

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.45 P.M. ON WEDNESDAY, 17 APRIL 2013

**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 Councillors Harun Miah, Carli Harper-Penman and Oliur Rahman.

Procedural Motion

Councillor Anwar Khan moved, and Councillor Bill Turner seconded, a procedural motion – “That under Procedure Rule 14.1.3 the order of business be altered such that when Item 12 is reached the following motions be the first to be considered, Motions 12.9, 12.1, 12.2, 12.7, 12.4 in that order.

The procedural motion was put to the vote and was **agreed**.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of Disclosable Pecuniary Interests were made.

3. MINUTES

Councillor Anwar Khan **moved** and Councillor Denise Jones **seconded** the following amendments to the draft unrestricted minutes of the Ordinary Council meeting held on 23 January 2013:

Under: Summary of Councillor Alibor Choudhury’s response to the Supplementary Question

Delete:

“Unfortunately confidentiality rules mean I cannot confirm those matters.” -
Due to inaccuracy

And replace with:

[Officer note: In responding to the supplementary question Cllr Choudhury proceeded to name a member of the Council and alluded to the identify of a member of staff so as to make them easily identifiable and set out what was a

highly inaccurate account of a confidential employment matter to which he, as a member of the executive, was party.

Confidentiality rules prevent the replication of Cllr Choudhury's answer verbatim.]

Under: Summary of Supplementary Question from Ms Clare Harrisson

Add before the current:

"I don't see how my time at university has any bearing on my right to come to this council as a resident of Tower Hamlets and to be honest I am accustomed to members of the public being afforded a little more respect by Councillors and members of the executive."

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

The Speaker suggested to the Council that if there were no queries in relation to the accuracy of the draft restricted (Part 2) minutes of the Council meeting of 23rd January, then the Council may wish also to agree those draft minutes under the current agenda item so as to avoid the need to move into confidential session later in the meeting. The Council agreed the draft restricted minutes accordingly.

DECISION

That subject to the amendments above, the unrestricted minutes of the Ordinary Council Meeting held on 23 January 2013 and of the Budget Council Meetings on 27 February 2013 and 7 March 2013; and the restricted minutes of the Ordinary Council Meeting held on 23 January 2013, be confirmed as a correct record and the Speaker be authorised to sign them accordingly.

(**Action by:** Matthew Mannion, Committee Services Manager)

4. TO RECEIVE ANNOUNCEMENTS (IF ANY) FROM THE SPEAKER OF THE COUNCIL OR THE HEAD OF PAID SERVICE

There were no announcements.

5. TO RECEIVE ANY PETITIONS

5.1. Petition from Mr Dan McCurry and others regarding Putting the Bang back into Banglatown

Mr Dan McCurry 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 Mr George Morgan and others asking the Council to stop Vodafone from erecting six mobile phone masts on James Hammett House

The petitioners addressed the meeting in support of their petition 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)

5.3. Petition from Mr Ahmed Osman and others against the closure of East End Life

The petitioners addressed the meeting in support of their petition 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 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))

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

Nine Public Questions, and a maximum of one supplementary question arising from each, were put at the meeting and were responded to by the relevant Members (see minutes for details). One further Public Question was not put at the meeting as the questioner was not present and a written response will be provided.

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

7. MAYOR'S REPORT

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

8. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL

Fifteen Councillors' Questions, and a maximum of one supplementary question arising from each, were put at the meeting and were responded to by the relevant Members (see minutes for details). Nine further Councillors' Questions were not put at the meeting due to lack of time and written responses will be provided.

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

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

Procedural Motion

Councillor Anwar Khan **moved** and Councillor Joshua Peck **seconded** a procedural motion: - That under Procedure Rule 14.1.12 the meeting be adjourned for a period of half an hour to allow for officer advice to be obtained.

The procedural motion was put to the vote and was **agreed**.

The meeting adjourned at 21:55 and resumed at 22:35.

9.1 Gambling Act 2005 - Three year review of Gambling Policy

The Council considered the report of the Head of Paid Service and Corporate Director Communities, Localities and Culture on the review of the Gambling Act.

