



Meeting of the

TOWER HAMLETS COUNCIL

Wednesday, 22nd January 2014 at 7.30 p.m.

A G E N D A

VENUE

Council Chamber, 1st Floor,
Town Hall, Mulberry Place,
5 Clove Crescent,
London E14 2BG

Democratic Services Contact:

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**TO THE MAYOR AND COUNCILLORS OF THE LONDON BOROUGH OF TOWER
HAMLETS**

You are summoned to attend a meeting of the Council of the London Borough of Tower Hamlets to be held in **THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON, E14 2BG** at 7.30 p.m. on **WEDNESDAY, 22ND JANUARY 2014**

Stephen Halsey
Head of Paid Service

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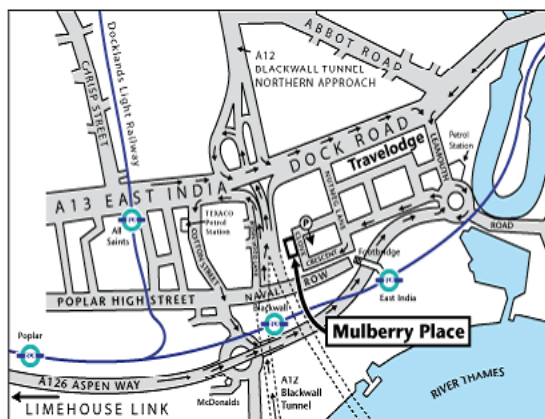
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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY, 22ND JANUARY 2014

7.30 p.m.

**PAGE
NUMBER**

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

1 - 4

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992.

See attached note from the Monitoring Officer.

3. MINUTES

5 - 44

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of the Council held on 27th November 2013. The draft minutes are attached.

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

5. TO RECEIVE PETITIONS

45 - 48

The Council Procedure Rules provide for a maximum of three petitions to be presented at an Ordinary Meeting of the Council.

The deadline for receipt of petitions for this Council meeting is noon on Thursday 16th January 2014. However at the time of agenda despatch, the maximum number of petitions has already been received as set out in the attached report.

- 6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC** **49 - 52**
- The questions which have been received from members of the public for this Council meeting are set out in the attached report. A maximum period of 20 minutes is allocated to this agenda item.
- 7. MAYOR'S REPORT**
- The Council's Constitution provides for the Elected Mayor to give a report at each Ordinary Council Meeting.
- A maximum of five minutes is allowed for the Elected Mayor's report, following which the Speaker of the Council will invite the respective political group leaders to respond for up to one minute each if they wish.
- 8. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL** **53 - 58**
- The questions which have been received from Councillors to be put at this Council meeting are set out in the attached report. A maximum period of 30 minutes is allocated to this agenda item.
- 9. REPORTS FROM THE EXECUTIVE AND THE COUNCIL'S COMMITTEES**
- 9.1 Watts Grove Depot** **59 - 68**
- To consider a reference from the Overview and Scrutiny Committee on the above matter.
- The draft report to the Overview and Scrutiny Committee, to be considered by that Committee on 20th January 2014, is attached. Any further comments or amendments agreed at the Committee's meeting will be reported to the Council on 22nd January.
- 10. TO RECEIVE REPORTS AND QUESTIONS ON JOINT ARRANGEMENTS/EXTERNAL ORGANISATIONS (IF ANY)**
- 11. OTHER BUSINESS**
- 11.1 Appointment of Members to the Health and Wellbeing Board** **69 - 90**
- To agree the appointment of Co-opted Members to the Tower Hamlets Health and Wellbeing Board and to appoint a non-executive majority group Councillor to serve on the Board.
- The report of the Service Head, Democratic Services is attached.

**12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF
THE COUNCIL**

91 - 112

The motions submitted by Councillors for debate at this meeting are set out in the attached report.

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

John Williams, Service Head, Democratic Services, 020 7364 4204

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

| Subject | Prescribed description |
|---|---|
| Employment, office, trade, profession or vacation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | <p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p> |
| Contracts | <p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p> |
| Land | Any beneficial interest in land which is within the area of the relevant authority. |
| Licences | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer. |
| Corporate tenancies | <p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p> |
| Securities | <p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p> |

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE COUNCIL MEETING

HELD AT 7.30 P.M. ON WEDNESDAY, 27TH NOVEMBER 2013

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

Members Present:

