

**LONDON BOROUGH OF TOWER HAMLETS
DECISIONS OF THE COUNCIL
HELD AT 7.00 P.M. ON WEDNESDAY, 15 JANUARY 2020
THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5
CLOVE CRESCENT, LONDON, E14 2BG**

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Asma Begum;
- Councillor Mufeedah Bustin;
- Councillor Kevin Brady;
- Councillor Marc Francis; and.
- Councillor Abdul Mukit M.B.E.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Following a request from a large number of Members who had interests in agenda item 12.1 (Motion regarding NJC Pay) the Monitoring Officer agreed to grant a dispensation to Councillors as an increase in NJC Pay could have an impact on the allowances of all Members in respect of the Item, under Section C, Paragraph 32 of the Code of Conduct for Members.

As a result of this, Councillors with a Disclosable Pecuniary Interest in this item did not need to declare this and would be able to stay in the meeting room, participate in the discussion and vote on the item.

3. MINUTES

RESOLVED:

1. That the unrestricted minutes of the Ordinary Meeting of the Council held on Wednesday 13 November, 2019 be confirmed as a correct record the Speaker be authorised to sign them accordingly.

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

Please see the minutes.

5. TO RECEIVE PETITIONS

5.1 Free Speech on Palestine

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

DECISION

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

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

5.2 Wapping Bus Gate

Gina Hayden addressed the meeting on behalf of the petitioners, and responded to questions from Members. Councillor David Edgar, Cabinet Member for Environment then responded to the matters raised in the petition.

DECISION

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

(Action by: Ann Sutcliffe Corporate Director, Place)

5.3 Stop the Burdett Road Entrapment

It was noted that the petitioner Sumaia Begum was not present. The petition was therefore referred to the Corporate Director, that the petition be referred to the Corporate Director, Place for a written response within 28 days.

(Action by: Ann Sutcliffe Corporate Director, Place)

6. MAYOR'S REPORT

The Mayor presented his report to the Council. Following which:

- Councillor Andrew Wood, Leader of the Conservative Group, responded briefly to the Mayor's report; and
- The Mayor responded briefly.

7. ADMINISTRATION MOTION DEBATE

Councillor Rachel Blake **moved** and Councillor Dipa Das **seconded** the motion as set out in the agenda

Accordingly, it was **RESOLVED** that:

This Council notes:

1. That Universal Credit (UC) has fundamentally failed as a social security system and has caused hardship wherever it is rolled out;
2. Councils are not recognised partners for Universal Credit in the way they are for Housing Benefit and receive no funding to check Universal Credit claims as they are managed by Department for Work and Pensions (DWP);

3. New figures and case studies from Tower Hamlets Council which highlight just how flawed the Universal Credit system is:
 - a. Over 700 errors flagged to the DWP by this council alone since April 2018 – these errors resulted in £335k in overpayments and £215k in underpayments;
 - b. In many cases council staff have had to refer the DWP to their own regulations;
 - c. In February 2019 LBTH Housing Benefit assessors identified an obvious contrived tenancy between family members and notified the DWP that UC housing element should not be paid. The council issued four notifications to DWP before they stopped the payment which resulted in a £18k overpayment;
 - d. A lone parent placed in temporary accommodation had claimed UC, but the DWP did not understand its own rules (which the DWP had changed) and argued that the council should be paying Housing Benefit. The case took from January to September to resolve and eventually the DWP acknowledged their mistake and awarded £15k UC.

4. The Council commissioned the Child Poverty Action Group (CPAG) to research the experiences of Tower Hamlets' families with children in receipt of universal credit. A qualitative research study between October 2018 and July 2019 found:
 - a. 79% of responses included some negative sentiment about universal credit;
 - b. The transition to Universal Credit has been problematic, and that claimants found making and managing claims using the online system difficult;
 - c. Claimants often had problems with Universal Credit payments, finding they varied and were often miscalculated or unexpectedly stopped;
 - d. Stakeholders highlighted the monthly payment system, Advance Payment Arrangements and deductions as problematic for claimants;
 - e. Claimants and stakeholders had negative experiences of Job Centre Plus (JCP) and interactions with the DWP. "A lack of support, training and awareness among JCP staff seems to have resulted in an absence of dignity for claimants, while stakeholders complained of poor communications with the DWP";
 - f. Many claimants were struggling to get by with the amount of universal credit they received, and were in debt and arrears as a result of being on universal credit. This is exacerbated by the system of payment in arrears and the five-week wait at the start of claims;
 - g. Universal credit was seen to have had a negative impact on children.