Councillor Anwar Khan moved and Councillor Ann Jackson seconded an amendment to the recommendations to the report:-

"To add to the report recommendations section:

That the Council note:

- That the Sustainable Communities Act allows councils to put forward proposals to Government for their consideration.
- That Mayor Jules Pipe of Hackney has written to borough leaders asking their support for a proposal to re-establish a specific planning class for betting shops which would allow local authorities greater

opportunity to shape their high streets in accordance with the wishes of local residents.

- Currently the London boroughs of Hackney, Barking and Dagenham, Brent, Camden, Greenwich, Haringey, Islington, Lambeth, Newham, Redbridge, Southwark, Sutton, Waltham Forest and Westminster have already signed up to support this joint proposal.
- Were this proposal enacted the Council would be granted additional powers to protect against the proliferation of gambling establishments which could damage the economic viability of our high streets by restricting the available retail space.
- That legislation also allows Council's to adopt 'no casino' policies as part of their policy frameworks

This Council resolves:

- To call upon the Mayor to support Mayor Pipe's initiative and to sign the Council up to joint application under the Sustainable Communities Act
- To call upon the Mayor to conduct a review of evidence on the social and economic impact of casinos as well as a consultation on whether to adopt a ban as part of the Licensing Policy review currently underway."

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

The recommendations in the report, as amended, were then put to the vote and were **agreed**.

DECISION

1. To agree the proposed Gambling Policy for adoption.
2. That the Council note:
 - o That the Sustainable Communities Act allows councils to put forward proposals to Government for their consideration.
 - o That Mayor Jules Pipe of Hackney has written to borough leaders asking their support for a proposal to re-establish a specific planning class for betting shops which would allow local authorities greater opportunity to shape their high streets in accordance with the wishes of local residents.
 - o Currently the London boroughs of Hackney, Barking and Dagenham, Brent, Camden, Greenwich, Haringey, Islington, Lambeth, Newham, Redbridge, Southwark, Sutton, Waltham

Forest and Westminster have already signed up to support this joint proposal.

- Were this proposal enacted the Council would be granted additional powers to protect against the proliferation of gambling establishments which could damage the economic viability of our high streets by restricting the available retail space.
- That legislation also allows Council's to adopt 'no casino' policies as part of their policy frameworks

3. That the Council resolves:

- To call upon the Mayor to support Mayor Pipe's initiative and to sign the Council up to joint application under the Sustainable Communities Act
- To call upon the Mayor to conduct a review of evidence on the social and economic impact of casinos as well as a consultation on whether to adopt a ban as part of the Licensing Policy review currently underway.

(Action by: Stephen Halsey, Head of Paid Service and Corporate Director, Communities, Localities and Culture)

9.2 Queen Elizabeth II Olympic Park - Proposed Byelaws

The Council considered the report of the Corporate Director, Communities Localities and Culture and the Assistant Chief Executive (Legal Services) on proposed by-laws for the Queen Elizabeth II Olympic Park.

Councillor Ann Jackson moved and Councillor Joshua Peck seconded an amendment to the report recommendations:-

"To add to the report recommendations section:

This Council Notes:

- that some of our smallest 'pocket parks' are made unsuitable for use by residents, particularly children, as a result of dogs and their use as dog toilets
- that despite requests from members over many years, the Council continues to have no bye-laws that enables it to prohibit the use of unsuitable parks for the exercise of dogs.

This Council Resolves:

- To ask officers to develop and consult upon suitable bye-laws that would enable the consideration, on a case-by-case basis, of the prohibition of dog exercising in small pocket parks which, through consultation with local

residents, are deemed unsuitable, and to bring this forward for decision by Council within six months.”

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

The report recommendations, as amended, were then put to the vote and were **agreed**.

DECISION

1. To approve the making of the two sets of byelaws for Queen Elizabeth II Olympic Park which are set out in Appendix 1 and Appendix 2 to the report of the Corporate Director, CLC and Assistant Chief Executive (Legal Services).
2. That this Council Notes:
 - that some of our smallest ‘pocket parks’ are made unsuitable for use by residents, particularly children, as a result of dogs and their use as dog toilets
 - that despite requests from members over many years, the Council continues to have no bye-laws that enables it to prohibit the use of unsuitable parks for the exercise of dogs.
3. That this Council Resolves:
 - To ask officers to develop and consult upon suitable bye-laws that would enable the consideration, on a case-by-case basis, of the prohibition of dog exercising in small pocket parks which, through consultation with local residents, are deemed unsuitable, and to bring this forward for decision by Council within six months.

