

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.30 P.M. ON WEDNESDAY, 28 NOVEMBER 2012

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

(NB: The order of business was varied with the agreement of the Council. For ease of reference this Decision Sheet lists the items of business considered in the same order as the agenda for the meeting.)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Craig Aston, Carli Harper-Penman, Ann Jackson, Harun Miah, Maium Miah and Gloria Thienel.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of Disclosable Pecuniary Interests were made.

3. MINUTES

DECISION

That the unrestricted minutes of the Ordinary Council meeting held on 19 September 2012 be confirmed as a correct record and the Speaker be authorised to sign them accordingly.

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

No announcements were made at the meeting.

5. TO RECEIVE ANY PETITIONS

5.1 Petition from Mr Franco Carrieri and residents of Brodick House regarding Decent Homes funding

Mr Franco Carrieri addressed the meeting on behalf of the petitioners and responded to questions from Members. The relevant Cabinet Member then responded to the matters raised in the petition.

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)

5.2 Petition from Tower Hamlets Labour Party regarding 'Save our Advice Centres'

Mr Abdul Kahar Choudhury addressed the meeting on behalf of the petitioners and responded to questions from Members. The relevant Cabinet Member then responded to the matters raised in the petition.

DECISION

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

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

5.3 Petition from Tower Hamlets Labour Party regarding Clean Streets

Mr Doros Ullah addressed the meeting on behalf of the petitioners and responded to questions from Members. The relevant Cabinet Member then responded to the matters raised in the petition.

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)

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

- 6.1 Question from Ms Victoria Kent regarding Ability Bow.
- 6.2 Question from Ms Shuily Akthar (put by Mr Rahman in Ms Akthar's absence) about the Mayor's view on Free Schools and Academies.
- 6.3 Question from Mr Brian Nicholson about the use of the proceeds from the Henry Moore statue sale.
- 6.4 Question from Mr Shamsur Rahman regarding the Holland Estate.

- 6.5 Question from Mr Mosrur Ahmed about the Decent Homes initiative in relation to Bancroft and Rogers estates.
- 6.6 Question from Mr Abul Bashar about the Decent Homes initiative in relation to the Bancroft estate.
- 6.7 Question from Ms Tessa Horvath regarding violence against women.

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

(Action by: John S. Williams, Service Head, Democratic Services – to arrange written responses)

7. MAYOR'S REPORT

The Mayor made his report to the Council meeting. The Leader of the Majority Group and 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 Lesley Pavitt regarding Decent Homes work on the Bancroft estate.
- 8.2 Question from Councillor Peter Golds regarding the sale of the Henry Moore statue.
- 8.3 Question from Councillor Sirajul Islam regarding the number of homes falling below 'decent' standard.
- 8.4 Question from Councillor Gulam Robbani regarding the Banglatown Ward name.
- 8.5 Question from Councillor Amy Whitelock about recent muggings on the Regent's Canal footbridge.
- 8.6 Question from Councillor Zara Davis regarding school places on the Isle of Dogs.
- 8.7 Question from Councillor Abdal Ullah about fire station closures.
- 8.8 Question from Councillor Kabir Ahmed regarding special responsibility allowances for opposition Members.
- 8.9 Question from Councillor Joshua Peck on the renaming of the Council building on Ewart Place in memory of John Onslow.

8.11 Question from Councillor M. A. Mukit MBE regarding funding for advice centres.

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

The remaining questions 8.10 and 8.12 to 8.24 were not put due to lack of time. Written responses will be provided.

(**Action by:** John S. Williams, Service Head, Democratic Services – to arrange written responses).

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

9.1 Recruitment of an Interim Chief Executive - update

Unrestricted item withdrawn. An exempt/restricted report will be presented under Item 15.

9.2 Treasury Management Outturn Report 2011/12

The Council considered the report of the Corporate Director, Resources on treasury management activity for the financial year ended 31 March 2012, as required by the Local Government Act 2003.

DECISION

To note the content of the report.

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

9.3 Revised Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2012/13

The Council considered the report of the Corporate Director, Resources in relation to the review of the three treasury management strategy documents, in line with the CLG and CIPFA Treasury Management Code of Practice.

