

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.30 P.M. ON WEDNESDAY, 18 SEPTEMBER 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 Mizanur Choudhury, Carli Harper-Penman, David Snowdon and Abdal Ullah.

Apologies for lateness were received on behalf of Councillors Zara Davis, David Edgar and Fozol Miah.

Procedural Motion

Councillor Oliur Rahman proposed, and Councillor Shahed Ali seconded, a procedural motion – “That Procedure Rule 13.1 be suspended to allow for an urgent motion on The Council’s Anti-Blacklisting Pledge’ to be considered and further that under Procedure Rule 14.1.3 the order of business be altered such that the urgent motion be considered immediately”.

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

Urgent Motion regarding the Council’s Anti-Blacklisting Pledge

Councillor Oliur Rahman **moved** and Councillor Shahed Ali **seconded** the motion as tabled.

Following debate, the motion was put to the vote and was **agreed**.

DECISION

This Council notes:

- That the GMB union, together with Unite and UCATT, has led an ongoing campaign to raise public awareness of the blacklisting of trade-union members in the construction industry.
- That some unscrupulous employers use blacklists in order to avoid employing trade union members, because they want to avoid the rightful challenge of exploitative pay and conditions that organised labour entails.
- That on instruction from the Mayor, the council has cross-referenced its procurement contracts with GMB’s comprehensive list of companies

known to use this practice, and has found that the council has no contractual relationship with any of the named companies.

- That the Welsh Government announced earlier this month that it will take action to prevent blacklisting of workers.
- That the Mayor has pledged that the borough will take similar action, and has instructed officers to amend the council's procurement policy to reflect this stance.
- That the borough is the first local authority in Britain to take such action.
- That the Mayor's pledge has been welcomed by the GMB union, with its General Secretary, Paul Kenny, saying *"GMB is delighted that Tower Hamlets is the first council in Britain to run the blacklisters right out of town. Where Mayor Rahman has led, others will now surely follow and those companies guilty of blacklisting workers will get no more of the public contracts they crave until they own up, clean up and pay up for what they did to their 3,213 victims."*
- That the Mayor's pledge has also been welcomed by Unite, with its General Secretary, Len McCluskey, saying *"Tower Hamlets is blazing a trail by becoming the first London council to stamp out blacklisting. This is a fantastic development and we commend the council for their positive action. We are urging other councils to take note of the Tower Hamlets decision to ban the blacklisters and to follow suit."*
- That the GMB union has offered the borough its assistance in delivering on this pledge, and that its National Officer Justin Bowden, who has been leading the campaign, has kindly offered to address a future meeting of the Full Council as part of this process.

This Council believes:

- That trade unions have a vital role in the workplace standing up for the rights of workers, and any attempt to curtail this role is to be condemned in the strongest terms.
- That blacklisting is a disgraceful and unlawful practice and that the council should do all in its power to prevent it.
- That it would be unacceptable for any company in a contractual relationship with the council to employ this practice.
- That it would be useful for the council to work closely with the GMB union in order to deliver on its pledge.

This Council resolves:

- To reaffirm its support the GMB campaign against the blacklisting of construction workers.
- To support the Mayor's pledge to take action against blacklisting in Tower Hamlets.
- To invite the GMB's National Officer, Justin Bowden, to address the next meeting of Full Council to assist the council in implementing this pledge, and to instruct the relevant authorities within the council to include a special item on the agenda of the meeting for this purpose.

[Action by: John S. Williams, Service Head, Democratic Services re: item at next Council meeting.]

Procedural Motion

Councillor Carlo Gibbs moved, and Councillor Rachel Saunders 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 12.4, 12.3, 12.7, 12.9, 12.5 and 12.11 in that order”.

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

Procedural Motion

Councillor Carlo Gibbs moved, and Councillor Amy Whitelock seconded, a procedural motion – “That under Procedure Rule 14.1.3 the order of business be altered such that the motion 12.13 regarding Filming at Council meetings be considered immediately”.

