

**LONDON BOROUGH OF TOWER HAMLETS**

**DECISIONS OF THE COUNCIL**

**HELD AT 7.00 P.M. ON WEDNESDAY, 2 OCTOBER 2024**

**COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL**

**AGENDA ORDER**

During the meeting, Members agreed to vary the order of business to take Agenda Item 12.1 Motion on Ethnic Pay Gap before agenda item 9.2 Annual Report of the Overview and Scrutiny Committee. For clarity, the decision sheet is presented in the order the items appear on the agenda.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Steve Halsey, Chief Executive. Julie Lorraine, Deputy Chief Executive was substituting for him.

**2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS**

There were no declarations of pecuniary interests declared by members.

**3. MINUTES**

**DECISION**

1. Agree the minutes of the Ordinary meeting of the Council of 17<sup>th</sup> July 2024 and approve them as a correct record of the proceedings. The Speaker was authorised to sign the minutes accordingly.

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

Announcements from the Speaker and the Chief Executive.

See the minutes.

**5. TO RECEIVE PETITIONS**

**5.1 Petition requesting the Council to save the Attlee Centre.**

Tania Shaikh, Martin Young and Fatima Khanon presented their petition relating to the saving of the Attlee Centre. Ms Shaikh said the Attlee Centre was a cornerstone of the community and provided vital services and support

to children, young people and families since 1982. She said without a lease, which they had tried to renew with the Council, they were unable to secure funding to continue with the services it provides, with free access to all.

Ms Shaikh said the Centre had written to the Council and the Mayor asking for the lease to be renewed and said they were seeking a resolution to their dilemma.

Members asked questions of the petitioners.

Councillor Saied Ahmed, Cabinet Member for Resources and Cost-of-Living responded to matters raised in the petition.

### **DECISION:**

1. That the petition be referred to the Corporate Director for Housing and Regeneration for a written response within 28 days.

(Action by: David Joyce, Corporate Director for Housing and Regeneration)

## **6. MAYOR'S REPORT**

Mayor Lutfur Rahman presented his report to the Council.

The Opposition Group Leader, Councillor Sirajul Islam then responded briefly to the Mayor's report.

Mayor Rahman provided concluding remarks.

## **7. ADMINISTRATION MOTION DEBATE**

### **MOTION ON WINTER FUEL PAYMENTS REDRESS**

Council considered a motion as printed in the agenda on the Winter Fuel Payments Redress that had been moved by Councillor Saied Ahmed and seconded by Councillor Abu Talha Chowdhury.

Council also considered an amendment proposed by Councillor Marc Francis and seconded by Councillor Amina Ali as per the tabled papers as follows:

Amendment Proposed by Councillor Marc Francis and seconded by Councillor Amina Ali.

Additions Underlined  
Deletions Struck through

### **Council notes:**

- The difficult position that many residents – especially pensioners – find themselves in when paying bills around wintertime.
- That many residents in Tower Hamlets could have to make the choice between eating and heating this winter.
- That the Council continues to do all it can to support residents through the ongoing cost of living crisis.
- That through schemes such as the Warm Hubs and Warm Packs, pensioners will be able to go somewhere warm for a hot drink and receive hats, gloves, socks, hot water bottles and other amenities to help keep them warm and save money on their bills.
- The last Labour Government introduced the Winter Fuel Payment in 1999 in recognition that many older people were struggling with the costs of their gas and electric bills;
- By 2005, the sum paid was set at £300 for over-80s and £200 for those pensioners under-80 and that this figure has not increased for nearly 20 years;

**Council believes:**

- The new Government has inherited a dire economic situation, which will require it to make difficult decisions;
- That while these measures and the forthcoming investment into universal free homecare in February will go some way to alleviating these pressures, a cold winter could see vulnerable, elderly residents choosing between heating and eating.
- That around 9,000 pension-age residents who would have been eligible for a winter fuel payment will now not be receiving one.
- That there are also 4,304 residents who are eligible for pension credit who appear to not be claiming.
- That no pensioner or household should have to choose between eating and heating.
- That the Council must therefore provide support for elderly and vulnerable residents in the months to come, to offset any financial strain that will impact those already among the 40% currently living in fuel poverty in Tower Hamlets.

