

**LONDON BOROUGH OF TOWER HAMLETS**

**DECISIONS OF THE COUNCIL**

**HELD AT 7.30 P.M. ON WEDNESDAY, 24 MARCH 2010**

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

**NB: The Order of Business was varied during the course of the meeting but for ease of reference, the decision sheet is in the same order as the agenda.**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Abdul Matin and Abdul Munim.

**2. DECLARATIONS OF INTEREST**

Please see minutes.

**3. MINUTES**

**DECISION**

That the minutes of the ordinary meeting held on 27<sup>th</sup> January, the extra ordinary meeting on 3<sup>rd</sup> March and the Budget meeting on 3<sup>rd</sup> March, 2010 be confirmed as correct records of the proceedings and the Mayor be authorised to sign them accordingly.

**4. TO RECEIVE ANNOUNCEMENTS (IF ANY) FROM THE MAYOR, LEADER OF THE COUNCIL, MEMBERS OF THE CABINET OR THE CHIEF EXECUTIVE**

Please see minutes.

**5. TO RECEIVE ANY PETITIONS OR DEPUTATIONS**

**PETITIONS**

**5.1.1 Petition re: postal votes**

Mr. Terry McGreenera addressed the meeting in support of the petition. Members asked questions of the petitioners and the Lead Member then responded to the issues raised.

**DECISION**

That the petition be referred to the Assistant Chief Executive (Legal Services) for a written response on any outstanding matters with 28 days.

(Action by: Isabella Freeman, Assistant Chief Executive (Legal Services))

**5.1.2 Petition re: the future use of Habanos Wine Bar**

Mr Ian Dick addressed the meeting in support of the petition. Members asked questions of the petitioners and the Lead Member then responded to the issues raised.

**DECISION**

That the petition be referred to the Corporate Director, Development and Renewal, for a written response on any outstanding matters within 28 days.

(Action by: Aman Dalvi, Corporate Director, Development and Renewal)

**5.1.3 Petition re: 2 Jubilee Street**

Ms. Lynsey Ellard addressed the meeting in support of the petition. Members asked questions of the petitioners and the Lead Member then responded to the issues raised.

**DECISION**

That the petition be referred to the Corporate Director, Development and Renewal, for a written response on any outstanding matters within 28 days.

(Action by: Aman Dalvi, Corporate Director, Development and Renewal)

**DEPUTATIONS**

**5.2.1 Deputation re: resident parking permits for 62-80 Swaton Road**

Mr. Stephen Foster and Mr. Nurul Amin addressed the meeting in support of the deputation. Members asked questions of the deputation and the Lead Member then responded to the issues raised.

### **DECISION**

That the petition be referred to the Corporate Director, Communities, Localities and Culture for a written response on any outstanding matters within 28 days.

(Action by: Stephen Halsey, Corporate Director, Communities, Localities and Culture)

#### **5.2.2 Deputation re: clamping system for John Smith Mews**

This deputation was withdrawn.

#### **5.2.3 Deputation re: Crown Estate**

This deputation was not heard as the deputation did not attend the meeting.

### **6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC**

- 6.1 Question from Mr. Terry McGreenera to the Deputy Leader of the Council, Councillor Joshua Peck re: the complaints system
- 6.2 Question from Mr. Graham Collins to the Lead Member Housing and Development, Councillor Marc Francis re: Rosefield Gardens and Kemps Drive
- 6.3 Question from Ms. Francesca Preece to the Lead Member for Children, Schools and Families, Councillor Abdul Asad re: youth services in Bow West
- 6.4 Question from Mrs. Hazjera Khatun to the Lead Member for Housing and Development, Councillor Marc Francis re: overcrowding/housing waiting list.
- 6.5 Question from Ms. Joanna Buckman to the Lead Member for Housing and Development, Councillor Marc Francis re: Spitalfields surgery
- 6.6 Question from Sally Hone to the Lead Member for Housing and Development, Councillor Marc Francis re: conditions on planning applications
- 6.7 Question from Mr. Adrian Lockwood to the Lead Member for Housing and Development, Councillor Marc Frances re: car free zone area at Green Dragons Yard

The above questions and oral supplementary questions where put, were responded to by the relevant Lead Members. In relation to question 6.4, the question was not put at the meeting in the form submitted. The member of the public in attendance, who was not the original questioner, posed a different question, notice of which had not been given and this was therefore ruled out of order. The Lead Member nevertheless responded to the general issues raised.