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

12.13 Motion regarding Filming of Council meetings

Councillor Sirajul Islam **moved**, and Councillor Rachel Saunders **seconded**, the motion as the motion as printed on the agenda.

Following debate, the motion was put to the vote and was **agreed**.

DECISION

This Council notes:

- Longstanding resident and campaigner John Wright's protest at the last council meeting about not being allowed to film meetings.

- The Labour Group 2012 budget amendment which proposed introducing a live-webcasting system for Council meetings but which was blocked by the Mayor
- John Biggs' commitment to openness and transparency.
- Recent Labour Group press statements calling on the Mayor to open up the Council chamber and allow filming of Council meetings.
- Government guidance that Council's should allow residents to record meetings.
- Cllr Islam's letters to Head of Paid Service, Stephen Halsey – 4th July and the Mayor – 18th July calling for a live streaming system .
- The statement by the Speaker of the Council at the beginning of the last meeting highlighting that she had asked officers to ensure the arrangements were in place to allow filming of meetings from September.
- That the Constitution states: “No photography or video or audio recording of any kind may take place at any Council Meeting without the express permission of the Chair.”

This Council believes:

- As elected representatives we should be as open and transparent as possible, including in Council meetings.
- The Mayor's rhetoric does not match his actions – issuing press statements in favour of transparency whilst at the same time blocking attempts to introduce a modern live-streaming system.
- Whilst any change in the rules on recording of Council meetings must be in keeping with the law and respectful of those in the public gallery, the Council and the Speaker has made it clear they want meetings to be filmed and this should be made to happen.
- From September Council meetings should either be live streamed or recorded to allow residents who are unable to attend the Council Chamber to observe the meeting should they wish.

This Council resolves:

- To request the Speaker of the Council instruct that relevant officers implement the live streaming of Council meetings using equipment currently available to the Council, effective as of and including this meeting.
- To call on the independent Mayor to approve the introduction of a modern live-streaming system as soon as possible.

[Note: The Speaker then advised the Council that she was giving her permission for the meeting to be filmed by a contractor on behalf of the Council. The meeting was accordingly filmed from this point forward.]

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of Disclosable Pecuniary Interests were made.

Councillor Shafiqul Haque declared a personal interest in Question 8.23 as his son was employed in Skillsmatch.

3. MINUTES

DECISION

That the unrestricted minutes of the Ordinary Council meeting held on 26 June 2013 be confirmed as a correct record and the Speaker be authorised to sign them accordingly.

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

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

The Speaker of the Council made three announcements:

1. That the Council's condolences be passed on to the family of school boy Ajmol Alom who had recently been killed in an unprovoked attack. The thoughts of all Councillors were with them.
2. Congratulations to Councillors Carlo Gibbs and Amy Whitelock on their marriage.
3. Congratulations to Councillor Marc Francis on the birth of his son and to Councillor Joshua Peck on the successful adoption of a young girl.

5. TO RECEIVE PETITIONS

5.1 Petition against the closure of the Isle of Dogs Police Station

Mr John Cray 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)

5.2 Petition regarding Tower Hamlets Community Housing at Trahorn Close, E1

Mr Yeabor Miah, assisted by Mr Mohammed Haque, 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)

5.3 Petition regarding Roman Road regeneration

This petition had been withdrawn and deferred to the next meeting at the request of the petitioners as the lead petitioner was unwell.

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

5.4 Petition from the Tower Hamlets Traders Business Association UK regarding provision for market traders

The petitioners addressed the meeting and responded to questions from Members.

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 Kathy McTasney on the impact of the Bedroom Tax.
- 6.2 Question from Mr Ahmed Hussain on the Canary Riverside underpass.
- 6.3 Question from Mr Andrew Wood on former NHS Portacabins on the Isle of Dogs.
- 6.4 Question from Mr Chris Donnelly about the noise impact of events held on the Greenwich Peninsula.
- 6.9 Question from Mr Saied Ahmed on the filming of Council meetings.
- 6.10 Question from Mr Abu Ahsan on the Mayor's relationship with trade unions (no supplementary question was put)

The above questions and (except where indicated) a supplementary question arising from each were put at the meeting and were responded to by the relevant Executive Members.