| | |
|-------------------------------|-----------------------------|
| Mayor Lutfur Rahman | Councillor Dr. Emma Jones |
| Councillor Helal Abbas | Councillor Aminur Khan |
| Councillor Khaled Uddin Ahmed | Councillor Anwar Khan |
| Councillor Kabir Ahmed | Councillor Rabina Khan |
| Councillor Ohid Ahmed | Councillor Rania Khan |
| Councillor Rajib Ahmed | Councillor Shiria Khatun |
| Councillor Rofique U Ahmed | Councillor Harun Miah |
| Councillor Shahed Ali | Councillor Md. Maium Miah |
| Councillor Tim Archer | Councillor M. A. Mukit MBE |
| Councillor Abdul Asad | Councillor Ahmed Adam Omer |
| Councillor Mizan Chaudhury | Councillor Lesley Pavitt |
| Councillor Alibor Choudhury | Councillor Joshua Peck |
| Councillor Zara Davis | Councillor John Pierce |
| Councillor Stephanie Eaton | Councillor Zenith Rahman |
| Councillor David Edgar | Councillor Oliur Rahman |
| Councillor Marc Francis | Councillor Gulam Robbani |
| Councillor Judith Gardiner | Councillor Rachael Saunders |
| Councillor Carlo Gibbs | Councillor David Snowdon |
| Councillor Peter Golds | Councillor Gloria Thienel |
| Councillor Shafiqul Haque | Councillor Bill Turner |
| Councillor Sirajul Islam | Councillor Helal Uddin |
| Councillor Ann Jackson | Councillor Abdal Ullah |
| Councillor Denise Jones | Councillor Motin Uz-Zaman |

The meeting commenced at 7.37 p.m.

Councillor Lesley Pavitt, Speaker of the Council, in the Chair

NOTE - AGENDA ORDER

During the meeting the Council agreed to vary the order of business. To aid clarity, the Minutes are presented in the order that the items originally appeared on the agenda. Urgent motions, moved with the agreement of the Council without notice, are listed at item 13.

The order of business as taken at the meeting was as follows:

Items:

- 1 – Apologies for Absence

- 2 – Declarations of Disclosable Pecuniary Interests
- 3 – Minutes
- 4 – To receive announcements (if any) from the speaker of the Council or the Head of Paid Service
- 5 – Petitions (5.1 to 5.2)
- 12 – Motions (12.9)
- 5 – Petitions (5.3)
- 6 – Public Questions (6.1 to 6.9)
- 7 – Mayor’s Report
- Emergency Motion on Cycle Safety
- 8 – Member Questions (8.1)
- Emergency Motion on Canvassing allegations and use of Council resources
- 8 – Member Questions (8.2 to 8.6)
- 9.1 – Report from Cabinet (Community Safety Plan)
- 12 – Motions (12.3)
- 9.2 – Report from Cabinet (Council Tax Replacement Scheme Year Two)*
- 11.2 – Appointments to Joint Overview and Scrutiny Committees – Delegation of Power.*
- 11.3 – Mid-Year Review Report on 2013/14 Treasury Management and Investment Strategy*
- 11.4 – Monitoring Officer*

* As the guillotine was reached these items were voted on without debate.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Craig Aston, Lutfa Begum, Carli Harper-Penman, Fozol Miah and Amy Whitelock Gibbs.

RESOLVED

That the apologies for absence be noted.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of Disclosable Pecuniary Interests were made.

3. MINUTES

RESOLVED

That the unrestricted minutes of the Ordinary Council meeting held on 18 September 2013 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 HEAD OF PAID SERVICE

The Speaker of the Council made two announcements:

- She thanked and congratulated Councillor Craig Aston for his efforts in leading this year's Poppy Appeal which had already raised over £13,500.
- Following some poor behaviour at recent meetings the Speaker welcomed the new arrangements for managing the public gallery and asked Members to inform her immediately if any further issues arose during the meeting.

5. TO RECEIVE ANY PETITIONS

5.1 Petition to investigate the Roman Road regeneration cash

Mr Nigel McCollum addressed the meeting on behalf of the petitioners and responded to questions from Members.

Councillor Alibor Choudhury, Cabinet Member for Resources, advised the meeting that he was unable to comment on this matter in accordance with advice received from the Monitoring Officer.

Councillor Ohid Ahmed, Deputy Mayor, then responded to the issues raised. He highlighted that the Administration were committed to ensuring accountability to the public and they would investigate to ensure that the funds had been spent wisely. Following the investigations a response would be prepared for residents.

RESOLVED

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

5.2 Petition titled 'Just Money' regarding payday lending

Two representatives addressed the meeting on behalf of the petitioners and responded to questions from Members.

Councillor Alibor Choudhury, Cabinet Member for Resources, then responded to the issues raised. He thanked the petitioners for their campaign and expressed support for the desire to restrict the number of shops offering payday lending. He highlighted work the Council had already undertaken such as work with partnership agencies, a ban on their advertising in council media and making the public aware of the dangers in using them. He stated that the Council hoped to further develop the campaign alongside all interested partners.

RESOLVED

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

Procedural Motion

At this point Carlo Gibbs **moved** and Councillor Rachael Saunders **seconded** a procedural motion "that under Procedure Rule 14.1.3 the order of business be varied to debate Motion 12.9 ('Motion on reducing the cost of credit') as the next item of business.

The procedural motion was put to the vote and was **agreed**. The Council therefore proceeded to debate Motion 12.9 (see minute 12 below).

5.3 Petition to Stop Homophobia

The Speaker of the Council warmly welcomed to the meeting students and staff from George Green's School and expressed great pleasure that the students had shown such a keen interest in the local democratic process.

Four students from George Green's School addressed the meeting on behalf of the petitioners and responded to questions from Members, who also echoed the Speaker's remarks.