(Action by: John S. Williams, Service Head, Democratic Services)

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

- 7.1 Question from Councillor Muhammad Abdullah Salique to the Lead Member for Children, Schools and Families, Councillor Abdul Asad re: improvement in educational achievements in the last 4 years
- 7.2 Question from Councillor Tim Archer to the Lead Member for Housing and Development, Councillor Marc Francis re: allocation of Section 106 money
- 7.3 Question from Councillor Alibor Choudhury to the Leader of the Council, Councillor Lutfur Rahman re: achievements of the Council's 6 political priorities in the last two years
- 7.4 Question from Councillor Abjol Miah – *This question was withdrawn (see below)*
- 7.5 Question from Councillor Ann Jackson to the Lead Member for Culture and Leisure, Councillor Rofique Ahmed re: protection of the borough's heritage over the last 4 years
- 7.6 Question from Councillor Stephanie Eaton to the Lead Member for Cleaner, Safer, Greener, Councillor Abdal Ullah re: the performance of the Crown Prosecution Service in Tower Hamlets
- 7.7 Question from Councillor Bill Turner to the Lead Member for Regeneration, Localisation and Community Partnerships, Councillor Rania Khan re: the participatory budgeting events in the LAP areas
- 7.8 Question from Councillor David Snowdon to the Lead Member for Resources and Performance, Councillor Ohid Ahmed re: the Council's budget

The above questions, and oral supplementary questions where put, were responded to by the relevant Lead Members.

Question 7.4 was withdrawn as a motion on the same subject had already been debated. Due to the lack of time, questions 7.9 – 7.26 were not put. Written responses will be forwarded to the questioners.

(Action by: John S. Williams, Service Head, Democratic Services)

**8. REPORTS FROM THE EXECUTIVE AND THE COUNCIL'S COMMITTEES**

**8.1 Annual Report of the Standards Committee**

The annual report of the Standards Committee was tabled. The Independent Chair of the Committee, Mr Barry O'Connor, addressed the meeting.

**DECISION**

That the annual report of the Standards Committee be noted.

(Action by: Isabella Freeman, Assistant Chief Executive (Legal Services))

**9. TO RECEIVE REPORTS AND QUESTIONS ON JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS (IF ANY)**

There was no business under this heading.

**10. OTHER BUSINESS**

**10.1 Review of proportionality and appointments to committees**

Councillor Lutfur Rahman moved and Councillor Joshua Peck seconded an amendment to the recommendations set out in the report. This was agreed and the substantive recommendations as amended were agreed as follows:

**DECISION**

1. That the review of proportionality at paragraph 3 of the report be noted and the allocation of seats on committees and panels established for the remainder of the Municipal Year 2009/10 be agreed as set out at paragraph 4.2.
2. That Members and deputies be appointed to serve on the committees and panels affected by this change in accordance with the nominations from the political groups to be notified to the Assistant Chief Executive.
3. That Councillor Fazlul Haque be removed as Chair of the Audit Committee and Councillor Salim Ullah be removed as Chair of the Appeals Committee.
4. That no appointments be made to the Chair these Committees until the start of the 2010/11 municipal year

5. That Councillor Fazlul Haque be removed as the Council's representative to the board of Tower Hamlets Homes, to be replaced by Councillor Sirajul Islam.

(Action by: John S. Williams, Service Head, Democratic Services)

## **10.2 Programme of meetings 2010/11**

### **DECISION**

That the proposed programme of meetings for the municipal year 2010/11 be approved as set out at Appendix A to the report.

(Action by: John S. Williams, Service Head, Democratic Services)

## **10.3 Members' Allowances Scheme 2010/11**

### **DECISION**

1. That the Members' Allowances Scheme at Part 6 of the Constitution be re-adopted for 2010/11, subject to indexing of the amounts payable for the basic, special responsibility and dependants' carers' allowances as set out in paragraph 11 of the scheme;
2. That accordingly the London Borough of Tower Hamlets Members' Allowances Scheme 2010 be adopted as at Appendix 'A' in the report; and
3. That the Members' Allowances Scheme be subject to review in accordance with the regulations following the publication of the London Councils Independent Remuneration Panel recommendations 2010.

(Action by: John S. Williams, Service Head, Democratic Services)

## **10.4 Executive decisions taken under special urgency provisions**

### **DECISION**

That the report of the Leader of the Council be noted.

(Action by: John S Williams, Service Head, Democratic Services)

**11. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL****11.2 Motion proposed by Councillor Alex Heslop regarding support for the co-operative and social enterprise sector**

With the agreement of the meeting Councillor Alex Heslop amended his motion by the addition of a further bullet point under 'This Council resolves'. The motion as amended was agreed as follows:

**DECISION**

This Council recognises that there is a diverse and healthy co-operative sector in Tower Hamlets with a combined turnover of approximately £50 million and also appreciates the important role that co-operatives and other social enterprises can play in community and economic regeneration initiatives. Although there are many successful co-operative enterprises operating in Tower Hamlets such as Tower Hamlets Community Credit Union, Tower Hamlets CDA and Greenwich Leisure (effectively a workers co-op), as well as several food co-ops and housing co-operatives, there is not a single Council officer with a specific remit or indeed expertise for working with the co-operative & social enterprise sectors.

