review part of which requires the Council to consult with local government electors for the area under review and any other person or body which appears to have an interest in the review. Responses to the consultation are one factor the Council will use in preparing its Final Recommendations for the review.

## **Specific complaints/issues raised**

### *Electoral Issues*

I would challenge the assertion that there have been major problems at recent elections. Whilst polling station security is extremely important to the Council, following consultation with the police only 17 officers were on duty at the most recent EU elections. This followed the successful management of the 2018 local elections where each station was assigned an officer.

Indeed since 2014 the Council have run 13 elections of various types (local, GLA, EU, general, young mayor, by-elections) without a single substantiated allegation of electoral fraud.

### *Use of Electoral Registers*

In relation to your complaint on the use of electoral registers. I can confirm that no registers have been supplied to anyone in relation to the CGR by the Electoral Registration Officer (ERO) and any allegations of misuse by those recipients who have been supplied registers legally for other purposes should be formally reported to the ERO.

### *Online and Paper Consultation Methods*

The Council has always been clear that the consultation exercise is not a vote or poll and is being used as a method to gather the views of local people and any others with an interest. The Council has set out on its website that its preferred method of response was to use the online forms for reasons of cost/efficiency but the terms of reference did not require a

particular form of response. It would not be appropriate to exclude any validated responses to the consultation and indeed the Council could be open to challenge were it to do so.

The online system and paper template follow standard consultation methodologies and are fit for the purpose for which they were intended.

The Council undertakes due diligence appropriate for a consultation of this nature. This includes ensuring that submissions meet agreed inclusion criteria, for example, provision of a name and address or signature. It also involves identifying (and potentially excluding) duplicate responses. There has been no indication from this due diligence exercise in either phase of consultation that the claims you make are correct. The Consultation team have not received evidence of manipulation but would consider any evidence that was submitted.

### *Involvement of Campaigners*

The Council accepts that a proposal of this nature will attract campaigners both for and against the proposal. Campaigning could include encouraging people to sign petitions, fill in survey forms, or write letters. It would be inappropriate for the Council to attempt to interfere with this or to discount submissions because they were made by campaigners either for or against the proposals.

It is expected that any responses handed in by campaigners either for or against a proposal would be partial. This was the case with the original petition you submitted and with the paper responses that were handed in by you at the close of consultation as well.

### *Disappearing Leaflets*

You have previously raised with us the issue of your leaflets apparently disappearing at the Royal Mail centre. Officers advised that you should report this to the police which we note that you have done.

### *Conduct of Members*

Any specific evidence of breaches of the Code of Conduct by Members should be reported to the Monitoring Officer [monitoring.officer@towerhamlets.gov.uk].

### *Distribution of Brochures (second stage)*

In phase 2 the Council distributed over 13,000 copies of its consultation document. Distribution was principally conducted by a reputable company with ISO 9001 & ISO 14001 accreditation. Council officers also sent out or delivered a small number of hard and electronic copies of the document on request. It was made available in a range of public venues across the area and handed out at roadshows and during street outreach. It was also available for review or download on the Council website.

A confirmation of delivery report was provided by our distributors. They identified six buildings where they had been unable to gain access. This affected 227 households. Copies of the consultation document were sent to these addresses by Royal Mail.

You forwarded us 11 emails from local residents who said that they and their neighbours had not received copies of the consultation document. These were from 8 postcodes, covering an estimated 165 properties. We accepted this feedback in good faith. Although our distributor said they had completed deliveries to these postcodes they agreed on 21 March 2019 to redistribute to properties in these postcodes.

You subsequently claimed that you had received many further complaints of non-delivery, however, when asked, no specific evidence to support the claim has been provided. The Council is therefore unable to investigate this issue further.

### *Consultation Roadshows*

The consultation roadshows were held at different venues across the area. Four were within the boundary options put forward by the Council. We estimate that all five were within ten minutes walking distance of the centre of the area covered by Boundary Option III (the largest area).

I can confirm that the Council did not organise consultation events in any local mosques as you claim.

## *Letter to Stage One Consultees*

The letter to phase one consultation responders was to thank them for their contribution, in line with best practice, and to encourage their participation in phase 2.

## *Consultation Area*

In respect of the area of the consultation, it is for the Council to determine the terms of reference, including the area under review. Whilst it should take the petition into account, it is not required to exactly follow the recommendations in the petition in setting its terms of reference. It will remain open to the Council to make a recommendation which is different to the recommendation petitioners wish the review to make.

The Council considered that the boundary of the potential parish council may differ from those set out in the original petition. Therefore, it was appropriate to expand the consultation area beyond the proposal in the petition. It should be noted that the first stage consultation from the Town Council Campaign proposed a larger boundary than that set out in the original petition.

## **Conclusion**

In conclusion, the Council considers that the consultation has been run effectively and has met the requirements for this type of review. The Council will be presenting its final report on the Community Governance Review at Council on 17 July 2019.

If you are dissatisfied with the outcome and wish to progress to Stage 2 of our complaints process for review by the Chief Executive please provide details of why my response has not resolved your complaint and what action you would require as a resolution.

If you have any queries, please contact me at [matthew.mannion@towerhamlets.gov.uk](mailto:matthew.mannion@towerhamlets.gov.uk) or on 020 7364 4651

To escalate the case please use the link below;  
[Email us about this case](#)

Yours faithfully

Matthew Mannion  
Head of Democratic Services  
London Borough of Tower Hamlets