5. That Tower Hamlets Council has established a multi-million pound Tackling Poverty Fund and is working in partnership with CPAG to understand the impact of Universal Credit in Tower Hamlets and to deliver welfare advice in a local food bank which delivered £230k in income maximisation for residents in its first 5 months.

This Council believes:

- I. That social security should lift people out of poverty, but Universal Credit is leaving people in debt and arrears, forcing many people to turn to food banks to survive;
- II. Social security should support people rather than driving them into poverty;
- III. That Universal Credit is not fit for purpose and is having a severely detrimental impact on residents in Tower Hamlets;
- IV. That Universal Credit should be scrapped and replaced with a new social security system that will support our residents rather than drive them into poverty.

This Council would:

1. Support calls for Universal Credit to be scrapped and replaced;
2. Campaign for emergency mitigation to be introduced, including scrapping the two-child limit and the benefit cap;
3. Ask the Cabinet Member to update members on how the Council is responding to the recommendations set out in Child Poverty Action Group report.

8. OPPOSITION MOTION DEBATE

Councillor Andrew Wood **moved** and Councillor Peter Golds **seconded** the motion as set out in the agenda

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

Added text underlined

Deleted text scored out.

This Council notes:

- The election on the 12th December 2019 of a new majority Conservative government.
- A Queens Speech on the 19th December 2019 containing a large number of proposed Bills, some of direct relevance and interest to Tower Hamlets Council.

- That the government was elected with a new manifesto containing a number of sections of direct relevance and interest to Tower Hamlets Council as noted below.
- The increase in the Public Works Loan Board interest rate from 1.82% to 2.82% in October 2019.

This Council further notes:

Voters in both constituencies in Tower Hamlets voted overwhelmingly for Labour Members of Parliament to represent them.

That the new Conservative manifesto & Queens Speech contains a number of sections directly relevant to Tower Hamlets. Some examples (but not limited to) include measures relating to Right to Buy, social housing, development infrastructure, Brexit and electric vehicle infrastructure:

~~*“We will maintain our commitment to a Right to Buy for all council tenants. We will also maintain the voluntary Right to Buy scheme agreed with housing associations. Following the successful voluntary pilot scheme in the Midlands, we will evaluate new pilot areas in order to spread the dream of home ownership to even more people.”*~~

~~For example we in Tower Hamlets could ask to be one of the new pilot areas in order to ensure that the new voluntary scheme works in London.~~

~~*“As Boris Johnson has promised, we will bring forward a Social Housing White Paper which will set out further measures to empower tenants and support the continued supply of social homes. This will include measures to provide greater redress, better regulation and improve the quality of social housing.”*~~

~~We in Tower Hamlets need to be influencing this White Paper given both the large stock of existing as well as the large number of new build social homes we have which bring with them unique issues.~~

~~*“Infrastructure first. We will amend planning rules so that the infrastructure— roads, schools, GP surgeries— comes before people move into new homes”*~~

~~Given that Tower Hamlets is the most important deliverer of new homes in the country (exemplified by a record 10th year of New Homes Bonus receipts) this is a critically important for us to ensure that those new planning rules work for us here in Tower Hamlets.~~

~~*“In particular, we will make the UK the leading global hub for life sciences after Brexit.”*~~

~~We should work with the government to make the Life Sciences centre in Whitechapel the leading centre in London if not the country.~~

~~“We will invest £1 billion in completing a fast-charging network to ensure that everyone is within 30 miles of a rapid electric vehicle charging station.”~~

~~With more than 40,000 vehicles registered in Tower Hamlets it is clear that we need to substantially expand the charging network as a new generation of electric vehicles arrive so we should be aggressively bidding for a share of this money.~~

~~There are many more similar examples in the manifesto and Queens Speech which we need to explore.~~

This Council resolves:

Following the election of a new majority Conservative government Tower Hamlets ~~to set up a new working group (modelled on the Tower Hamlets Brexit Commission)~~ should continue to work with other London Boroughs, the GLA and London MPs through existing bodies such as London Councils and the LGA to protect and promote Tower Hamlets and secure the interests of London as an integral part of one nation.