(Action by: Stephen Halsey, Corporate Director Communities, Localities and Culture and Isabella Freeman, Assistant Chief Executive (Legal Services))

9.3 Local Development Framework (LDF): Managing Development - Development Plan Document Adoption

The Council considered the report of the Corporate Director Development and Renewal on the Local Development Framework.

DECISION

1. To agree the recommendations stated in the Inspector’s Report.
2. To adopt the MD DPD, including the main modifications recommended by the Inspector and the minor modifications, as a Development Plan Document which forms part of the Council’s ‘Local Plan’.

3. To authorise officers to prepare and publish an Adoption Statement as set out in regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
4. To agree to the removal from the Council's Local Plan of the superseded:
 - § Unitary Development Plan (1998), its retained policies and Proposals Map (as stated in Appendix 5 of the Core Strategy (2010)); and
 - § Interim Planning Guidance Core Strategy and Development Control Plan and Proposals Map (2007), City Fringe AAP (2007), Leaside AAP (2007) and Isle of Dogs AAP (2007).
5. To agree to the name change from 'Managing Development – Development Plan Document' to the 'Managing Development Document' to ensure compliance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

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

9.4 Localism Act 2011 - Pay Policy Statement 2013/14

The Council considered the report of the Corporate Director, Resources on the Pay Policy Statement 2013/14.

DECISION

1. To adopt the authority's Pay Policy Statement for the year 1 April 2013 to 31 March 2014 as recommended by the Human Resources Committee and attached at Appendix 1 to the report of the Corporate Director, Resources.

(Action by: Chris Holme, Interim Corporate Director, Resources)

9.5 Review of Virement Rules

The Council considered a reference about the Council's virement rules from the General Purposes Committee. The reasons for urgency as stated in the reference were accepted, namely that:-

The report was not circulated with the Council agenda nor available for inspection within the timescales set out in the Authority's constitution because of the short period available to compile the report following the meeting of the General Purposes Committee on 10th April 2013. The report was nevertheless agreed for consideration at this meeting in order to fulfil the instructions of the General Purposes Committee and ensure that there is no delay to the review of Virement Rules previously agreed by Members.

Councillor David Edgar moved and Councillor Khaled Uddin Ahmed seconded an amendment to the report recommendations:-

“To delete recommendation 2 in the report and replace with:

- Refer recommendations 1 to 4 in paragraph 2.3 of the report and the issue of virement limits more generally to a working group as previously agreed by the Council.
- The working group to be composed on a proportionate basis with expert input from a CIPFA advisor and an LGA advisor.
- The report from the working group to be received by the General Purposes Committee on 17th June with recommendations going to Council on 26th June.
- To refer the issue of virement rules to the LGA governance review.”

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

The report recommendations, as amended, were then put to the vote and were **agreed**.

DECISION

1. That the Council consider the recommendations of the General Purposes Committee as set out paragraph 2.3 (1-10) of the reference from the Committee in the light of the officer advice at sections 5-8 of the reference.
2. To refer recommendations 1 to 4 in paragraph 2.3 of the report and the issue of virement limits more generally to a working group as previously agreed by the Council.
3. The working group to be composed on a proportionate basis with expert input from a CIPFA advisor and an LGA advisor.
4. The report from the working group to be received by the General Purposes Committee on 17 June 2013 with recommendations going to Council on 26 June 2013.
5. To refer the issue of virement rules to the LGA Governance review.

(Action by: Stephen Halsey, Head of Paid Service/Chris Holme, 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 Calendar of Meetings 2013/14

The Council considered the report, and tabled amendment, of the Service Head, Democratic Services proposing a Calendar of Committee meetings for 2013/14.

DECISION

1. To approve the proposed calendar of meetings for the municipal year 2013/14 as set out at Appendix A to the updated tabled report of the Service Head, Democratic Services.

