

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.30 P.M. ON WEDNESDAY, 13 APRIL 2011

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

1. APOLOGIES FOR ABSENCE

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.

Apologies for absence were received on behalf of Councillors Shelina Aktar, Shahed Ali, Judith Gardiner, Shafiqul Haque, Denise Jones, Anwar Khan and Gloria Thienel.

2. DECLARATIONS OF INTEREST

Please see minutes.

3. MINUTES

DECISION

That the minutes of the ordinary Council meeting held on 2nd February 2011, the Budget Council meeting held on 23rd February 2011 and the extraordinary Budget Council meeting held on 8th March 2011 be confirmed as correct records of the proceedings and the Chair of Council be authorised to sign them accordingly.

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

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

No announcements were received.

5. TO RECEIVE ANY PETITIONS

5.1 Petition from Mr Brian Nicholson and others regarding East End Life

Mr. Brian Nicholson addressed the meeting on behalf of the petitioners and responded to questions from Members. Councillor Ohid Ahmed, Deputy Mayor, 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 within 28 days.

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

5.2 Petition from Toyhouse Libraries Association of Tower Hamlets and others regarding the Family Play Project

Ms. Pip Pinhorn and others addressed the meeting on behalf of the petitioners and responded to questions from Members. Councillor Oliur Rahman, Cabinet Member for Children's Services, then responded to the issues raised.

Acknowledging the needs of the existing service users it was reported that the Mayor had requested that a review be undertaken of the service provision and the closure decision to identify if any alternative course of action was possible.

DECISION

That noting the request of the Mayor the petition be referred to the Interim Corporate Director, Children's Services for a written response on any outstanding matters within 28 days.

(Action by: Isobel Cattermole, Interim Corporate Director, Children's Services)

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC**6.1 Question from Mr. Glenn Power re: Fairtrade Status**

The above question was put and was responded to by Councillor Alibor Choudhury, Cabinet Member for Resources.

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

6.2 Question from Ms. Clare Harrisson re: use of unlicensed mini cabs in the borough

The above question and an oral supplementary question were put and were responded to by Councillor Ohid Ahmed, Deputy Mayor and Mayor Lutfur Rahman respectively.

6.3 Question from Ms. Seema Kapoor re: Family Play Project

The above question was withdrawn as a petition had been presented to the Council on the same matter earlier in the meeting (see 5.2 above).

6.4 Question from Mr. James King to the Mayor, Lutfur Rahman

The above question and an oral supplementary question were put and were responded to by Mayor Lutfur Rahman.

7. MAYOR'S REPORT

The Mayor made his report to the Council meeting. The Leader of the Majority Group and the Leaders of the Minority Groups each responded briefly to the Mayor's report.

8. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL

- 8.1 Question from Councillor Kosru Uddin regarding youth unemployment – response by Councillor Oliur Rahman, Cabinet Member for Children's Services.
- 8.2 Question from Councillor Tim Archer regarding East End Life – response by Deputy Mayor, Councillor Ohid Ahmed.
- 8.3 Question from Councillor David Edgar regarding engagement with GPs and the PCT on health service changes in the Borough – response by Mayor Lutfur Rahman.
- 8.4 Question from Councillor Fozol Miah regarding anti-social behaviour around Brick Lane - response by Deputy Mayor, Councillor Ohid Ahmed (no supplementary question was asked).
- 8.5 Question from Councillor Amy Whitelock regarding the impact of the Government's welfare benefits changes – response by Councillor Rabina Khan, Cabinet Member for Housing.
- 8.6 Question from Councillor Peter Golds regarding the Thames Water Tunnel – response by Councillor Alibor Choudhury, Cabinet Member for Resources.
- 8.7 Question from Councillor Bill Turner regarding expenditure on consultants and agency staff - response by Councillor Alibor Choudhury, Cabinet Member for Resources.
- 8.8 Question from Councillor Harun Miah regarding the acute shortage of homes in this borough for larger families - response by Councillor

Rabina Khan, Cabinet Member for Housing (no supplementary question was asked).

- 8.9 Question from Councillor Carlo Gibbs regarding how successful the Council has been on tackling benefit fraud in the Borough - response by Councillor Alibor Choudhury, Cabinet Member for Resources.
- 8.10 Question from Councillor Dr Emma Jones regarding access to GPs and dentists – response by Mayor Lutfur Rahman.

The above questions and in each case (except where indicated) a supplementary question were put and were responded to by the Mayor or relevant Cabinet Member as noted.

In relation to Question 8.7 (from Councillor Bill Turner regarding expenditure on consultants and agency staff), Councillor Rachael Saunders moved, and Councillor Bill Turner seconded, 'that under Council Procedure Rule 14.1.4, the matters raised in the question and response be referred to the Council's Audit Committee for consideration.' This procedural motion was put to the vote and was agreed.

DECISION

That the matters raised in Question 8.7 and the response thereto be referred to the Council's Audit Committee for consideration.

(Action by: Isabella Freeman, Assistant Chief Executive (Legal Services) and John S. Williams, Service Head, Democratic Services)

Questions 8.11 to 8.19 were not put as the time allowed for this agenda item had expired. Written responses will be provided to each question.