**Council resolves:**

- To request the creation a *Mayor's Winter Emergency Fund*, to provide those pensioners without pension credit but struggling to make ends meet with financial support with their bills.
- To call on the Executive Mayor to instruct officers to establish a local 'Tower Hamlets Winter Fuel Payment' scheme offering sums of £300 to those over-80 and £200 to those under-80, who are not in receipt of Pension Credit and write to local pensioners inviting them to apply;
- To provide pensioners in a precarious financial position with a payment towards their winter fuel bills. This would see residents of pension age but ineligible for the scrapped *Winter Fuel Allowance* payments receive a payment.
- To launch this scheme at the earliest available Cabinet, with details of how to apply and eligibility in place by then.
- To write to the government requesting the reinstatement of the *Winter Fuel Allowance*.
- To back the public campaign by Age UK and other charities and the trade union movement to try to persuade the Government to reinstate the Winter Fuel Payment.
- To actively promote through a borough-wide campaign how to access pension credit, so those 4,304 residents eligible for pension credit but not claiming it can understand how to do so.

Following debate, the amendment moved by Councillor Marc Francis and seconded by Councillor Amina Ali was put to the vote and fell.

The motion moved by Councillor Saied Ahmed and seconded by Councillor Abu Talha Chowdhury was put to the vote and was **agreed**.

### **DECISION**

#### **Council notes:**

- The difficult position that many residents – especially pensioners – find themselves in when paying bills around wintertime.
- That many residents in Tower Hamlets could have to make the choice between eating and heating this winter.
- That the Council continues to do all it can to support residents through the ongoing cost of living crisis.
- That through schemes such as the Warm Hubs and Warm Packs, pensioners will be able to go somewhere warm for a hot drink and

receive hats, gloves, socks, hot water bottles and other amenities to help keep them warm and save money on their bills.

**Council believes:**

- That while these measures and the forthcoming investment into universal free homecare in February will go some way to alleviating these pressures, a cold winter could see vulnerable, elderly residents choosing between heating and eating.
- That around 9,000 pension-age residents who would have been eligible for a winter fuel payment will now not be receiving one.
- That there are also 4,304 residents who are eligible for pension credit who appear to not be claiming.
- That no pensioner or household should have to choose between eating and heating.
- That the Council must therefore provide support for elderly and vulnerable residents in the months to come, to offset any financial strain that will impact those already among the 40% currently living in fuel poverty in Tower Hamlets.

**Council resolves:**

- To request the creation a *Mayor's Winter Emergency Fund*, to provide those pensioners without pension credit but struggling to make ends meet with financial support with their bills.
- To provide pensioners in a precarious financial position with a payment towards their winter fuel bills. This would see residents of pension age but ineligible for the scrapped *Winter Fuel Allowance* payments receive a payment.
- To launch this scheme at the earliest available Cabinet, with details of how to apply and eligibility in place by then.
- To write to the government requesting the reinstatement of the *Winter Fuel Allowance*.
- To actively promote through a borough-wide campaign how to access pension credit, so those 4,304 residents eligible for pension credit but not claiming it can understand how to do so.

(Action by: Julie Lorraine, Corporate Director for Resources)

**8. OPPOSITION MOTION DEBATE**

## **MOTION FOR DEBATE TO SCRAP THE REVISED HOMELESSNESS ACCOMMODATION PLACEMENT POLICY**

Council considered a motion as printed in the agenda to scrap the revised Homelessness Accommodation Placement policy that had been moved by Councillor Asma Islam and seconded by Councillor Sirajul Islam.