This Council resolves to do the following:

- Allocate responsibility for supporting the co-operative & social enterprise sectors to the Lead Member for Regeneration as well as a designated Council officer who will promote and support new mutual models for the provision of community services, including housing, pre-school childcare, residential and home care, recycling and leisure. Made possible through service reviews, externalising, or re-contracting services and procurement procedures.
- Organise an annual event to celebrate International Co-operatives Day in partnership with the local Co-operative Movement; this could also involve the Tower Hamlets Partnership and its Creating and Sharing Prosperity Community Plan Action Group.
- Develop procurement strategies that make a direct link between the Community Plan and other strategic objectives and contract specifications ensuring that community benefits can be fully integrated into the procurement process.
- Work with the Co-operative Sector and London Development Agency to improve access to finance and support for socially and mutually owned businesses.
- Work with staff and unions on a partnership basis in the creation of new cooperative services

- Promote within primary and secondary schools the importance of co-ops locally and internationally in addressing the issues of poverty, community empowerment and democratic governance through supporting the work of the Humanities Education Centre.

(Action by: Aman Dalvi, Corporate Director, Development and Renewal)

### **11.8 Motion proposed by Councillor Joshua Peck regarding the Crown Estate residents**

Councillor Abjol Miah proposed an amendment to include in the motion the final two paragraphs of Councillor Dulal Uddin's motion on the same matter at agenda item 11.10.

In response, and with the agreement of the meeting, Councillor Joshua Peck amended his motion by inserting additional wording to address the points raised by Councillor Miah.

The motion as amended was agreed as follows:

#### **DECISION**

This Council notes that:

- The Crown Estate announced on 25 January its intention to sell the freeholds of 1,300 properties on the Victoria Park Estate in Tower Hamlets and Hackney, and the Millbank, Cumberland Market and Lee Green estates in other London Boroughs
- Tenants of these homes include people who have lived there for over 60 years, young families and key workers
- Many residents are on shorthold tenancies which could be ended with as little as two months' notice
- The Crown Estate has given residents an eight-week consultation period but has refused to tell residents whether it is proposing selling the properties to a Registered Social Housing Provider or a commercial landlord; or to give them any guarantees about their security of tenure or levels of rent; or to make any commitment to the homes staying as affordable and key worker housing in the future.

Further notes that:

- In advance of this announcement the Crown Estate had temporarily stopped housing key workers, leading many to believe that they expect any new owner to cease providing key worker housing on the estates altogether
- In meetings with residents and Meg Hillier MP, and in response to inquiries from Tower Hamlets Council, the Crown Estate has refused to give any more details of its plans, or give any commitments about the protection of residents' tenancies or the future provision of affordable



and key worker housing and has been unable to point to any positive benefits for residents

- As a result, many residents are extremely worried about what will happen to their homes and whether they will find themselves evicted or priced out.

This Council believes:

- That as a public body the Crown Estate has, in failing to give residents any details of the proposed sale or any reassurance about their futures, has fallen far short of the standard it should uphold.

This Council resolves:

- To oppose any sale that isn't on the basis of a positive outcome of a ballot of residents; doesn't legally guarantee all of the rights and safeguards of tenants' current tenancies, including security of tenure and levels of rents; and that doesn't also guarantee continuing provision of affordable and key working housing at current levels - and to write to Government ministers to ask them to make representations to this effect to Crown Estate commissioners.

(Action by: Aman Dalvi, Corporate Director, Development and Renewal)

#### **11.11 Motion proposed by Councillor Rania Khan regarding parking permits for 62-80 Swaton Road**

Councillor Marc Francis moved, and Councillor Lutfur Rahman seconded, an amendment to the motion to add additional text after "That a similar case was brought ..... (paragraph 6) with text tabled at the meeting and to delete after "This Council resolves" and replace with text as tabled at the meeting. This was agreed and the substantive motion as amended was then agreed as follows:

#### **DECISION**

This Council notes:

That the residents of 62-80 Swaton Road have been granted parking permits since 2004.

That in 2009 the Council informed residents that the development was a car free zone.

That the fact the development is "car free" was not made clear to residents when they moved into the properties.

That many of those living in this development rely on their cars for their livelihoods and may well not have moved there if they had been informed about its car-free status.

That the development in question does not suffer from excessive pressure on car-parking spaces.

That a similar case was brought to the attention of the Council in January in a petition from residents of Horseferry Road, Shadwell who have experienced similar problems. However, those residents are tenants of a housing association whose homes were advertised in the Homeseekers section of East End Life, without reference to the fact that they were subject to a Car Free Zone agreement.

The residents of 62-80 Swaton Road moved into these properties as part of a self-build shared ownership scheme administered by East Thames Housing Association.