Questions 6.5, 6.6, 6.7, 6.8 and 6.11 were not put at the meeting as the questioners were not present. Written responses would be provided to the questions.

(**Action by:** John 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 the Leader of each Minority Group then responded briefly to the Mayor's report.

8. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL

- 8.1 Question from Councillor Judith Gardner regarding questions to the Mayor at Council meetings.
- 8.2 Question from Councillor Zara Davis on the legacy from the 2012 Games.
- 8.3 Question from Councillor Sirajul Islam on resistance to the EDL march.
- 8.4 Question from Councillor Fozol Miah congratulating teachers, pupils and parents for their recent exam success.
- 8.5 Question from Councillor John Pierce on the review of Tower Hamlets Homes leaseholder charges.

- 8.6 Question from Councillor Gloria Thienel on the use of Millwall Park for a proposed Oktoberfest event.
- 8.7 Question from Councillor M. A. Mukit, MBE, on a recent street clean up exercise.
- 8.8 Question from Councillor Kabir Ahmed on efforts to galvanise the community against the EDL.
- 8.9 Question from Councillor Helal Uddin on the Watts Grove project.

The above questions and (except where indicated) a supplementary question arising from each were put at the meeting and were responded to by the relevant Executive Members.

The remaining questions 8.10 to 8.28 were not put due to a lack of time. Written responses would be provided to the questions.

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

Procedural Motion

After Question 8.8 above Councillor Oliur Rahman proposed, and Councillor Alibor Choudhury seconded a procedural motion – “That under Procedure Rule 14.1.3 the order of business be altered such that motion 12.4 - Motion against the English Defence League - be considered immediately”.

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

12.4 Motion against the English Defence League

Councillor Alibor Choudhury **moved**, and Councillor Ohid Ahmed **seconded**, the motion as printed on the agenda.

Councillor Sirajul Islam **moved**, and Councillor Rachel Saunders **seconded**, an amendment as follows:-

“Under ‘This Council Resolves’ add a line to read:-

- That the Council and officers should continue to do all they can to support the banning of EDL marches through our borough.”

Councillors Alibor Choudhury and Ohid Ahmed indicated that they accepted the amendment and altered their motion accordingly.

Following debate, Councillor Alibor Choudhury **moved** and Councillor Ohid Ahmed **seconded** a further amendment as follows:-

“To add two further bullet points under ‘This Council Resolves’:-

- Work together to counter right wing stories that aim to divide us and instil fear; and
- Accept Islamic Forum of Europe (IFE) as a progressive organisation we will aim to engage.”

Following debate the amendment was put to the vote and was **defeated**,

Councillor Rachael Saunders then **moved** and Councillor Sirajul Islam **seconded** a further amendment as follows:-

“To add a further bullet point under ‘This Council Resolves’:-

- To support the work of all organisations that made a contribution to preventing the EDL attack on Tower Hamlets.”

Following debate the amendment was put to the vote and was **agreed**.

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

DECISION

This Council notes:

That since the murder of Lee Rigby in May 2013, the EDL has sought to stir up racial tensions in communities across the UK, including in Tower Hamlets on 7 September.

This Council believes:

That all those in the community who worked to counter the EDL’s divisive, hateful message and protect community cohesion in the borough, are to be congratulated.

This Council resolves:

To condemn the attempts by the English Defence League to bring their message of hate to our borough on September 7.

To strengthen the Council’s commitment to our No Place for Hate policies, eradicating hate crime in Tower Hamlets and creating an environment where everyone can enjoy living, working and visiting Tower Hamlets - free from fear, intimidation and attack.

That the Council and officers should continue to do all they can to support the banning of EDL marches through our borough.