Councillor Ohid Ahmed, Deputy Mayor, thanked the students for their petition and presentation. He agreed that hate crime had no place in the Borough and he highlighted some of the work being undertaken such as the creation of dedicated safe places to report homophobic attacks. However, he emphasised that the Council was not complacent and would look to do more.

RESOLVED

That the petition be referred to the Service Head, Corporate Strategy and Equality for a written response on any outstanding matters within 28 days.

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

The following 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.

6.1 Question from Mr Mahbub Alam

In this time of austerity and cuts, what are you doing to engage local people in democracy?

Response by Councillor Ohid Ahmed, Deputy Mayor

The Mayor is committed to building local community structures to engage local people in local democracy and participation. This is being done through the introduction of the 17 Local Community Ward Forums (LCWFs). The LCWFs enable residents to raise, discuss and address local service priorities by promoting dialogue with service providers and commissioning locally relevant solutions through participatory budgeting. 87 Community Champion Coordinators have been recruited to support this new structure and deliver the new community offer. The council has provided each of the LCWF's a budget of £10,000 which will be used through participatory budgeting for local people to make local decisions on their local priorities.

(No supplementary question was put)

6.2 Question from Mr Chris Chapman

Will the Mayor state which organisations have been permitted to hire Millwall Park during 2013 and 2014, what is the financial reward to the council from such hirings and how much of this is reinvested on the Isle of Dogs?

Response by Councillor Rabina Khan, Cabinet Member for Housing

Over the last five years the Council has invested £250,000 in Millwall Park. In 2013 there was one commercial event in Millwall Park. This was the Oktoberfest, 3rd to the 6th October. There are no confirmed events in 2014 but the Oktoberfest have expressed an interest in returning. The details of the fees paid are commercially sensitive and therefore confidential. Any funds generated in parks go toward supporting council services. A minimum 10% of all fees generated in Millwall Park go direct to the parks services.

Summary of Supplementary Question from Mr Chris Chapman

Are public spaces best used for residents given that they are there fundamentally for the benefit of residents?

Summary of Councillor Rania Khan's response to the Supplementary Question

The park is well used by residents but it is the government's ideologically driven budget cuts that require the Council to have more events in parks to raise funds.

Procedural Motion

Following question 6.2, Councillor Tim Archer **moved**, and Councillor David Snowdon **seconded**, a procedural motion "that under Procedure Rule 14.1.3 the order of business be varied to debate Motion 12.8 ('Motion regarding Green Spaces') as the next item of business.

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

6.3 Question from Mr Terry McGreenera

Why does Tower Hamlets Council put restrictions on members of the public on exercising their democratic rights at meetings of the council?

Response by Councillor Ohid Ahmed, Deputy Mayor

The Council does allow the public to contribute to its meetings. Full Council meetings are the responsibility of the Speaker. The Mayor and Lead Members do not have any powers in this chamber. However, the exact rules are governed by the Speaker and Council itself and not the Executive.

Summary of Supplementary Question from Mr Terry McGreenera

The current rules restricting a resident's right to ask a number of questions at Council meetings are not democratic. Will you remove them?

Summary of Councillor Ohid Ahmed's response to the Supplementary Question

Full Council meetings are the responsibility of the Speaker. The Mayor and Lead Members do not have any powers in this chamber. It is for the Speaker and Council, rather than the Executive, to determine its rules of debate.

6.4 Question from Mr Paul Dietman

Why has the council stopped accepting cash for parking permits?

Response by Councillor Shahed Ali, Cabinet Member for Environment

Residents are still able to pay cash for parking permits – at all Post Offices and Pay Point shops.

We no longer have a specific Council cash office as there was extremely limited use of the service and using local shops and post offices is far easier for most residents.

(No supplementary question was put)

6.5 Question from Mr Daryl Stafford

Will the Mayor explain why he regards the White Swan as a sex establishment and if not what he will be doing to exclude the White Swan from his proposed policy on sex establishments?

Response by Councillor Rabina Khan, Cabinet Member for Housing

Anyone who has told you that the Mayor is responsible for this is deliberately misleading you.

Licensing law is made in Parliament, it is only the Council's job to enforce it - which we try to do in a sensitive way.

And anyone who says the White Swan is threatened with closure because of this is also deliberately misleading you.

The White Swan is not affected by this legislation as it holds "Grandfather Rights" that allow existing venues to operate as before.

Summary of Supplementary Question from Mr Daryl Stafford

Does that mean the White Swan is in effect excluded and not categorised as a sex establishment.

Summary of Councillor Rabina Khan's response to the Supplementary Question

As I stated, the White Swan is not affected by this legislation as it has "Grandfather Rights" that will allow it to continue operating as before.

6.6 Question from Mr Desmond Ellerbeck

Will the Mayor outline his proposals for curbing the antisocial behaviour prevalent in the public gallery during council meetings? So far I have witnessed personal insults, racial, misogynistic and homophobic chanting and heckling, often in more than one language, and always in full view of LBTH staff. Please explain how a 71 year old disabled Alzheimer's sufferer who takes out a camera is pounced upon by numerous security staff and the meeting is adjourned, yet no action is taken to curb the monthly occurrences of verbal abuse and intended intimidating actions listed above?