DECISION

That the Council adopt:-

1. The Treasury Management Strategy Statement, as set out in Sections 6-10 of Appendix 1 to the report of the Corporate Director, Resources;
2. The Revised Annual Investment Strategy, as set out in Section 11 of Appendix 1 to the report; and

3. The Minimum Revenue Provision Policy Statement, as set out in Section 12 of Appendix 1 to the report.

(Action by: Chris Naylor, Corporate Director Resources)

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

There was no business under this heading.

11. OTHER BUSINESS

11.1 Calculation of Non-Domestic Rates Income

The Council considered the report of the Corporate Director, Resources on new arrangements for planning for non-domestic rates income and consequent changes to the statutory framework governing the setting of the Council's budget.

DECISION

1. That the duty to calculate the Council's non-domestic rates income for the coming year and to notify preceptors and the Government as set out in the draft Non Domestic Rating (Rates Retention) Regulations 2012 be delegated to the Council's statutory chief finance officer.
2. To note that if the draft regulations are not approved in the form set out in the report of the Corporate Director, Resources, a further report will be submitted to the Council.

(Action by: Chris Naylor, Corporate Director Resources)

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

12.2 Motion on Council Finances

Councillor Carlo Gibbs moved, and Councillor Joshua Peck seconded, the motion as printed on the agenda.

Councillor Shahed Ali moved, and Councillor Alibor Choudhury seconded, an amendment to the motion calling on the Mayor to recover a 'soft loan' of £850,000 from the Rich Mix Centre. The amendment was put to the vote and was defeated.

The motion as printed on the agenda was put to the vote and was agreed.

DECISION**This Council notes:**

- The devastating ideological cuts by the Conservative - Liberal Democrat Government include a reduction to the council's grant formula funding by over 17% since 2011.
- Changes to welfare benefits including cuts to housing benefit, council tax benefit and the introduction of the universal credit amount to an unprecedented attack on the most vulnerable in our society and will lead to a greater demand on council resources.
- In a further attack on vulnerable people, the Chancellor pledged at Tory Party Conference to cut welfare benefits by a further £10bn, while at the same time giving tax breaks for millionaires by cutting the top rate of tax to 45p.
- The Conservative-Liberal Democrat Government's austerity measures have resulted in a double dip recession, continued high unemployment and little economic growth.

This Council also notes that the Council:

- Has a responsibility to our residents to manage our finances efficiently and deliver a balanced budget.
- Is showing in its Medium Term Financial Plan a deficit of £9.5m in year 2014/15, £28m in 2015/16 and £44m in 2016/17.
- Will be spending on average £16m more per year than it is expecting to receive in after 2014/15.
- Is in such a desperate financial position that the cabinet is having to sell the Henry Moore statue of the draped woman, despite this being gifted to the people of Tower Hamlets, and various other council owned properties.

This Council notes that the Mayor:

- Is using £9.5m from reserves to cover the deficit in the 2014/15 budget, to be agreed ahead of the next local elections, and has no plans to deal with the deficit after that time.
- Has a number of big spending proposals including a fund for restoring religious buildings, the Mayor's educational award and funding to replace the cut in council tax benefit, which are not funded after the 2014 elections.

- Failed to protect the most vulnerable when he proposed to needlessly slash funding for welfare advice services, some as much as 75%, which would likely increase the financial risk faced by the council.

Further notes the Mayor continues to waste the Council's finances, including:

- Spending £38,000 sending a letter to update to 100,000 residents about his latest policy, despite spending £1m per year on East End Life, which is sent to every door on a weekly basis;
- Wasting £120k that was meant to promote businesses during the Olympics, including spending £40k alone on an "app", following which businesses in Brick Lane faced one of their worst summers of trading;
- Spending £32k on Council banners including £21k with the Mayors face on;
- Wasting £54,000 per year on a rented Mercedes and driver to drive the Mayor around the borough;
- Spending 119,000 on a range of Mayoral advisors and consultants.
- Wasting over £7,000 on taxis for his Cabinet members since October 2010.