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

11.2 Members' Allowances Scheme 2013/14

The Council considered the report of the Service Head, Democratic Services proposing the Members' Allowances Scheme for 2013/14.

DECISION

1. That the London Borough of Tower Hamlets Members' Allowances Scheme 2013 be adopted as set out at Appendix 'A' to the report of the Service Head, Democratic Services.

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

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

12.9 Motion regarding the Bedroom Tax

Councillor Rania Khan **moved** and Councillor Aminur Khan **seconded** the motion as printed on the agenda.

Councillor John Pierce **moved** and Councillor Sirajul Islam **seconded** an amendment to the motion:-

“Under ‘This Council notes that’:

Add a bullet point which reads:

Some Councils around the country are investigating the redesignation of homes, where practical, in a bid to stop residents being penalised for living in ‘under-occupied’ homes.”

Under 'This Council resolves':***Add a bullet point which reads:***

To call upon the Mayor to investigate the cost of redesignating homes, where possible, and the impact that this would have on the Housing Revenue Account and the Council's ability to build new homes in the future, and to report back to Council at its next ordinary meeting."

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

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

DECISION**This Council notes that:**

- On April 2 2013 another of the Government's Welfare Changes came into effect.
- The Bedroom Tax is a reduction in Housing Benefit to households in Council and Housing Association properties, who are deemed to have extra bedrooms.
- Households will lose 14% of their rent if they have 1 extra bedroom and 25% of their rent if they have 2 or more extra bedrooms.
- The Bedroom Tax will affect thousands of residents in Tower Hamlets.
- Last month the government U-turn exempted Foster Carers, families of disabled siblings and families of service men and women from the tax.
- The Government's own figures suggest that 420,000 disabled adults will be affected by this tax.
- The Council has launched a Prepare and Act Now Campaign to ensure that residents are aware of all the welfare changes and can seek advice and assistance from the Council and third sector organisations. Five events were held across the borough where residents could speak to Housing staff, Benefit Team staff, Skillsmatch and JCP staff, as well as staff from third sector advice agencies. There are a further four events planned during the summer.
- Some Councils around the country are investigating the redesignation of homes, where practical, in a bid to stop residents being penalised for living in 'under-occupied'

This Council believes that:

- The government's U-turn demonstrates that this is a misguided policy

- These measures will have an adverse and disproportionate effect on Tower Hamlets residents, especially those already living on a low income.
- The Bedroom Tax disproportionately affects disabled residents, many of whom need an additional bedroom for medical reasons as well as due to large medical equipment and supplies.
- These measures will increase poverty, and reduce the ability for residents to adequately heat their homes and feed and clothe their children.

This Council resolves:

- To lobby against the coalition's policies which clearly have a discriminatory affect on the residents of Tower Hamlets.
- To call on the government to also exempt disabled adults from the Bedroom Tax.
- To continue to offer support and guidance to any families who find themselves in financial difficulties due to these changes
- To call upon the Mayor to investigate the cost of redesignating homes, where possible, and the impact that this would have on the Housing Revenue Account and the Council's ability to build new homes in the future, and to report back to Council at its next ordinary meeting.

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

12.1 Motion regarding Car Free Developments

The Legal Officer advised the Council that the existing Car Free Developments Policy was part of the Council's statutory Development Plan. The Permit Transfer Scheme was an operational change to that policy which was made following an investigation by officers of the perceived need and the impact it would have on the Council's parking network. It was likely that any extension of the Permit Transfer Scheme would need to be subject to a similar investigation.

Councillor M.A. Mukit MBE **moved** and Councillor Khales Uddin Ahmed **seconded** the motion as printed on the agenda.

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

DECISION

This Council notes:

- The Permit Transfer Scheme (PTS) which allows some families to move to larger social rented homes in car free developments by

allowing them to retain one on-street resident car parking permit.