Council also considered an amendment proposed by Councillor Kabir Ahmed and seconded by Councillor Musthak Ahmed as set out in the tabled papers as follows:

Amendment Proposed by Councillor Kabir Ahmed and seconded by Councillor Musthak Ahmed

Additions Underlined  
Deletions Struck through

### **This council notes:**

- In July, the Mayor and Cabinet adopted a revised 'Homelessness Accommodation Placement Policy.'
- The revised policy removed the 90-minute journey time limit, allowing the council to place families and individuals experiencing homelessness in temporary accommodation beyond the Home Counties.
- For the record, following feedback from residents – through the Mayor's surgeries; member enquiries; and face to face meetings – at the 11<sup>th</sup> September Cabinet meeting, the Mayor clearly stated that the decision was not being implemented until there had been a further review and this has the effect of retaining the 90 minute cap for the present time.
- This decision contradicted the 90-minute journey time limit established by the Supreme Court in the Westminster test case, which determined that families should not be placed in accommodation further than 90 minutes from their home. This policy was not implemented following the Council's Cabinet meeting on 11<sup>th</sup> September.
- Under the policy, those in their final year of GCSEs or A-Levels are to be placed in temporary accommodation within the borough.
- Children in other school year groups can be placed anywhere within London.
- Families with very young children, who are not yet of school age, may be placed in temporary accommodation anywhere in the Home Counties. This policy was not implemented at the Council's Cabinet meeting on 11<sup>th</sup> September. It should be noted that within the paused policy there was a detailed set of criteria that made placement in Zones C and D a last resort, meaning that this group would have been protected. In any event, no family will be placed more than 90 minutes outside of Tower Hamlets, as the Council has not implemented the

decision to remove the 90 minute cap at the last Cabinet meeting on 11<sup>th</sup> September.

- People with health needs, including mental health concerns, should be rehoused in temporary accommodation (TA) either within or close to the borough, to ensure they can access necessary support services.
- There has been a rise in Section 21 (no-fault) evictions over the past two years, leading to an increased number of residents declaring themselves homeless to the council.
- Placing working residents in temporary accommodation in distant areas, such as Zones C and D, risks forcing them to leave their jobs, further contributing to poverty among affected families. However, this proposed amendment to the existing policy was not implemented at the Council's Cabinet meeting on the 11<sup>th</sup> September, meaning no working resident is being placed more than 90 minutes outside of the borough.
- The Greater London Authority (GLA) has announced £40 million in new funding aimed at procuring homes for overcrowded and homeless families.
- Of this, £8.3 million from the Government has been allocated specifically to Tower Hamlets Council, with a mandate to purchase 32 homes for use as temporary accommodation. The Council has also begun a process of buybacks; increasing of temporary accommodation funding from it's HRA account; and an accelerated fast track planning process to complement this allocation of funding, as well as an ambitious newbuild housing programme.
- It is acknowledged that high rents in Tower Hamlets make it unaffordable for residents affected by the benefit cap to continue living here, putting additional strain on homeless families.

#### **The Council believes:**

- Relocating families away from their support networks can have a detrimental impact on the wellbeing and education of children. That is why the proposed change to the existing policy were not implemented at the September 11<sup>th</sup> Cabinet meeting, meaning no resident will move more than 90 minutes outside of the borough.
- The best outcomes for families experiencing homelessness are achieved when they are placed in a locality where they can easily access support services and maintain existing social ties.
- The Council was right to retain the 90-minute journey time limit should be reinstated, and the by not implementing the revised 'Homelessness Accommodation Placement Policy' should be reversed at the September 11<sup>th</sup> Cabinet meeting.
- Introducing a ban on no-fault evictions would relieve pressure on homelessness and help stabilise rental prices.
- The Council should explore homes purchased by the Council using GLA and Government funds should have rents capped at Local Housing Allowance (LHA) rates, ensuring affordability for benefit-capped households.
- The Mayor and Lead Member have already commissioned work to understand what work and potential additional investment is required to

bolster the Council's efforts in this area and More should be done to explore procuring properties within the existing boundaries.

**This council resolves to:**

- Recommend to the Mayor that a new report is presented at the next Cabinet meeting, confirming the reversing of the 'Homelessness Accommodation Placement Policy' adopted in July and paused at the September 11<sup>th</sup> Cabinet meeting.
- Explore ways to use GLA and Government funding to purchase properties where rents ~~can~~ could be capped at LHA rates, ensuring more affordable housing for homeless and overcrowded families.