This Council believes:

- That the use of reserves to cover deficit spending in 2014/15 is unsustainable.
- That any available resources must be used to build capacity and resilience in the community, as we anticipate further cuts.
- The Mayor is failing to show leadership in the face of the Conservative - Liberal Democrat Government's cuts by ignoring the council's difficult financial state until after the next election;
- The Mayor continues to spend significant amounts of council tax payer money on his own self-promotion and needlessly wastes money on expensive travel for himself and his cabinet, which would be better spent on services;
- The Mayor should be honest with residents about how he will deal with this deficit now, including whether this will include large tax rises or service cuts.

This Council calls on the Mayor to:

- Bring forward a proposal in the up-coming budget process about how the he will deal with the council's deficit from 2014-2016/17;
- Ensure that all decisions regarding service cuts include meaningful consultation with all council members, service users, unions and staff potentially affected;
- Work with community groups, RSLs, other public sector bodies and local business to ensure the most effective way of delivering council services as possible;
- Enact a total ban on the use of Council resources for self-promotion, including a ban on sending policy related letters to residents and moratorium on any further publicity with the Mayor's face on them;
- Enact a total ban of first class travel and the use of taxi's for Councillors (excluding the Speaker and Deputy Speaker) and senior staff before 10pm;
- Agree to a moratorium on new policy announcements that are not fully funded for the entire proposed length of their operation;
- Explain to the people of Tower Hamlets how he intends to fund his spending commitments after 2014/15.
- Immediately review the Council's virements procedures and in the interim agree to bring all £200k virements through full Council.

12.5 Motion on Banglatown Ward Name

Councillor Joshua Peck moved, and Councillor Helal Abbas seconded, the motion as printed on the agenda with the addition of a further bullet point as below.

The motion as so altered was put to the vote and was agreed.

DECISION

This Council Notes:

- The Local Government Boundary Commission for England (LGBCE) has recently released its draft recommendations for new ward boundaries and names in Tower Hamlets.
- That the LGBCE is recommending renaming the successor ward for the current 'Spitalfields and Banglatown' as 'Spitalfields' doing away with the 'Banglatown' name.

- That the LGBCE made its decision following the Conservative Group submission which argued that: *'the Bangladeshi community lives across the borough' and that to include 'Banglatown' in the name 'implies that the Bangladeshi community in Tower Hamlets is restricted to the Spitalfields area alone'*
- The strong local public opinion in support of the retention of the Banglatown ward name.

This Council believes:

- The Banglatown name was introduced to reflect the significant Bangladeshi population and the cross-cultural nature of our community.
- Removing the name would be entirely wrong, especially as local residents have not been consulted by either the Conservative Group or the LGBCE.
- The Banglatown name reflects not only the geographic location but the role of Brick Lane as the cultural heart of Britain's Bangladeshi community.
- The Mayor's proposal, adopted by the Boundary Commission, to reduce the number of councillors from 51 to 45 was a mistake and that with the fastest growing population in the country Tower Hamlets will suffer as a result of the reduction in councillors.
- Were the number of councillors still set at 51, then Spitalfields and Banglatown may have remained a three member ward and the debate over the name could have been avoided.

This Council resolves:

- To call on all political parties to argue in any further submissions to the LGBCE for the reinstatement of the Banglatown ward name.
- To support residents in making appeals to the LGBCE not to abolish the Banglatown ward name.
- For the Council to write to the Local Government Boundary Commission for England on behalf of residents calling on them to reverse their decision to reduce the number of councillors from 51 to 45.

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

12.11 Motion on the sale of Henry Moore Sculpture

Councillor Denise Jones moved, and Councillor Anwar Khan seconded the motion as printed in the agenda.

Councillor Peter Golds moved, Councillor David Snowdon seconded, an amendment to the motion, adding in three bullet points from motion 12.1 on the same subject, under 'This Council notes'. The amendment was accepted by Councillor Denise Jones and Councillor Anwar Khan.

The motion as amended was put to the vote and was agreed.