To support the work of all organisations that made a contribution to preventing the EDL attack on Tower Hamlets.

Procedural Motion

After Question 8.9 above Councillor Carlo Gibbs proposed, and Councillor Bill Turner seconded a procedural motion – “That under Procedure Rule 14.1.3 the order of business be altered such that the motion 12.3 - Motion regarding the Watts Grove Depot redevelopment - be considered immediately”.

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

12.3 Motion regarding the Mayor’s Decision to Scrap the Watts Grove Depot redevelopment

Councillor Carlo Gibbs **moved**, and Councillor Khales Uddin Ahmed **seconded**, the motion as printed on the agenda.

Following debate, the motion was put to the vote and was **agreed**.

DECISION

This Council notes:

- The Mayor’s decision on the 29th July to scrap the Council’s redevelopment of the Watts Grove Depot site.
- That this decision was taken in secret behind closed doors and without any opportunity for scrutiny from residents of councillors as would have been the case were it made at Cabinet two days later.
- Scrapping the development of Watts Grove will mean the 149 planned social homes will now not be built.
- In the report the Chief Finance Officer wrote that “*It is estimated that as a result of the project the net deficit in the HRA will increase by between £200k and £900k from 2015/16 onwards*” making the development unaffordable.
- The motion proposed by Cllrs Gibbs and Peck at this year’s Budget which stated:
 - o *That between the Chancellor’s Emergency Budget in 2010 and 2017/18, the Council’s General Fund budget will have been cut by 50%;*
 - o *The Council’s Medium Term Financial Plan is showing a black hole of £39m in 2015/16, £24m of which is unfunded, and a deficit of at least £55m is anticipated in 2016/17;*

- *In facing these cuts the residents of this borough deserve openness and honesty about how those elected to represent them will deal with this issue;*
- *The Mayor has lost control of the Council's finances and has no proposals - such as an invest to save strategy, star chamber programme or review of service - to deal with this black hole;*
- There are over 20,000 people on the housing waiting list
- The Mayor wrote in his decision that he would *"reconsider the decision to declare the Watts Grove Depot surplus to requirements" meaning the site would not be available for development."*
- The Mayor wrote in the ELA on the 14th August that *"scheme has not been scrapped and it will be going ahead"*

This Council believes:

- That the Mayor was warned about the impact of his mismanagement of Council finances and did nothing.
- The cancellation of Watts Grove could have been avoided had the Mayor listened to Labour councillors and got a grip on the Council's finances.
- 20,000 residents on the housing waiting list have been thoroughly let down by the Mayor who has failed to deliver the much needed council housing he promised, and that it is residents who are paying the price for the Mayor's financial incompetence.
- The Chief Finance Officer's report raises serious concerns about the mechanism used by the Mayor to fund the redevelopments of Dame Colet House and Poplar Baths.
- By taking the decision in secret, behind closed doors, the Mayor further demonstrated his contempt for any kind of scrutiny of his actions and that this is a further insult to residents who are concerned about the housing shortages in the borough and whom he is supposed to represent.
- The Mayor's contradictory and inaccurate statements to the media are misleading and unacceptable.

This Council resolves:

- To instruct the Overview and Scrutiny Committee to investigate the reasons for the collapse of the Watts Grove Depot project, and the sustainability and suitability of the financial mechanisms used to fund Dame Colet House and Poplar Baths and to report back to Council in November on its findings.

- To call upon the Mayor to come clean about the state of the Council's finances and to put in place a plan to balance the Council's books.
- To require the Section 151 officer to report to councillors within the week how much money including an estimate of officer time has been spent to date on the Watts Grove Project.

(**Action by:** John S. Williams, Service Head, Democratic Services (reference to O&S Committee);
Chris Holme, Acting Corporate Director, Resources (report to councillors as above))

Procedural Motion

Councillor Carlo Gibbs moved, and Councillor Rachel Saunders seconded, a procedural motion – “That under Procedure Rule 14.1.13 the meeting be extended for up to half an hour to allow for the consideration of Agenda Items 9 and 11 and then the following Motions:- 12.7, 12.9, 12.5 and 12.11”.