Following debate, the amendment moved by Councillor Kabir Ahmed and seconded by Councillor Musthak Ahmed was put to the vote, as well as the motion moved by Councillor Asma Islam and seconded by Councillor Sirajul Islam. The amendment was voted on and fell. The original motion was voted on and the vote was tied. As such the Speaker of the Council, exercised his casting vote and voted for the motion which was therefore carried.

**DECISION**

**This council notes:**

- In July, the Mayor and Cabinet adopted a revised 'Homelessness Accommodation Placement Policy.'
- The revised policy removed the 90-minute journey time limit, allowing the council to place families and individuals experiencing homelessness in temporary accommodation beyond the Home Counties.
- This decision contradicted the 90-minute journey time limit established by the Supreme Court in the Westminster test case, which determined that families should not be placed in accommodation further than 90 minutes from their home.
- Under the policy, those in their final year of GCSEs or A-Levels are to be placed in temporary accommodation within the borough.
- Children in other school year groups can be placed anywhere within London.
- Families with very young children, who are not yet of school age, may be placed in temporary accommodation anywhere in the Home Counties.
- People with health needs, including mental health concerns, should be rehoused in temporary accommodation (TA) either within or close to the borough, to ensure they can access necessary support services.



- There has been a rise in Section 21 (no-fault) evictions over the past two years, leading to an increased number of residents declaring themselves homeless to the council.
- Placing working residents in temporary accommodation in distant areas, such as Zones C and D, risks forcing them to leave their jobs, further contributing to poverty among affected families.
- The Greater London Authority (GLA) has announced £40 million in new funding aimed at procuring homes for overcrowded and homeless families.
- Of this, £8.3 million from the Government has been allocated specifically to Tower Hamlets Council, with a mandate to purchase 32 homes for use as temporary accommodation.
- It is acknowledged that high rents in Tower Hamlets make it unaffordable for residents affected by the benefit cap to continue living here, putting additional strain on homeless families.

**The Council believes:**

- Relocating families away from their support networks can have a detrimental impact on the wellbeing and education of children.
- The best outcomes for families experiencing homelessness are achieved when they are placed in a locality where they can easily access support services and maintain existing social ties.
- The 90-minute journey time limit should be reinstated, and the revised 'Homelessness Accommodation Placement Policy' should be reversed.
- Introducing a ban on no-fault evictions would relieve pressure on homelessness and help stabilise rental prices.
- Homes purchased by the Council using GLA and Government funds should have rents capped at Local Housing Allowance (LHA) rates, ensuring affordability for benefit-capped households.

**This council resolves to:**

- Recommend to the Mayor that a new report is presented at the next Cabinet meeting, reversing the 'Homelessness Accommodation Placement Policy' adopted in July.
- Explore ways to use GLA and Government funding to purchase properties where rents can be capped at LHA rates, ensuring more affordable housing for homeless and overcrowded families.

(Action by: Julie Lorraine, Corporate Director, Resources)

## 9. REPORTS FROM THE EXECUTIVE AND THE COUNCIL'S COMMITTEES

### 9.1 Report of the Standards Advisory Committee: Annual Report of the Standards Advisory Committee 2023-24

Council considered the report of the Standard's Advisory Committee setting out it's Annual report. Mr John Pulford, Independent Chair of the Standard's Advisory Committee introduced the report. Councillor Abdal Ullah moved the report, which was seconded by Councillor Maium Talukdar.

#### **DECISION**

Council **AGREED** to:

1. Review and note the Standards Advisory Committee Annual Report for 2023-24.

### 9.2 Report of the Overview and Scrutiny Committee: Scrutiny Annual Report 2023-24

Council considered the report of the Overview and Scrutiny Committee setting out it's Annual Report. Councillor Jahed Choudhury moved the report which was seconded by Councillor Kabir Ahmed.