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

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

There was no business under this agenda item.

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

There was no business under this agenda item.

11. OTHER BUSINESS

11.1 Members' Allowances Scheme 2011/12

DECISION

1. That the Members' Allowances Scheme at Part 6 of the Constitution be re-adopted for 2011/12, subject to the Mayor's Allowance and Basic Allowance being frozen at the current rate and the Special Responsibility Allowances being reduced by 5% as agreed at the Council's Budget meeting; and
2. That accordingly the London Borough of Tower Hamlets Members' Allowances Scheme 2011 be adopted as at Appendix 'A' of the report.

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

11.2 Calendar of Meetings 2011/12

DECISION

That the proposed calendar of meetings for the municipal year 2011/12 as set out at Appendix A of the report, be approved.

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

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

12.1 Motion proposed by Councillor Helal Abbas regarding Mr John Onslow

Councillor Helal Abbas moved, and Councillor Joshua Peck seconded, the motion as printed in the agenda.

Councillor Peck stated that the intention of the motion was not to change the street name 'Gladstone Place' but to rename the Council building colloquially known by that name as 'John Onslow House'. In accordance with Council Procedure Rule 15.8.1 he and Councillor Abbas varied the wording of their motion to clarify this.

Councillor David Snowdon moved, and Councillor Peter Golds seconded, a tabled amendment to the motion. Subject to a small variation to the wording, which was agreed by Councillors Snowdon and Golds, the amendment was accepted by Councillors Abbas and Peck who varied their substantive motion accordingly.

Councillor Rabina Khan then moved, and Councillor Rania Khan seconded, a further tabled amendment to the motion. This amendment was put to the vote and was defeated.

Councillor Tim Archer suggested that if the substantive motion was agreed, the arrangements set out therein for consideration of matters relating to the naming of Council buildings should apply immediately but that the Constitution Working Party should be asked to look at how best to deal with the issue in the longer term.

The substantive motion as amended was then put to the vote and was agreed as follows:-

DECISION

This Council notes that

- The long-standing service to the Council, its employees and the residents of this borough of GMB steward, John Onslow, who died in 2008.
- The Bow Ideas Store at Gladstone Place was originally built as the Passmore Edwards Public Library of Bow, after the great eponymous philanthropist.

This Council resolves

- To mark John's commitment to Tower Hamlets by renaming the Council building known as Gladstone Place 'John Onslow House'.
- That the Civic Awards ad hoc Committee be tasked with preparing a report for Council recommending whether to rename any Council-owned buildings posthumously after local notables.
- That the Civic Awards ad hoc Committee consider whether any buildings can be renamed sympathetically, in keeping with the history of the Borough and in a cost effective fashion.
- That the Civic Awards ad hoc Committee consider any recommendation from Members or members of the public for buildings to rename and persons to be so honoured posthumously.
- That the Civic Awards ad hoc Committee consider Reg Ward, Jimmy Lemkin, former Councillor Bill Kilgour, former Councillor Ted Johns, former Bethnal Green MP Mancherjee Bhowmaggree (the first BME person ever elected in modern day Tower Hamlets), former Whitechapel and St Georges MP Walter "Stoker" Edwards

(Action by: Aman Dalvi, Corporate Director, Development and Renewal; and John S Williams, Service Head Democratic Services)

12.2 Motion proposed by Councillor Peter Golds regarding character references

Councillor Peter Golds moved and Councillor Tim Archer seconded the motion as printed in the agenda.

Councillor Helal Abbas moved, and Councillor Shiria Khatun seconded, a tabled amendment. This was accepted by Councillors Peter Golds and Tim Archer, who varied their substantive motion accordingly.

The substantive motion as amended was then put to the vote and was agreed as follows:-

DECISION**This Council notes that:**

- Council staff have produced at least 120 character references on behalf of the Executive Mayor and Councillors since the May 2010 elections.
- The recent case of an unlicensed cab driver, jailed for sexual assault, who was reported to have provided character references from the Executive Mayor and 'several' Councillors prior to his being sent to jail.

This Council believes that:

- it is appropriate for councillors, on occasion, to provide character references and testimonials for outside bodies and constituents; but
- that members of the Council should be entirely responsible for references and testimonials that they provide to residents.

Therefore, this Council resolves:

- to instruct the Standards Committee to revise the existing guidance to state that:
 - a) Council staff may continue to be involved in the production of character references only if Members of the Council dictate them to officers or submit them in writing; and
 - b) All copies of character references and testimonials used for judicial and governmental agencies produced on Council stationery must be logged with the Monitoring Officer, who should keep a record of the number and type of such references and testimonials.

(Action by: Isabella Freeman, Assistant Chief Executive [Legal Services]; and John S. Williams, Service Head, Democratic Services)

12.3 Motion proposed by Councillor Rania Khan regarding fair trade

Councillor Rania Khan moved, and Councillor Alibor Choudhury seconded, the motion as printed in the agenda.

DECISION**This Council notes**

- That fairly traded products guarantee stable, living wage prices to producers in poor countries around the world and fund community development projects including safe drinking water schemes, basic medical facilities and education.
- That Tower Hamlets was the first London borough to introduce the living wage when Mayor Lutfur Rahman was Leader of the Council.