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

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

9.1 STATEMENT OF LICENSING POLICY REVIEW

The Council considered the proposals of the Executive arising from the review of the Statement of Licensing Policy as presented in the Supplemental Agenda.

Councillor Ohid Ahmed **moved**, and Councillor Alibor Choudhury **seconded**, the recommendations as listed in the report.

Following debate, the recommendations were put to the vote and were **agreed**.

DECISION

1. That the Statement of Licensing Policy including the Cumulative Impact Zone for the Brick Lane area be adopted as set out at Appendix 5 to the report of the Corporate Director/Head of Paid Service.
2. That the Statement of Licensing Policy take effect from 1st November 2013 until 31st October 2018; and the existing Statement of Licensing Policy be rescinded on the 31st October 2013.
3. To agree the adoption of the 'no casino' resolution to amend the Gambling Policy 2013, as set out at Appendix 8 to the report of the Corporate Director/Head of Paid Service.

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

9.2 REPORT OF THE STANDARDS ADVISORY COMMITTEE: PROPOSED REVISIONS TO THE ARRANGEMENTS FOR DEALING WITH COMPLAINTS

The Council considered the report of the Standards (Advisory) Committee proposing revisions to the arrangements for dealing with complaints.

Councillor Rachel Saunders **moved**, and Councillor Rajib Ahmed **seconded**, the following amendment to the recommendations in the report:-

“To add to the recommendations:

- That at each of its meetings, a report be presented to the Standards Committee listing all complaints which have exceeded the two month period since referral for investigation and that this report include details of the length of time elapsed since referral and the reasons for the delay to a resolution. This report would include all complaints which exceeded the two month period since the Committee last met as well as those previously reported to the Committee which remain unresolved in excess of the two month period.
- In cases where the Monitoring Officer exercises their power to extend the time period of investigations into complaints from 2 months to 3 months, a report on the reasons for this is presented to the Standards Committee for noting.
- Also in cases where the Monitoring Officer exercises their power to extend the time period of investigations into complaints from 2 months to 3 months a letter is to be sent to the complainant and the subject or subjects of the investigation notifying them of the extension and the reasons for this.

Following debate, the amendment was put to the vote and was **agreed**.

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

DECISION

1. That the proposed revisions to arrangements for dealing with complaints about Member conduct set out at Section 4 of the report (attached as Appendix A to the Standards Advisory Committee’s report to the Council) be approved subject to (a) below:-
 - (a) Extension of the timescale for completion of an investigation, once a complaint is referred for investigation, from the current 1 month to 2 months, with the existing provision for a further 1

month extension by the Monitoring Officer under the provisions of paragraph 8 of the current arrangements to remain, providing for a total maximum period of 3 months.

2. That at each of its meetings, a report be presented to the Standards Committee listing all complaints which have exceeded the two month period since referral for investigation and that this report include details of the length of time elapsed since referral and the reasons for the delay to a resolution. This report would include all complaints which exceeded the two month period since the Committee last met as well as those previously reported to the Committee which remain unresolved in excess of the two month period.
3. In cases where the Monitoring Officer exercises their power to extend the time period of investigations into complaints from 2 months to 3 months, a report on the reasons for this is presented to the Standards Committee for noting.
4. Also in cases where the Monitoring Officer exercises their power to extend the time period of investigations into complaints from 2 months to 3 months a letter is to be sent to the complainant and the subject or subjects of the investigation notifying them of the extension and the reasons for this.

(Action by: Mark Norman, Interim Monitoring Officer)

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 STANDARDS ADVISORY COMMITTEE - APPOINTMENT OF CO-OPTED MEMBER(S)

The Council considered the report of the Service Head, Democratic Services regarding the appointment of Co-opted Members to the Standards (Advisory) Committee, including the addendum report contained in the 2nd supplemental agenda pack.