#### **DECISION**

Council **AGREED** to:

1. To note and comment on the Overview and Scrutiny Committee Annual Report for 2023-24.

### 9.3 Report of the Cabinet: Time Banded Collections (Waste Services)

Councillor Shafi Ahmed, Cabinet Member for Environment and the Climate Emergency **moved** the report on Time Banded Collections (Waste Services) and Councillor Kabir Ahmed **seconded** the report.

Councillor Ahmed said Cabinet had considered the report on the 11<sup>th</sup> September 2024 and he was asking Council to approve the recommendations within the report. Members added their comments.

#### **DECISION**

Council **AGREED** to the recommendations within the Cabinet report of 11<sup>th</sup> September 2024.

The Council is recommended to agree:

1. Approve the introduction of Tower Hamlets Waste Regulations 2024 under section 20 and 22 of the London Local Authorities Act 2007. These are Household Waste Regulations 2024 (Appendix A of the report) and Commercial Waste Regulations 2024 (Appendix B of the report).
2. Approve the introduction of time bands for the collection of domestic and commercial waste on selected high streets, town centres, and main commercial areas in the borough. The list of streets are listed in Appendix C of the report and the proposed time bands are detailed in the Household and Commercial Waste Regulations 2024.
3. Set Fixed Penalty Notice (FPN) amounts for the enforcement of non-compliance with time bands by residents by issuance of FPN under s.46A of the Environmental Protection Act 1990, amended by s.58 of the Deregulation Act 2015. Proposed full amount of £80 payable within 28 days with a discounted rate of £50 if paid within 14 days of issue.
4. Delegate powers to the Corporate Director of Communities (or equivalent) to make any amendments to the Tower Hamlets Waste Regulations 2024 in consultation with the Mayor. Including the authority to revoke, expand and adjust the timing of the time bands and the streets to which the Regulations apply. Any amendments, revocation etc will be in line with any of the requirements in section 20 and 22 of the London Local Authorities Act 2007.

## 10. OTHER BUSINESS

### 10.1 Proportionality and Allocation of Places on Committees of the Council 2024/25

An update to the report and recommended allocation of seats on committees was tabled.

Councillor Maium Talukdar, Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning **moved** and Councillor Bodrul Choudhury **seconded** the recommendations as amended by the tabled report.

Members of the Council commented on the report.

### **DECISION**

1. To note the review of proportionality as at Section 3 of the report as amended and agree the allocation of seats for the remainder of the Municipal Year 2024/25 as set out in the tabled update to the report.

2. To note the Committees set out for Municipal Year 2024/25 listed in paragraph 3.6 of the report as agreed at the Annual Council meeting held on Wednesday 15 May 2024.
3. To agree that the Monitoring Officer is delegated to approve the appointment of Councillors required to fill positions during the municipal year in line with the proportionality arrangements set out in this report on the nomination for the respective group leaders.
4. To agree that the Monitoring Officer be delegated to approve the appointment of ungrouped Councillors to any places not allocated by the Council to a political group, after consultation with those Councillors and the Speaker of the Council where there is only one application for the position (where there is more than one application these will be presented to Council for decision).

#### **11. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL**

Due to the lack of time, no questions from members were considered. A written response to be provided to the questions asked.

(**Action by:** Matthew Mannion, Head of Democratic Services to arrange written response)

#### **12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL**

Due to the lack of time, only Motion 12.1, which was moved up the running order and taken after item 9.1, was considered by Council.

##### **12.1 CROSS PARTY MOTION ON ETHNIC PAY GAP**

Council considered a motion as printed in the agenda on the Ethnic Pay Gap that had been moved by Councillor Abdi Mohamed and seconded by Councillor Kabir Ahmed.

Following debate, the motion moved by Councillor Abdi Mohamed was put to the vote and was unanimously **agreed**.

##### **DECISION**

Research from across civil society, including the GMB union shows that there is an Ethnicity Pay Gap, between Black, Asian and Minority Ethnic worker and non-Black Asian and Minority Ethnic workers who are otherwise equal in educational attainment. This is not only reflected in the pay of Black, Asian and Minority Ethnic workers, but this disparity is also apparent in the promotion of Black, Asian and Minority Ethnic workers in the workplace.