Response by Councillor Ohid Ahmed, Deputy Mayor

The Speaker chairs Full Council meetings and it is up to the speaker to control behaviour in the public gallery.

Summary of Supplementary Question from Mr Desmond Ellerbeck

Whilst I'm pleased to see the new measures in place why has it taken so long to address, especially considering many of the worst offenders appear to support the Mayor and his Cabinet?

Summary of Councillor Ohid Ahmed's response to the supplementary question

The Executive do not have the power to control the Council meeting. It is for the Speaker to control behaviour at Council meetings.

[Following this question Councillor Lesley Pavitt, Speaker of the Council, raised a point of personal explanation to state that she had requested the new control measures that had been put in place at the meeting and had asked Members to alert her to any problems that occurred.]

6.7 Question from Mr Neil King

Will the Mayor publicly state his revised policy on use of Taxis by members of his administration?

Response by Councillor Alibor Choudhury, Cabinet Member for Resources

The policy on the use of taxis that had been implemented by the previous Labour Administration has changed. The Mayor has stated that no Cabinet Members can use taxis except in exceptional circumstances and since the new policy has been put in place no taxis have been used.

Summary of Supplementary Question from Mr Neil King

When they are so worried about austerity cuts how many Executive Members will be paying the Council back for previous taxi usage?

Summary of Councillor Alibor Choudhury's response to the Supplementary Question

Taxis are only taken in exceptional circumstance and since the new policy has been put in place no taxis have been used by Cabinet members.

6.8 Question from Mr Carlton Boulter

In August we were proud to host the East End Coronation Anniversary Gala in Bow. This community-led event which unified and showcased all diverse sections of our borough coincided with the handing back to the community of our centre - the Francis Lee Community Centre. The Centre was re-opened on the day by Her Royal Highness The Duchess of Gloucester. However, with regret, Old Ford Housing Association are now refusing to allow residents to fully manage our centres, merely offering us management in the evenings. This is not acceptable to our local community. What can you do to help us put localism into action and empower our vibrant community?

Response by Councillor Rabina Khan, Cabinet Member for Housing

Congratulations on the event that you held. I met some of the residents there who brought this issue to my attention. I have arranged a meeting with the CEO of the Old Ford Housing Association and I will keep you informed of the results of that meeting.

Summary of Supplementary Question from Mr Carlton Boulter

This is a small part of a bigger problem in that Old Ford Housing Association has become such a large scale organisation that it has lost touch with what residents want on the ground. We need it to be locally managed by local people.

(There was no further response from Councillor Rabina Khan)

6.9 Question from Ms Carlie Barnes

An invitation has been received from the Governor of Jenin to enter into formal twinning with Tower Hamlets. What is the Mayor's position on this?

Response by Councillor Ohid Ahmed, Deputy Mayor

The Mayor and Executive fully sympathise with the Palestinian people. There is a motion on the agenda later on this subject that we hope the Council will support.

[Note - There was no time left to allow a supplementary question]

Procedural Motion

Following question 6.9, Councillor Shahed Ali **moved**, and Councillor Kabir Ahmed **seconded**, a procedural motion "that under Procedure Rule 14.1.3 the order of business be varied to debate Motion 12.14 ('Motion regarding Twinning Tower Hamlets and the Governorate of Jenin') as the next item of business.

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

[Note: The following Councillors each asked that it be recorded that they had voted in favour of the above procedural motion moved by Councillor Shahed Ali: Councillor Kabir Ahmed, Councillor Ohid Ahmed, Councillor Rofique U Ahmed, Councillor Shahed Ali, Councillor Abdul Asad, Councillor Alibor Choudhury, Councillor Shafiqul Haque, Councillor Aminur Khan, Councillor Rabina Khan, Councillor Rania Khan, Councillor Harun Miah, Councillor Maium Miah, Councillor Oliur Rahman and Councillor Gulam Robbani.]

Questions 6.10 and 6.11 were not put due to a lack of time. The Service Head, Democratic Services indicated that written responses would be

provided to the questions. [Note: The written responses are attached at Appendix A to these minutes.]

7. **MAYOR'S REPORT**

The Mayor made his report to the Council meeting, extending a welcome to all present. During his report he expressed condolences to the families of the cyclists who had been killed in recent accidents on roads in the Borough. He concluded by wishing season's greetings to those celebrating Christmas and Hanukkah.

When the Mayor had completed his report, the Leader of the Majority Group and the Leaders of the Minority Groups then each responded briefly.

Procedural Motion

At this point Councillor Carlo Gibbs **moved**, and Councillor Rachael Saunders **seconded**, a procedural motion "that under Procedure Rule 14.1.15, Rule 13.1 be suspended to enable an urgent motion on Cycling Safety to be debated without notice as the next item of business." The text of the proposed urgent motion was circulated to the meeting.