Responsibility for informing prospective home owners that the property they are buying is subject to a Car Free Zone agreement lies with the developer and solicitor, not the London Borough of Tower Hamlets.

This Council resolves:

1. To investigate Tower Hamlets Council's role in the referral of Common Housing Register applicants to East Thames' self-build shared ownership scheme at 62-80 Swaton Road.
2. That if the Council is found to have been at fault, to invite East Thames to submit an application to vary the Section 106 agreement for 62-80 Swaton Road in relation to the Car Free Zone agreement.
3. To report back to councilors and residents concerned, the outcome of this investigation within two months of the date of this Full Council meeting.

(Action by: Aman Dalvi, Corporate Director, Development and Renewal)

#### **11.12 Motion proposed by Councillor David Snowdon regarding Rosefield Gardens**

Councillor Marc Francis moved, and Councillor Lutfa Begum seconded, an amendment to the motion to delete text after "This Council notes that" and replace with text as tabled at the meeting. This was agreed and the substantive motion as amended was then agreed as follows.

#### **DECISION**

- This Labour-controlled Council has invested over £7 million in the Estate Improvement Programme of deep cleaning, repainting and environmental works across the council's estates in the past two years;

- This programme has benefited around 200 blocks, including those on the St. Matthias Estate, Will Crooks Estate, Bazely Estate and at least one block in Rosefield Gardens, but that several other blocks on the Birchfield Estate have paint peeling from the walls and ceilings of communal parts;
- That the original list of those blocks on the Birchfield Estate drawn up by Tower Hamlets Homes, included 1-31 Kemps Drive, 2-40 Rosefield Gardens, 42 -70 Rosefield Gardens and 1 – 13 Gorsefield House;
- Residents have reported problems of anti-social behaviour, especially in the warmer months, caused by youngsters hanging round the stairs of their blocks;
- The Housing Investment Programme is fully committed for 2010/11, but that the installation of a new Door Entry System in the nearby 1-13 Gorsefield House is provisionally scheduled to take place in 2013/14;
- This Council has secured £770,000 from the Homes and Communities Agency to masterplan the regeneration of the Birchfield Estate, and that consultation with residents on those plans will begin in April.

This Council resolves to:

- Require Tower Hamlets Homes to explain why it did not yet commence the Block Improvement Programme work on the remaining agreed blocks on the Birchfield Estate;
- Require the Council, in partnership with THH, to take the necessary steps to ensure that the promise to deep clean the stairwells and repaint the walls/ceilings of these blocks at the earliest opportunity;
- Ask THH to begin consultation with residents of 1 – 31 Kemps Drive and 2 – 40 Rosefield Gardens on the installation of a new Door Entry System and to provisionally factor this work into the Housing Investment Programme, subject to the agreement of those residents;
- Support residents during the masterplan consultation process on the regeneration of the Birchfield Estate.

(Action by: Aman Dalvi, Corporate Director, Development and Renewal)

Motions 11.1, 11.3, 11.4, 11.5, 11.6, 11.7, 11.9, 11.10 and 11.13 – 11.18 as listed below were not considered due to lack of time, the meeting having closed in accordance with Council Procedure Rule 9 (Duration of meeting).

**11.1 Motion submitted by Councillor Stephanie Eaton regarding the declassification of Old Ford Road as a designated route for heavy goods vehicles**

- 11.3 Motion submitted by Councillor Rupert Eckhardt regarding sale of Henry Moore sculpture**
- 11.4 Motion submitted by Councillor Abjol Miah regarding facilities for cricket**
- 11.5 Motion submitted by Councillor Waiseul Islam regarding parking in John Smith Mews**
- 11.6 Motion submitted by Councillor Dr. Anwara Ali regarding display of Henry Moore sculpture**
- 11.7 Motion submitted by Councillor Fazlul Haque regarding anti-social behaviour**
- 11.9 Motion submitted by Councillor Dr. Emma Jones regarding Hermitage Memorial Garden**
- 11.10 Motion submitted by Councillor Dulal Uddin regarding Crown Estate sell off**
- 11.13 Motion submitted by Councillor Fozol Miah regarding the Dispatches programme and slurs against the Council**
- 11.14 Motion submitted by Councillor Ohid Ahmed regarding reducing carbon emissions**
- 11.15 Motion submitted by Councillor Mamun Rashid regarding the Bethnal Green Stairways to Heaven war memorial**
- 11.16 Motion submitted by Councillor Harun Miah regarding respite breaks for carers**
- 11.17 Motion submitted by Councillor Salim Ullah regarding transport for London cuts**
- 11.18 Motion submitted by Councillor Abdul Munim regarding John Smith Mews residents objections**

The meeting ended at 10.47 p.m.  
Chair,  
Council