Following debate, the recommendations set out in the addendum report were put to the vote and were **agreed**.

DECISION

1. That Mr Barry O'Connor and Mr John Pulford MBE each be appointed as co-opted members of the Standards Advisory Committee (SAC) for a term of office of four years.
2. That the Council note that Mr Denzil Johnson has given notice that he will be unable to undertake his duties as a co-opted member of the SAC during the period from now until the end of April 2014
3. That Mr Grenville Mills be appointed as a co-opted member of the Standards Advisory Committee, to replace Mr Denzil Johnson for the period until 30th April 2014; and that Mr Denzil Johnson be re-appointed to the Committee with effect from 1st May 2014 until the expiry of his original term of office in May 2016.

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

11.2 2012-13 TREASURY MANAGEMENT OUTTURN REPORT

The Council considered the report of the Acting Corporate Director, Resources setting out the Treasury Management outturn position for the financial year ending 31 March 2013.

The recommendation set out in the report was put to the vote and was **agreed**.

DECISION

That the contents of the report be noted.

(**Action by:** Chris Holme, Acting Corporate Director, Resources)

11.3 REPORT IN RELATION TO THE EXECUTIVE MAYOR'S CAR

The Council considered the report of the Acting Corporate Director, Resources in relation to the Executive Mayor's Car.

Councillor Bill Turner **moved**, and Councillor Rachel Saunders **seconded**, an amended recommendation that the report be referred to the Overview and Scrutiny Committee for further consideration.

Following debate the amended recommendation was put to the vote and was **agreed**.

DECISION

That the report of the Acting Corporate Director, Resources be referred to the Overview and Scrutiny Committee for further consideration.

(**Action by:** John S. Williams, Service Head, Democratic Services re: reference to O&S Committee;
Louise Russell, Service Head, Corporate Strategy & Equality re: O&S Committee work programme.)

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

Note – Motions 12.3, 12.4 and 12.13 were considered earlier in the meeting and the decisions are listed at those points.

12.7 Motion regarding the Mayor's failure to deliver on street cleaning

Councillor Helal Abbas **moved**, and Councillor Khales Uddin-Ahmed **seconded**, the motion as printed on the agenda.

Following debate, the motion was put to the vote and was **agreed**.

DECISION**This Council notes:**

- That across the borough there have been 667 reports of missed bin collections over the last 6 months in the E3 area alone.
- That in response to the 667 reported missed bin collections in the E3 area the Council has issued just 9 penalty notices to the contractor Veolia.

This Council believes:

- That because the above figures only represent missed bin collections which have been reported by residents they represent only the tip of the iceberg with many more uncollected bins left to litter our streets.
- 667 reported missed bin collections over 6 months in one postcode area is a damning reflection on the Mayor's record on street cleanliness.
- That the number of missed bin collections show that the Mayor and his independent Cabinet member for Cleaner and Greener, Cllr Shahed Ali have failed to get to grips with managing the basic services residents rely upon.

- By only issuing penalties to the contractor on 9 occasions despite 667 incidences of failure to fulfil the rubbish collection contract the Mayor and Cllr Ali have shown astounding complacency and ineffectiveness.

This Council further notes:

- The Mayor's 2012 Budget chose to cut street cleaning to only two days a week, as well as introducing charges for pest control services and bulk rubbish collection.
- That Labour councillors opposed the Mayor's decision to cut the street cleaning budgets highlighting the potential for it to degrade the borough.
- The Mayor's 2013 Budget included £70,000 of cleaner streets funding for resident 'education' designed to 'align the perception and the reality of the condition of the borough'.
- Last year's Annual Residents Survey showed that 41% of residents have a negative view of street cleaning services with 35% unhappy with rubbish collections.