That ~~this group~~ the council should seek to constructively engage with the new governments legislative agenda in order to ensure that the voice of Tower Hamlets specifically and other London Boroughs more generally are heard in the legislative process ~~to ensure that those new Acts of Parliament work effectively here.~~ and to actively campaign against any new measures or laws which would be detrimental to residents in Tower Hamlets.

That as a first step that we write to Sajid Javid and Robert Jenrick seeking a change to the Public Works Loan Board interest rate policy. We should request that borrowing to invest in building much needed new Council homes and new infrastructure should be charged at a lower interest rate than borrowing to buy commercial properties to generate a financial return for local authorities.

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

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

- The election on the 12th December 2019 of a new majority Conservative government.
- A Queens Speech on the 19th December 2019 containing a large number of proposed Bills, some of direct relevance and interest to Tower Hamlets Council.
- That the government was elected with a new manifesto containing a number of sections of direct relevance and interest to Tower Hamlets Council.

- The increase in the Public Works Loan Board interest rate from 1.82% to 2.82% in October 2019.

This Council further notes:

Voters in both constituencies in Tower Hamlets voted overwhelmingly for Labour Members of Parliament to represent them.

That the new Conservative manifesto & Queens Speech contains a number of sections directly relevant to Tower Hamlets. Some examples (but not limited to) include measures relating to Right to Buy, social housing, development infrastructure, Brexit and electric vehicle infrastructure:

This Council resolves:

Following the election of a new majority Conservative government Tower Hamlets should continue to work with other London Boroughs, the GLA and London MPs through existing bodies such as London Councils and the LGA to protect and promote Tower Hamlets and secure the interests of London as an integral part of one nation.

That the council should seek to constructively engage with the new governments legislative agenda in order to ensure that the voice of Tower Hamlets specifically and other London Boroughs more generally are heard in the legislative process and to actively campaign against any new measures or laws which would be detrimental to residents in Tower Hamlets.

That as a first step that we write to Sajid Javid and Robert Jenrick seeking a change to the Public Works Loan Board interest rate policy. We should request that borrowing to invest in building much needed new Council homes and new infrastructure should be charged at a lower interest rate than borrowing to buy commercial properties to generate a financial return for local authorities.

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.

- (i) Question from Councillor Dipa Das about unaccompanied child refugees to Tower Hamlets, under the Dubs scheme. No supplementary question was asked.
- (ii) Question from Councillor Peter Golds about use of the recently announced £5.1 million homeless grant from government.
- (iii) Question from Councillor Sufia Alam about the how the Council is preparing for any forthcoming inspection of Youth Justice Services?
- (iv) Question from Councillor Andrew Wood about if the Council been involved in or signed off on the large salary increases granted by Veolia

- to staff before they transfer to Tower Hamlets Council from the 1st April 2020?
- (v) Question from Councillor Kyrsten Perry about what steps are the Council taking to tackle the climate emergency? No supplementary question was asked.
 - (vi) Question from Councillor Shah Ameen regarding the two recent fatal incidents in Whitechapel ward and what the police and the council are doing to improve confidence amongst residents? No supplementary question was asked.
 - (vii) Question from Councillor Leema Qureshi about what progress has been made against the commitment to plant 1,000 trees across the borough? Written response to be provided.
 - (viii) Question from Councillor Mohammed Pappu about when will the identified changes that are urgently needed regarding parking around City Island & Orchard place be implemented?
 - (ix) Question Councillor Denise Jones about what level of savings is Tower Hamlets required to make over the coming years and is there any indication from the new Conservative Government that this situation will improve any time soon?
 - (x) Question Councillor Puru Miah about the implementation in the Council of the APPG Islamophobia definition, passed by the Council in March?
 - (xi) Question from Councillor Val Whitehead about what action will the Mayor and lead Member take to ensure Clarion Housing improve their contact centre and repair service which is causing severe detriment to our Bow residents? No supplementary question was asked.
 - (xii) Question from Councillor Dan Tomlinson about new A12 pedestrian crossings. No supplementary question was asked.
 - (xiii) Question from Councillor John Pierce about anti-social behaviour in the Boundary Estate. No supplementary question was asked.
 - (xiv) Question from Councillor James King about process and funding of the structural repair of Malting and Brewster Houses?
 - (xv) Question from Councillor Marc Francis about the Choice Based Lettings scheme. Written response to be provided.
 - (xvi) Question from Councillor Asma Islam about the Conservative Party's general election manifesto promised to 'continue the roll-out of Universal Credit' – does the Mayor think this is the right thing to do given the impact of universal credit on residents in Tower Hamlets. Written response to be provided.
 - (xvii) Question from Councillor Kahar Chowdhury about benefit changes; and
 - (xviii) Question from Councillor Rabina Khan about the community language service. As the time expired for this item no supplementary question was asked.