The procedural motion was put to the vote and was **agreed**. The Council therefore proceeded to debate the urgent motion (see minute 13 below).

8. **TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL**

The following 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.

8.1 Question from Councillor Rachael Saunders

Is the Mayor prepared to be honest about how his re-election campaign is being funded?

Response by Councillor Alibor Choudhury, Cabinet Member for Resources

The Mayor fully complies with the law. If you have specific allegations then you should list them.

Summary of Supplementary Question from Councillor Rachael Saunders

Does the Mayor pay for his canvassers and if so how? Is he aware of people claiming to be from Tower Hamlets Homes who have been distributing his leaflets? Has he investigated and does he think this may be fraudulent? Why

has he only made one donations submission to the Electoral Commission and how does he fund his campaign?

Summary of Councillor Alibor Choudhury's response to the Supplementary Question

These are unfounded allegations and no wrong doing has been found.

Procedural Motion

Following Question 8.1 Councillor Carlo Gibbs **moved**, and Councillor Helal Abbas **seconded**, a procedural motion "that under Procedure Rule 14.1.15, Rule 13.1 be suspended to enable an urgent motion on Canvassing allegations and the use of Council resources to be debated without notice as the next item of business." The text of the proposed urgent motion was circulated to the meeting.

The procedural motion was put to the vote and was **agreed**. The Council therefore proceeded to debate the urgent motion (see minute 13 below).

8.2 Question from Councillor Tim Archer

Will the Mayor please outline how his "Community Champions" were selected, and what steps were taken to ensure they were representative of the entire Tower Hamlets community?

Response by Councillor Ohid Ahmed, Deputy Mayor

87 community champions were recruited reflecting all the local communities in the borough. Two rounds of recruitment took place and a variety of channels were used to encourage applications from across our communities including road shows, community networks, outreach through specialist interest groups and the council's equality groups.

Volunteer Centre Tower Hamlets (VCTH) assessed all applicants and made recommendations to the Tower Hamlets Partnership Executive. The Tower Hamlets Partnership Executive accepted all of VCTH's recommendations.

Summary of Supplementary Question from Councillor Tim Archer

Were any councillors involved in this process? Transparency is surely important but two have not allowed themselves to be named can this be right?

Summary of Councillor Ohid Ahmed's response to the Supplementary Question

No councillors were involved in the process. It is up to the Community Champions whether they wish to be named or not.

8.3 Question from Councillor Carlo Gibbs

Why has the Mayor suspended the community chest and transferred the funds to the community events fund?

Response by Councillor Alibor Choudhury, Cabinet Member for Resources

As part of the Officers report to the Corporate Grants Programme Board (CGPB) of 11 June 2013, it was noted that there was a significant oversubscription (of requested funds) for the Community Events Fund. The Board's recommendation was: to clear the oversubscription by transferring funds from the Community Chest Budget into the Community Events Budget.

The rationale for the recommendation was based on the fact that there appeared to be an inequitable distribution of the available budget between these funds over the 2 year period 2012/14: Community Chest £588,000 Fund as opposed to only £100,000 for the Community Events Fund.

With the Community Chest suspended and the transfer of monies to the Community Events Fund, the revised budget over the 2 years changes to:

- Community Chest £426,305
- Community Events £261,695

In due course the CGPB will receive a report from officers setting out proposals for the 2014/15 programme.

Summary of Supplementary Question from Councillor Carlo Gibbs

The decisions were made behind closed doors will he permit the publication of the minutes from community events and community chest panels.

Summary of Councillors Alibor Choudhury's response to the Supplementary Question

I understand that officers have already supplied you with all the papers you have requested.

8.5 Question from Councillor Shiria Khatun

Why has enough not been done to reduce Antisocial Behaviour (ASB) on the Brownfield Estate in my ward?

Response by Councillor Ohid Ahmed, Deputy Mayor

I am also a Councillor for east India and Lansbury Ward and I often meet residents from the Brownfield Estate. In fact I met many residents there on the street this morning and we're doing a lot to help them.

I want to say that we take ASB very seriously. That's why I'm proud of the fact that despite the incorrect figures being bandied about by the Labour Party; crime in Tower Hamlets has fallen MORE than in Hackney and Newham.

So despite Cllr Sirajul's assertions in the local paper, we won't be following their example when it comes to policing:

Over the last 3 months the Council's Community Safety team have deployed our THEO's to provide extra reassurance and their local patrols have been co-ordinated with the police.

The Partnership Task Force, The Gangs Unit as well as Neighbourhood Policing teams have also been deployed to tackle crime and ASB on the estate. This coordinated action has resulted in over 60 stops of individuals for ASB and in Poplar HARCA issuing tenancy warnings to residents and injunctions prohibiting people entering the area.

However, we also recognise the very important role local people can play in helping to reduce ASB and that is why we are setting up Local Community Ward Forums to help us support local action more effectively.

Summary of Supplementary Question from Councillor Shiria Khatun

Why are the residents of Brownfield Estate suffering from increasing ASB whilst the Deputy Mayor is gallivanting at lavish dinners and not attending local walkabouts?