##### **This council notes that:**

- One in six Bangladeshi residents across England and Wales live in Tower Hamlets. Locally, the Bangladeshi population remains by far the largest in the country in both proportionate (34.6%) and numerical (107,333) terms.
- Other significant ethnic groups include White British (22.9%), White Other (14.6%), Black African (5%), Chinese (3.3%) and Somali or Somalilander (2%)
- GMB Race, the union's self-organised groups in London, sent out a survey to Black, Asian and Minority Ethnic London workers to collect information about their Pay, Terms and Conditions. GMB Race's survey results, while disappointing, unsurprisingly show the fact that only half of respondents thought they received equal treatment and access to bonuses, overtime, pension, and other plus payments compared to non-BAME staff.
- The TUC's own research shows that the Ethnicity Pay Gap for minority workers has shown that students who entered the workplace after GCSE are paid 11% less than their white counterparts. Whilst those who attained degrees, the pay gap more than doubled to 23%. The race pay gap impacts the standard of living of those affected and also worsens for people who have aspired and succeeded in further education.
- The Resolution Foundation has shown that Black, Asian and Minority Ethnic workers lose out on £3.2bn a year in wages compared to white workers. It found Pakistani and Bangladeshi male graduates earned an average £2.67 an hour (12%) less, while among female graduates, black women faced the biggest pay penalty, of £1.62 an hour (9%).
- Within Tower Hamlets only 33.1% of the borough's top 5% of earners are BAME.
- The general reporting of the pay gap is poor and recent figures show so far only 3% of employers with over 250 employees are voluntarily reporting their ethnicity pay gap.
- The Government has acknowledged this weakness and that Ethnicity Pay Gap reporting should be mandatory. However, this has not happened.
- The Women's and Equalities Committee's (WESC) report Ethnicity Pay Gap in February 2022 recommended that the Government should introduce mandatory ethnicity pay gap reporting by April 2023. This should be for all organisations that currently report for gender and that legislation should include the requirement for employers to publish a supporting narrative and action plan.
- This call has been echoed by the TUC.

**This council believes that:**

- All those that live and work within Tower Hamlets should be equally able to flourish in their place of employment. Therefore, there should be no glass ceiling because of the colour of someone's skin. Pay, promotions, career development and progression and bonuses in all sectors should be underpinned by ability and fairness. This is vital in eradicating systemic racism and division in wider society and a cause acutely relevant to the diverse community in this borough.

- With a cost-of-living crisis hitting households hard, the diminishing earnings of Black, Asian and Minority Ethnic workers will disproportionately push many of such workers further into work poverty.
- This disproportionately affects local authorities, like Tower Hamlets, who are proud of their diverse and multicultural communities.
- All public bodies within the borough should be committed to being open and transparent about publishing its data on employees, whilst running fair, open and inclusive promotion strategies within its public sector duties. Such public data is the first step in creating awareness of the ethnicity pay gap with a view to drive change.
- Other employers across all sectors should do the same and that there should be mandatory reporting of the Ethnicity Pay Gap for all employers with 250 or more staff members.

**This council resolves to:**

- Adopt GMB Race's campaign for an Ethnicity Pay Gap, including:
- Agree to annually report on the Ethnicity Pay Gap within its own organisation;
- Endeavour to regularly analyse strengths and weakness based on its own reporting, devising and implementing annual plans to proactively put in place measures to ensure there are no bars to recruitment, training, salary levels or promotion, including local schemes to give opportunities for ethnic staff to achieve promotion and occupy more senior positions within the Council;
- Work with the three recognised Councils unions locally and adopt GMB Race campaigns Ethnicity Pay Gap Charter;
- Work with council suppliers, contractors and partners to seek to do the same encouraging best practice through procurement rules as relevant, including in the contracting of any new services; and
- Call upon the Government to introduce mandatory pay gap reporting.

The meeting ended at 10.07 p.m.