DECISION**This Council believes:**

- That the sculpture Draped Seated Woman ('Old Flo') belongs to the people of Tower Hamlets and should be retained by the council and displayed in a public place in Tower Hamlets
- That the sculpture was sold at a discounted price to the London County Council by the artist Henry Moore because he believed that art is beneficial, and should be accessible, to all, including the East End's working class, not just those rich enough to be able to afford to own it
- That Moore based the sculpture on his Wartime Shelter drawings of East End resident sheltering in the Central Line at Liverpool Street and elsewhere, and this gives the sculpture even greater connection to the people of East London, where thousands of people died during the war and 172 were killed in the Bethnal Green tube disaster.
- That the council should respect the wishes of the artist that it should be displayed for public enjoyment as a symbol of peace.
- That the sculpture is part of Tower Hamlets' cultural and heritage legacy and once sold will leave a void in that legacy

This Council notes:

- That at a Full Council Meeting in 2010 the Council unanimously agreed a motion proposed by Cllr Archer to bring the statue back to Tower Hamlets and display it for the benefit of all local residents.
- That Mayor Rahman now plans to sell the statue, following no consultation with the people of this Borough
- That the Mayor, by selling the statue, is riding roughshod over the unanimous Overview and Scrutiny Committee decision that he must think again, and the unanimous Full Council Motion from 2010 demanding the statue be moved back to Tower Hamlets.

This Council further believes:

- That despite the huge funding challenges facing the Council, a £5-20million capital receipt from this sale will make little impact on a £44million deficit predicted in 2016/17.
- As a capital receipt this money cannot in the long-term be used to fund on-going service provision, or fill the gap created by Government cuts.
- That the Mayor tried to sell the sculpture when he was Leader of the Council, before the Council faced its current budget cuts, and so he cannot claim that this is his motivation.
- That the Mayor's claims that the sculpture cannot be safely returned to Tower Hamlets have been proved to be untrue, as a number of organisations – including the Museum of London at Docklands, Queen Mary University, the Friends of Christ Church Spitalfields and a local school – have all offered to house it in publicly accessible places, with other organisations including the Art Fund and Whitechapel Gallery offering their expertise in transporting and maintaining the sculpture.
- That the relocation of the sculpture in Tower Hamlets could be a boost to tourism in the borough, and bring economic benefit to local businesses.
- That the Council owns numerous pieces of public art that could be at risk of sale after the decision to sell this sculpture.
- That, whilst housing, education and health are important priorities, they should not be at the expense of the cultural wellbeing of the borough and its residents.

The Council resolves:

- To condemn the Mayor's proposed sale of the sculpture, to request that he halts it and secures its return to public display in Tower Hamlets, either on Council land or at one of the institutions which have offered to house it.

Motions 12.3, 12.4, 12.6, 12.7, 12.8, 12.9, 12.10, 12.12, 12.13, 12.14, 12.15 and 12.16 were not considered due to lack of time. Motion 12.1 was partially dealt with in the form of an amendment to motion 12.11 above.

13. EXCLUSION OF PRESS AND PUBLIC**DECISION**

That, under the provisions of Section 100A of the Local Government Act 1972 as amended, the press and public be excluded from the remainder of the meeting on the grounds that the business to be transacted contains information defined as Exempt in Part I of Schedule 12A of the Local Government Act 1972.

14. EXEMPT MINUTES

The exempt (restricted) minutes of the Extraordinary Council Meeting held on 11 July 2012 were not agreed. Members raised a number of points of accuracy and the draft minutes were deferred for consideration at the next meeting.

15. APPOINTMENT OF CHIEF EXECUTIVE (HEAD OF PAID SERVICE) - UPDATE

The Council considered a report of the Service Head, Human Resources and Workforce Development on the above matter. The special circumstances and reasons for urgency were agreed as set out in the report.

Councillor Joshua Peck moved, and Councillor Alibor Choudhury seconded, an alternative recommendation to those in the report of the Service Head, Human Resources and Workforce Development as below. This was put to the vote and was agreed.

DECISION

That the recommendations set out in the report be not agreed, and that the Council extend the existing interim Head of Paid Service appointment for a further 14 days for officers to advise on the way forward.

(Action by: Simon Kilbey, Service Head, Human Resources and Workforce Development)

The meeting ended at 11.58 p.m.