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

10.1 Report of Cabinet: Adoption of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits

10.1 Report of Cabinet: Adoption of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits

The Council considered a report that recommended the adoption the Local Plan recommendations as set out in the main report.

DECISION:

1. To note that the Local Plan has been subject to further amendments (following its submission to the Inspector in February 2018) as part of the independent public examination, as described in:

- a. the Inspector's Final Report (see appendix 1), and;
- b. schedule of main and additional modifications (see appendix 2).

2. To agree the recommendation stated in the Inspector's Final Report.

3. To adopt the Local Plan, including the modifications recommended by the Inspector and the additional minor modifications proposed by officers, in accordance with Section 23 of the Planning and Compulsory Purchase Act.

4. To authorise the Corporate Director of Place to prepare and publish an Adoption Statement and the final Integrated Impact Assessment Report, in accordance with S26 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

5. To authorise the Corporate Director of Place in consultation with the Mayor and Lead Member for Planning, Air Quality and Tackling Poverty to make typographical amendments to the plan prior to its publication to improve cross-referencing (e.g. paragraph numbering, page re-numbering) and typographical errors.

6. To agree to revoke the Council's current adopted Core Strategy (2010) and Managing Development Document (2013). It is recommended that the current adopted Plans are revoked following the statutory six week legal challenge period of the Local Plan adoption.

7. To note that Cabinet has agreed to revoke the following Council's supplementary/Interim planning documents, subject to adoption of the Local Plan by the full Council (see appendix 3 for a full SPD review). The following documents will be removed as planning policy guidance to ensure an effective and efficient development management process. It will be revoked following the statutory six week legal challenge period of the Local Plan adoption.

- a. Wood Wharf Masterplan (2003)
- b. Aldgate Masterplan (2007)
- c. Former Whitechapel Masterplan (2007)
- d. Bishopsgate Goods Yard (2009)
- e. Bromley-by-Bow Masterplan (2012)
- f. Whitechapel Vision Masterplan (2013)
- g. South Quay Masterplan (2015)
- h. Millennium Quarter Public Realm Guidance Manual (2008)

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

10.2 Report of Cabinet: Adoption of the Tower Hamlets Community Infrastructure Levy (CIL) Charging Schedule

The Council considered a report that recommended the adoption of a new schedule subsequent to three separate public consultations and examination in public. The newly proposed Charging Schedule aims to increase the rates that the Council currently charges.

DECISION

1. To formally adopt the new CIL Charging Schedule in accordance with the Community Infrastructure Levy Regulations 2010, Regulation 25.

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

10.3 Report of the General Purposes Committee: Delegation of Role to London Councils' Transport and Environment Committee (LC TEC)

Council considered a report that advised Members of two new items being adopted by London Councils and sought Council's approval to both. The first related to establishing a London wide partnership to assist boroughs in the management and delivery of Electric Vehicle Charging Points (for residential and car club use) and the second to the development of a London wide by-law to control Dockless Cycle Hire Schemes.