Summary of Councillor Ohid Ahmed's response to the Supplementary Question

I did not attend the walkabout you mentioned as I was ill but last year I attended 14 walkabouts whereas you did not even attend your own ward walkabout and neither did many leading Labour councillors. Similarly this year both you and Cllr Rajib Ahmed failed to take part while many residents of the ward came out in the cold and rain.

8.6 Question from Councillor David Snowdon

A number of new parking spaces have recently been marked out on Westferry Road opposite the Clifton Restaurant and Supermarket. Cllr Davis and I have had a large number of complaints that cars parking in these spaces have led to reduced visibility for cars turning off and onto Westferry Road. Will the Mayor explain as to whose instigation were these parking spaces marked out?

Response by Councillor Shahed Ali, Cabinet Member for Environment

I would welcome Members raising these sorts of issues when they arise rather than waiting for the next Full Council meeting.

As part of the planned Highways resurfacing project in Westferry Road, the opportunity was taken to review the parking facilities and maximise the opportunities presented. There is also a local fire station there who would be in a good place to advise us of concerns but they have not raised any issues.

Summary of Supplementary Question from Councillor David Snowdon

Will you respond to the concerns raised directly to officers by local residents and an elected member?

Summary of Councillor Shahed Ali's response to the Supplementary Question

Notices were clearly put up inviting residents to submit concerns but I am not aware that anyone has done so.

Procedural Motion

Councillor Carlo Gibbs **moved**, and Councillor John Pierce **seconded**, a procedural motion "that under Procedure Rule 9 the meeting be extended for up to 30 minutes to enable the remaining business items 9 and 11, and Motions 12.13 and 12.11 to be considered."

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

Procedural Motion

Following Question 8.6 Councillor Carlo Gibbs **moved**, and Councillor Sirajul Islam **seconded**, a procedural motion "that under Procedure Rule 14.1.9 the Council proceed to next business."

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

Question 8.4 was not put as the questioner was not present. Questions 8.7 to 8.26 were not put due to lack of time. The Service Head, Democratic Services indicated that written responses would be provided to the questions. [Note: The written responses are attached at Appendix A to these minutes.]

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

9.1 Community Safety Partnership Plan 2013-16: Report from Cabinet Meeting, 11th September 2013

The Council considered the proposals of the Executive for the Community Safety Plan 2013-16.

Councillor Ohid Ahmed **moved**, and Councillor Alibor Choudhury **seconded**, the recommendation as set out in the report.

Procedural motion

During the debate Councillor Carlo Gibbs **moved**, and Councillor Sirajul Islam **seconded**, a procedural motion “that under Procedure Rule 14.1.3 the order of business be varied to debate Motion 12.3 (‘Motion on tackling crime in Tower Hamlets’) immediately.”

The procedural motion was put to the vote and was **agreed**. The Council therefore proceeded to debate Motion 12.3 (see minute 12 below).

Councillor Carlo Gibbs then **moved**, and Councillor Abdal Ullah **seconded**, an amendment as follows:-

“To refer the Community Safety Plan back to the Mayor and Cabinet for reconsideration and to take into account the serious comments and concerns raised by the Council in its decision at Motion 12.3 ‘Tackling Crime in Tower Hamlets’. Following debate, the amendment was put to the vote and was **agreed**. Accordingly it was:-

RESOLVED

To refer the Community Safety Plan back to the Mayor and Cabinet for reconsideration and to take into account the serious comments and concerns raised by the Council in its decision at Motion 12.3 ‘Tackling Crime in Tower Hamlets’.

9.2 Council Tax Replacement Scheme Year Two: Report from Cabinet Meeting, 6th November 2013

The Council considered the report of the Corporate Director Resources, including the recommendations from the Cabinet meeting on 6th November 2013 regarding the Council Tax Replacement Scheme Year Two.

Under the guillotine procedure the recommendations were put to the vote and were **agreed**.

RESOLVED

That the Council agree the proposed Council Tax Replacement Scheme for 2014/15.

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 Consideration of the Adoption of the Sexual Entertainment Licensing Regime, Policing and Crime Act 2009

The Service Head, Democratic Services advised the Council that this agenda item had been **withdrawn**.

11.2 Appointments to Joint Health Overview and Scrutiny Committees - Delegation of Power

The Council considered the report of the Head of Paid Service on the delegation of powers to the Overview and Scrutiny Committee to appoint to joint health scrutiny committees on behalf of the Council.

Under the Guillotine Procedure the recommendations in the report were put to the vote and were **agreed**.

RESOLVED

1. To delegate to the Overview and Scrutiny Committee the power to establish and make appointments to a joint overview and scrutiny committee.
2. To authorise any necessary and consequential amendment to the Council's Constitution to put into effect the above delegation.

11.3 Mid-Year Review Report on 2013/14 Treasury Management and Investment Strategy

The Council considered the report of the Corporate Director Resources reviewing progress on the Treasury Management and Investment Strategy.

NB: A corrected version of page 284 of the report was circulated to the meeting and is attached at Appendix B to these minutes.