This Council believes:

- That strengthening our commitment to Fairtrade entails exploring all opportunities for the Council to procure fairly traded products including giving clear guidelines to our procurement officers.
- That the Council should promote a culture of using and sourcing fairly traded products.

This Council resolves:

- To promote fairly traded products in Council's catering services to schools, social services, Ideas Stores and Council offices with vending machines.
- To include fairly traded products as part of the tender specifications of future catering contracts.
- To ask existing contractors to source fairly traded products at no extra cost.
- To promote our commitment to fairly traded products to local statutory, voluntary and faith organisations.
- To encourage our residents to use fairly traded products by occasional Council publicity.

(Action by: Aman Dalvi, Corporate Director, Development & Renewal; and Chris Naylor, Corporate Director, Resources)

12.4 Motion proposed by Councillor Fozol Miah regarding the living wage and private contractors

Councillor Fozol Miah moved, and Councillor Harun Miah seconded, the motion as printed in the agenda.

Councillor Alibor Choudhury moved, and Councillor Oliur Rahman seconded, a tabled amendment. This was accepted by Councillors Fozol Miah and Harun Miah, who varied their substantive motion accordingly.

The substantive motion as amended was then put to the vote and was agreed as follows:-

DECISION**This Council notes that**

- 1) this Council has a policy of paying at least a “living wage” to its employees
- 2) the decision to become a “living wage” council, following the campaign by Telco and others, was a great step forward for the low paid in this borough
- 3) a number of companies which the council contracts to supply services in this borough do not pay a living wage to their low paid employees

This Council urges the Mayor as far as legally practicable:

- 1) To carry out an investigation of all companies which the council currently has contracts with to determine whether they pay at least the living wage to their employees
- 2) To investigate the legal means to force companies to pay the living wage where they are not doing so under threat of losing their contracts if they fail to do so
- 3) To investigate ensuring that the awarding of future contracts is confined to companies that have a “living wage” policy
- 4) To lobby the Government to change the law where necessary to allow the council to make contractors comply with the “living wage” policy of this Council.

(Action by: Chris Naylor, Corporate Director, Resources)

12.5 Motion proposed by Councillor Joshua Peck regarding the Local Government Pension Scheme

Councillor Joshua Peck moved, and Councillor Helal Abbas seconded, the motion as printed in the agenda.

DECISION**This Council notes that**

- The LGPS is a sustainable, good quality pension scheme that benefits from being funded and locally managed. It is valuable to employers and employees alike.
- Successive governments have failed to recognise the distinctiveness of the LGPS in setting policy, most notably in the proposal announced by the Chancellor in the last CSR to impose an extra 3.2% contribution tax on scheme members, increasing scheme average member contributions from 6.6% to 9.8%.
- This tax does not benefit the scheme or scheme members or employers.
- This proposal is in addition to pension reductions caused by being indexed against CPI instead of RPI and is in advance of recommendations now published by the Hutton Review.

This Council further notes:

- That an increase in member contributions as proposed will lead to mass opt outs from the LGPS and that would be undesirable and damaging. The views expressed by the LGA in its letter to the Chancellor dated 16 February 2011 on this subject are also the views of this Council.

This Council Resolves:

- To write to the Chancellor of the Exchequer and the Chief Secretary to the Treasury and the Secretary of State for Local Government within the next month stating this Council's support for LGA's position and calling for government to rethink its proposed increases to LGPS member contributions.
- To work with Trade Unions to ensure employees are made aware of the proposals for the LGPS and to encourage them to support the Council's representations to defend their pension scheme.

(Action by: Chris Naylor, Corporate Director, Resources)

12.6 Motion proposed by Councillor Rabina Khan regarding Housing Benefit changes

Councillor Rabina Khan moved, and Councillor Alibor Choudhury seconded, the motion as printed in the agenda.

DECISION**This Council notes that**

- On 1 April 2011 several of the Government's measures to reduce Housing Benefit came into effect.
- The first of these measures will increase the level of deductions made to housing benefit to households which are shared by non-dependant adults, such as adult children.
- The second of these measures will remove the increased rate of housing benefit for a 5 bedroom house, capping the maximum rate of housing benefit applicable for a 4 bedroom house.
- This Council has one of the worst overcrowding problems in London – there are 9,387 houses that are overcrowded
- The Council has a good track record of projects to reduce overcrowding in the borough

This Council believes that:

- These measures are a deliberate attempt at social engineering
- These measures will have an adverse and disproportionate effect on residents
- These measures will increase overcrowding in the borough
- Overcrowding is the cause of severe health problems and impacts negatively on the educational attainment of children.

This Council resolves:

- To lobby against the coalition government's policies which clearly have a discriminatory affect on residents
- To condemn these policies as discriminatory
- To offer support and guidance to families that are adversely affected due to these changes

(Action by: Chris Naylor, Corporate Director, Resources)

Motions 12.7 and 12.8 were not considered due to the time limit for the meeting being reached.

The meeting ended at 10.30p.m.