DECISION

1. To approve the delegation of authority to London Councils to enable them to better support the boroughs in managing and delivering the provision of Electric Charge Points as set out in 3.5 of the main report;
2. To approve in principle the development of a new London-wide bylaw to control the operation of Dockless Cycle Hire Schemes within the Borough; and
3. To authorise the Divisional Director, Public Realm to sign authorisation forms for both the above matters.

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

10.4 Report of the General Purposes Committee: Polling districts and polling places review 2019

The Council noted that (i) this report sets out recommendations for changes to polling districts and polling places as a result of the statutory review of polling districts and polling places undertaken in 2019; (ii) it also set out a small number of recommendations arising from the review but that do not fall within the scope of a statutory review; (iii) the report also incorporated comments on draft recommendations made by the General Purpose Committee on 10 December 2019.

DECISION

1. Agreed the proposed changes to polling district boundaries within the wards of Canary Warf, Island Gardens, Spitalfields & Banglatown, and St Katharines & Wapping as set out in paragraphs 3.27 to 3.31 of the report;
2. Subject to the availability of the venues, agreed the proposed changes to polling places in the wards of Canary Warf, Spitalfields & Banglatown and Bow West as set out in paragraphs 3.32 to 3.34 of the report;
3. Requested that the Electoral Registration Officer, on conclusion of the review, to make the necessary amendments to the polling districts and any consequential amendments arising from the review, to take effect from publication of the revised register on 1 December 2020;
4. Noted the other recommendations arising from the review.

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

10.5 Report of the Audit Committee: Treasury Management Mid-year Report for 2019/20

The Council considered a report that updates members on both the borrowing and investment decisions made by the Corporate Director, Resources under delegated authority in the context of prevailing economic conditions and considers the Council's Treasury Management performance.

DECISION

1. Contents of the treasury management activities and performance against targets for half year ending 30 September 2019; and
2. Council's investments as set out in Appendix 1 to the main report. The balance outstanding as at 30 September 2019 was £307.250m

(**Action by:** Neville Murton, Corporate Director, Resources)

11. OTHER BUSINESS

Nil items

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

12.1 URGENT MOTION FOR DEBATE - Westferry Printworks

The Council agreed to suspend Procedure Rule 13.1 to enable the following urgent motion to be debated without notice regarding Westferry Printworks:

Mayor John Biggs **moved** and Councillor Kyrsten Perry **seconded** the motion as tabled

The Council **noted**:

1. That the Secretary of State for Housing, Communities and Local Government has gone against the views of the Council, many local

- residents and the Planning Inspectorate and granted planning permission for redevelopment of the Westferry Printworks site;
2. That the proposed development was initially refused by Tower Hamlets Strategic Development Committee in March 2016. This was then overturned by the then Mayor of London in April 2016;
 3. In 2018, the developer submitted a new application more than doubling the amount of housing, increasing further the density and heights of buildings and reducing the amount of open space, with no significant change in the proportion of affordable housing. The developer appealed before the Council was able to make a decision. However the SDC agreed clear and robust planning reasons for refusal. A public inquiry took place last year. The Secretary of State has however now granted planning permission, against the recommendation of his appointed inspector, who broadly supported the Council's case and despite clear opposition of the Council, Mayor of London and local residents;
 4. That the Secretary of State's decision comes only 24 hours before tonight's meeting where the Council will vote on the new Community Infrastructure Levy (CIL) charging schedule. By doing this the new development avoids the CIL liability and hence the Secretary of State has deprived the Council of an estimated £30m-£50m in CIL contributions.

Therefore this Council believes that:

- I. Developments on the Isle of Dogs – which has seen decades of intensive development – must be sensitive to ensure developments strike a balance between realising opportunities for growth and respecting local context;
- II. The plans for the site are unacceptable due to their height and density as well as the low level of affordable housing;
- III. The decision by the Secretary of State to grant planning permission goes against the considerable views and professional opinions that were presented in opposition to the permission being granted;
- IV. Decisions of this magnitude should not be taken by the Government behind closed doors and this decision completely disregards local democracy.

Accordingly, it was **RESOLVED** that:

This Council:

Condemns the unilateral decision taken by the Secretary of State and to ask Council officers to examine what options are available to the Council to challenge this decision, including the option of a judicial review.

The meeting ended at 10.00 p.m.