Under the guillotine procedure the recommendation set out in the report was put to the vote and was **agreed**. Accordingly it was:-

RESOLVED

To note the content of the report.

11.4 Monitoring Officer

The Council considered proposed arrangements in connection with the role of Monitoring Officer.

Under the guillotine procedure the recommendations in the agenda were put to the vote and were **agreed**. Accordingly it was:-

RESOLVED

1. That subject to the outcome of consultation and implementation of the restructure of the Chief Executive's directorate, the proposed new post of Director of Law, Probity and Governance, once established, be designated as the Council's Monitoring Officer
2. That the interim arrangements for the position of Monitoring Officer be extended until an appointment is made to the above post.

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

12.3 Motion regarding Tackling Crime in Tower Hamlets

Councillor Abdal Ullah **moved**, and Councillor Shiria Khatun **seconded** the motion as printed in the agenda subject to a number of alterations as tabled.

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

RESOLVED

This Council notes:

- That by the Metropolitan Police's own figures crime in Tower Hamlets has increased 1.4% since 2010.
- Over the same period crime in neighbouring in Newham is down 8% and in Barking and Dagenham it is down 10%.
- In 2011/12 there were almost 20,000 reported incidents of anti-social behaviour.
- Tower Hamlets has the second highest levels of anti-social behaviour in London (p. 149)
- Figures in the Community Safety Plan, buried on page 130, show that between October 2009 and September 2012 robberies were up 50%, knife crime was up 49%

- In the 2013 Annual Residents Survey 41% of people said crime was one of their top three concerns, this was the biggest overall concern from residents.
- The Mayor's Community Safety Plan makes no reference to the significant increases in crime and ASB nor does it give a true appreciation of the key challenges facing the borough.
- The Mayor vetoed Labour's proposal at the 2011 Budget to fund 17 new police officers.
- That crime figures previously published on the Metropolitan Police Website were deemed inaccurate last week over a month after Labour first raised concerns about the increasing crime levels.

This Council Believes:

- That the Mayor's complacent approach to crime has meant the Council has not been focused on tackling what residents see as the most important issue facing our borough.
- The borough needs a Mayor who will show leadership in facing up to and challenging anti-social behaviour, tasking council officers appropriately and working in partnership with other organisations including the police.
- That the inaccurate crime statistics previously published on the Metropolitan police's website, and the fact that it took the Council over a month to realise the figures were inaccurate, show the level of disorganisation between the police and the Council.

This Council further notes:

- Neighbourhood policing has been essentially destroyed – many wards now have just one PC and one PCSO.
- The positive impact of the Safer Neighbourhood Teams which were introduced by the Labour Government and Labour Council in Tower Hamlets. That the SNTs helped to not only reduce crime in Tower Hamlets but also increased public confidence in the police.
- The changes introduced by Boris Johnson which have cut Safer Neighbourhood Teams to the bone by cutting the teams to one police officer and one police community support officer per ward, down from six officers under Labour.
- The CSP figures show that incidences of arson in the borough are down 31% since 2009/10.
- Boris Johnson continues to pursue his plan to close half of the borough's police stations as well as closing Bow fire station and halving

the number of fire engines at Whitechapel.

This Council further believes:

- The neighbourhood policing model introduced by the last Labour Government and piloted by the Labour council was a strong and successful model for local policing.
- Under the current Mayor of London neighbourhood policing has been significantly dismantled.
- The current Mayor of Tower Hamlets has completely failed to protect the community policing model which was so successful after Labour introduced it.
- Boris Johnson's cuts to police and fire stations in the borough will have a detrimental effect on community safety.
- The closure of Bow and cuts at Whitechapel fire station will not only reduce capacity but also put additional pressure on the remaining stations and staff. This will in turn reduce their ability to undertake fire prevention outreach work and could threaten to reverse the positive gains made over previous years.

This Council resolves:

- To condemn the Mayor of Tower Hamlets for his failure of leadership in tackling crime and anti-social behaviour.
- To reassert the importance of strong and locally integrated neighbourhood policing team and to support Labour's approach to reassert a neighbourhood policing model.
- To reiterate Labour's call for the Mayor to support and fund new police officers as opposed to additional THEOs.
- To refer the Community Safety Plan back to the Mayor and Cabinet for reconsideration and to take into account the serious comments and concerns raised by Council.

12.9 Motion regarding dealing with the cost of credit

Councillor Anwar Khan **moved**, and Councillor Rachael Saunders **seconded** the motion as printed in the agenda.

Councillor Alibor Choudhury **moved**, and Councillor Oliur Rahman **seconded** a tabled amendment as follows:-

"Under Notes:

Add the following-

That the coalition Government has finally bowed to pressure from campaigners to change the law and impose a duty on the Financial Conduct Authority to cap the cost of pay day loans.

That the Council prohibits advertisements from pay-day loan companies in all council publications.

That the Council actively promotes the London Community Credit Union, which has 3 offices in Tower Hamlets. This includes funding the quarterly advertisement in East End Life, organising presentations to housing providers and other key stakeholders, operating a payroll deduction scheme and promoting information on credit union savings schemes in local children's centres and schools.