This Council believes:

- The Mayor's cuts to street cleaning are having a demonstrable effect on the state of our borough's streets.
- By spending £70,000 of taxpayers' money on propaganda campaigns to 'educate' residents how clean the streets are the Mayor is missing the point, we need cleaner streets not more propaganda.
- That the Mayor should spend less time being ferried around the streets in his tax payer funded Mercedes and actually get out and see the results of his cuts to street cleaning.
- The Mayor's claims that the streets are 97% are ridiculous and just shows how out of touch he and his Cabinet are.

This Council resolves:

- To censure the Mayor and Cllr Ali for their failure to effectively manage the Council's contract for bin collections with Veolia.
- To instruct the Section 151 officer to investigate the fulfilment of the Council's bin collection contract to ensure that tax payers are getting best value for money and to report back to Council.

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

12.9 Motion regarding 'Affordable' rent cap

Councillor John Pierce **moved**, and Councillor Rajib Ahmed **seconded**, the motion as printed on the agenda.

Councillor Bill Turner **moved**, and Councillor John Pierce **seconded**, a procedural motion under Procedure Rule 15.12.1 that the question be now put.

Councillor Rabina Khan indicated that she wished to propose an amendment to the motion as follows:-

“Delete last point under ‘notes’ and replace with

- That Tower Hamlets is currently working with other London councils, including Islington, on the possibility of a Judicial Review of Boris Johnson’s decision.

Insert after all text under ‘notes’

- That the London Borough of Tower Hamlets was one of the consortium of nine London councils that provided evidence at the Revised Early Minor Alterations (REMA) to the London Plan Examination in Public (EiP) on the affordable rent policies in November 2012.
- That as a result of the incisive evidence produced from a landmark research project undertaken by the London Borough of Tower Hamlets, the Planning Inspector ruled in the councils’ favour, but was ignored by Boris Johnson.

Delete first point under ‘resolves’ and replace with

- To endorse Mayor Rahman’s decision to instruct lawyers to work with other boroughs on a possible Judicial Review of the Mayor of London’s decision.”

The Speaker advised the Council of the text of Cllr Khan’s proposed amendment as above. However, there was insufficient time left before the expiry of the time limit for the meeting for the amendment to be debated.

The procedural motion moved by Councillor Turner was then put to the vote and was **agreed**.

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

DECISION

This Council notes:

- That a government-appointed planning inspector recently recommended that Boris Johnson delete paragraphs from his Draft

London Plan which would prevent councils from setting localised caps for affordable rent.

- The planning inspector reported that nine councils had provided *“compelling evidence about the lack of affordability of homes at 60-80 per cent of market rents for many of their poorest residents”*
- Boris Johnson has since indicated that he will reject the inspector’s recommendations and press ahead with mandating affordable rent for London at 80% of market rates.
- Many residents in Tower Hamlets cannot afford rents at 80% of market rates and will be forced to look outside of the borough for housing options in the future.
- Labour-led Islington Council have said that they are exploring the possibility of legal action against the Mayor of London’s decision.

This Council believes:

- The Conservative ‘affordable rent’ model is a farce which is totally unaffordable for many of those currently living in London
- Boris Johnson’s refusal to allow councils to set a localised ‘affordable’ rent is a clear abdication of his duty to protect the poorest in our society.
- Not allowing councillors to set localised ‘affordable’ rent shows the hollow nature of the Conservative’s much promoted localism agenda.
- That this decision is indicative of the gentrification agenda of a Conservative Party who would rather see lifelong residents turfed out of London than supported.

This Council resolves:

- To call upon the Mayor of London to reconsider his decision and to allow councils to set localised affordable rent caps which reflect the needs of their local populations.
- To call upon the Mayor of Tower Hamlets to support Labour-Led Islington council in its potential legal action against the Mayor of London’s decision.
- To call upon the Tower Hamlets Conservative Group to publically condemn the Mayor of London’s decision.

Motions 12.1, 12.2, 12.5, 12.6, 12.8, 12.10, 12.11, 12.12 and 12.14 – 12.17 were not considered due to lack of time.

The meeting ended at 11.04 p.m.