- This scheme is designed to help to reduce the levels of overcrowding in social rented housing in the borough by enabling residents to move to properties which were previously off limits as they need access to a car.
- The Permit Transfer Scheme is only eligible to residents moving to three+ bedroom social rented car free homes

This Council Further notes:

- According to the Tower Hamlets Housing List there are:
 - o 11,532 residents in need of a one bed property
 - o 5,093 residents in need of a two bed property
- Together these two categories represent 69% of those on the borough's housing waiting list.
- The Budget amendment presented by Councillors Khan and Gibbs in 2012 that proposed extending some Car Free Development permits to 1 and 2 bedroom properties
- That the Council resolved at the 2012 Budget meeting:
 - o That the Council further notes that residents are often forced to refuse much needed new homes in Car Free developments because they need a car.
 - o That the Council resolves to call on the Mayor to implement extended car free developments to one and two bedroom properties.

This Council Believes:

- The excluding one and two bedroom properties from the Permit Transfer Scheme means that many residents have to turn down one and two bedroom homes due to the lack of parking provision.
- That the inequality of access to the Permit Transfer Scheme between one/two bed properties and three+ bedroom families unnecessarily penalises smaller families.
- Extending the PTS would help to enable more residents to move into more appropriate property including downsizing, which in turn would create new opportunities to house larger families as well.
- That residents needing one and two bedroom properties may have as great a need for a car - because of age, disability, ill health, work or children for example - as those needing larger properties and is therefore discriminatory

This Council Resolves:

- To reissue our call on the Mayor to extend the Permit Transfer Scheme to one and two bedroom properties.

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

12.2 Motion regarding Mayor's Group Meeting

Councillor Peter Golds **moved** and Councillor David Snowdon **seconded** the motion as printed on the agenda.

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

DECISION

This Council notes the Minutes of the Mayor's Group Meeting, as published on a recent local blog, held in the Mayor's Office on 19th May 2012.

This meeting also notes:

- That the substantive subject of the Group Meeting regarded the organisation and funding for the 2014 election campaign.
- That the Mayor is asking each ward councillor "to seek out, identify local level multicultural issues and, in the words of the agenda, deliver", and that this group is to be a "parallel campaign for the ward councillors and Mayor"
- That the Mayor's Community Liaison Officer, a PO6 grade council employee, on the staff of the Mayor's office is listed as campaign Leader whose tasks include "identifying a team to collect data and identify Vote ID", preparing calling cards and literature "per ward" and setting up a bank account.
- That 10 ward supporters/stakeholders are to be identified in each ward and that the Mayor is to "lead induction/training" for these stakeholders.
- This Council further notes that it is illegal to use council facilities and staff for electoral and partisan political purposes.

The Council calls upon the Head of Paid Service to appoint an independent investigator into this and subsequent meetings of this group in order to identify all misuse of public funds by using council facilities and officers for political campaign activity.

The Council expects this investigation be undertaken promptly and a full report, including recommended actions be submitted for consideration by the full council.

That a copy of the Agenda for the 19th May Mayoral Group Meeting be sent to the District Auditor along with this resolution, to ensure that any potentially improper use of facilities and officers is fully investigated.

(Action by: Stephen Halsey, Head of Paid Service)

12.7 Motion regarding the Women's Library

Councillor Denise Jones **moved** and Councillor Bill Turner **seconded** the motion as printed on the agenda.

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

DECISION

This Council notes:

- In 1997, the Council agreed to the disposal of land at Oldcastle Street to the London Guildhall University/Fawcett Library to support the conversion of the old Bath Houses into the Women's Library building. The Fawcett Library collection then expanded into the new building.
- The Heritage Lottery Fund donated over £4 million, being 75% of the costs of the land and development of the building. The council donated 25% of the land value and the University paid the balance of 25%.
- As a result of this financial support and commitment, the Council is represented on the Women's Library Council. It was agreed that Library facilities should be made available free of charge at all opening times to Members and officers of the Council, local school use, students in the Borough, a defined list of Local History Societies and Charities in the Borough, all residents with Library/Leisure passes for 20 days a year. The disposal was conditional upon a separate agreement to ensure the University provided the existing Barrow Store for Petticoat Lane market and the Community School.
- In the spring 2012, London Metropolitan University Trust (previously Guildhall University) agreed they could no longer find the revenue costs to operate the Women's Library and started a process to dispose of the Collections. Most Members of the Women's Library Council were not informed of the process until the press carried the announcement that LSE had agreed to take the collections.
- In mid-summer, MPs, Lords, London Assembly Members, Local Councillors, Residents, Trade Unions, Academics, Architects and local residents formed the 'Save the Women's Library Campaign' with the campaign objective of keeping the collections in the building.

- Save The Women's Library Campaign called on the Heritage Lottery Fund to intervene, in line with the original objectives of its grant, to keep the library in its home. To date the Heritage Lottery Fund has not intervened to this effect.
- While the collections have been preserved, London Metropolitan University made no attempt to keep them in its own building.
- The Women's Library collections have now been taken on by London School of Economics and are currently being transferred there.
- Whilst the Women's Library building has been registered as a Community Asset with the council, the future of the building in Oldcastle Street is uncertain.

This Council believes:

- The Women's Library collections belong in Tower Hamlets with its proud women's history.
- The Women's Library Council, on which Tower Hamlets Council is represented, was not adequately consulted about the disposal of the collection or the future of the building.
- The Council made an investment in the Women's Library building in good faith that the building would remain in women's and community use.
- It would be wholly inappropriate for the investment made by Council and the Heritage Lottery Fund to be lost and for the Women's Library building to revert to generic university use.
- The Heritage Lottery Fund should be asked to intervene to ensure that the Women's Library Building retains a community use.

This Council resolves:

- To formally investigate the conditions attached to the sale agreement of the old bath houses by Tower Hamlets Council.
- To call on the Heritage Lottery Fund to claw back the grant that it made in the building, should the building revert from women's and community use.
- To recognise the Women's Library as a community asset for women's and community use.

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

12.4 Motion regarding Open Spaces Strategy

Councillor Amy Whitelock **moved** and Councillor Carlo Gibbs **seconded** the motion as printed on the agenda.

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

DECISION

This Council Notes:

- The motion passed by Council on the 16th May 2012 which resolved:
 - o To amend the Open Spaces Strategy to include a section on Commercial Events in parks, to reflect the prior decisions of Council, that:
 - In regards to Victoria Park:
 - Limits the number of large commercial music events in the park to six days each year;
 - Prevents the park being used for commercial events on consecutive weekends throughout the summer, with at least two weekends free after a weekend of events;
 - Sets a closing time for events to 10pm;
 - Sets a reduced noise levels for commercial events.
 - In regards to Sir John McDougal Gardens, Millwall Park and Island Gardens:
 - Prevents the holding of commercial events.
 - In regards to the gardens at Trinity Square:
 - Allow the use for weddings but prevent the holding of other commercial events.
 - o To exclude the Live Site events in Victoria Park in 2012 from the above.
- The resolution of Council on 8 December 2010 calling on the Mayor to put limits on the use of Victoria Park for commercial events, whilst still recognising that some events should still be allowed
- The resolution of Council on 21 December 2011 asking that Sir John McDougal Gardens, Millwall Park and Island Gardens should not be made available for commercial events.
- That over 400 residents signed a petition presented to the Overview and Scrutiny Committee and Cabinet, calling for the number of events to be reduced.

- That no amended Open Spaces Strategy has been presented to Council even though it is included in the list of policies reserved for Council who have expressed a will to see the policy amended.
- The serious damage done to the park by last Summer's commercial events and the continued degradation of the park.

This Council Believes:

- That the Mayor should respect the democratic mandate of the Council and the wishes of residents and bring forward a revised Open Spaces Strategy which reflects the stated position of Council.
- That a failure to do so not only fails to show regard for the Council's democratic ruling but also leaves the Council open to unnecessary legal challenge.
- That the adoption of this amendment would be in the interests of local residents and those visiting the borough as it would provide a sustainable and manageable basis on which to hold commercial events.
- The events in excess of the cap proposed by Council will have a detrimental effect on local residents and users of the park.

This Council Resolves:

- That the Mayor should bring forward a renewed Open Spaces Strategy to the next ordinary Council meeting including within it the amendments set out above.

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

13. EXCLUSION OF PRESS AND PUBLIC

No motion to exclude the press and public was passed.

14. EXEMPT MINUTES

The Exempt minutes of the Ordinary Council meeting held on 23 January 2013 had been agreed under Item 3 above.

The meeting ended at 11.40 p.m.