That the Financial Inclusion Strategy and Action Plan endorsed by Tower Hamlets Partnership and Cabinet in July 2013, sets out how the Council will work with schools, community organisations, housing providers, faith organisations and providers of debt and money management advice to ensure that every resident of Tower Hamlets has access to financial advice and support.

Under resolves:

Add:-

To support the actions that this administration is taking to clamp down on legal loan sharks.

Delete: 'That payday loan firms should be banned from advertising in Council publications or on Council-owned advertising boards, from all public computers' (as this is already taking place).

Delete: 'To promote credit unions in Tower Hamlets as community based organisations offering access to affordable credit and promoting saving' (as this is already taking place)

Delete: To work with school, community organisations, housing providers, faith organisations and providers of debt and money management advice to ensure that every resident of Tower Hamlets has access to financial advice and support (as this is already taking place)

Add:

'To congratulate those involved in the campaign, and in particular the Walthamstow MP, Stella Creasy, on their achievement of this dramatic u-turn from the coalition Government in capping pay-day loans.'

Following debate the amendment moved by Councillor Alibor Choudhury was put to the vote and was **defeated**.

[Note: The following Councillors requested that it be recorded that they had voted in favour of the amendment moved by Councillor Alibor Choudhury:- Councillor Kabir Ahmed, Councillor Ohid Ahmed, Councillor Rofique U Ahmed, Councillor Shahed Ali, Councillor Abdul Asad, Councillor Alibor Choudhury, Councillor Shafiqul Haque, Councillor Aminur Khan, Councillor Rabina Khan, Councillor Rania Khan, Councillor Harun Miah, Councillor Maium Miah, Councillor Oliur Rahman and Councillor Gulam Robbani.]

Councillors Anwar Khan and Rachael Saunders made minor amendments to their motion to address points that had been raised during the debate. Following further debate the substantive motion was put to the vote and was **agreed**. Accordingly it was:-

RESOLVED

This Council notes:

- The UK-wide campaign to end 'legal loan sharking'.
- The outrageous interest rates charged by some pay day lenders
- The way in which these loans trap people in spirals of unmanageable debt.
- That as Christmas approaches these companies will seek to use public advertising to target people in our borough who are struggling to make ends meet.
- That unaffordable credit is extracting wealth from the most deprived communities.
- The 'Just Money' campaign by UK Citizens that brought this matter to the attention of the Council.

This Council believes:

- That the lack of access to affordable credit is socially and economically damaging.
- Unaffordable credit is causing a myriad of unwanted effects such as poorer diets, colder homes, rent, council tax and utility arrears, depression and poor physical and mental health.
- That there is a need for better regulation of the payday lending sector, including a cap of the total cost of credit.
- That until such regulation is introduced Tower Hamlets Council should work with partners to do all it can to protect people from usurious lending.

This Council Resolves:

- That payday loan firms should be banned from setting up businesses in commercial property owned by the local authority.
- That pay day loan firms should be banned from advertising in property owned by the council.
- That payday loan firms should be banned from advertising in Council publications or on Council owned advertising boards, from all public computers.
- To promote credit unions in Tower Hamlets as community based organisations offering access to affordable credit and promoting saving.
- To work with school, community organisations, housing providers, faith organisations and providers of debt and money management advice to ensure that every resident of Tower Hamlets has access to financial advice and support.
- That the Council writes to the Mayor of London Boris Johnson, Sir Peter Hendy (Commissioner of Transport for London) and Vernon Everitt (Managing Director, Customer Experience, Marketing and Communications) informing them of the Council's decision to ban payday loan advertising in the borough and asking them to consider amending the TfL Advertising Policy to include a similar ban on all London public transport.
- Instructs the Corporate Director, CLC, to report in writing to the next full Council meeting, the steps the Council or Mayor could take to limit the proliferation and impact of high street credit outlets in the borough.
- To call on the government to introduce caps on the total lending rates that can be charged for providing credit.
- To call on the government to give local authorities the power to veto licences for high street credit agencies where they could have negative economic or social impacts on communities.
- To request the Heads of Planning and Licensing to report to the next Council meeting on ways in which officers can use powers at their disposal to ensure that the Council is doing all it can to prevent the promotion, publicity or opening of payday loan outlets or providers.
- To congratulate those involved in the campaign, and in particular the Walthamstow MP, Stella Creasy.

Motion 12.5, regarding the political situation in Bangladesh, was **withdrawn**.

The remaining motions 12.1, 12.2, 12.4, 12.6 to 12.8 and 12.10 to 12.18 were not debated due to lack of time.

13. URGENT MOTIONS

The Council agreed to suspend Procedure Rule 13.1 to enable the following motions to be debated without notice:

13.1 Urgent Motion on Cycle Safety

Councillor John Pierce **moved**, and Councillor M A Mukit MBE **seconded** the motion as tabled.

Councillor Harun Miah moved an amendment to add to the third point under 'this council resolves' reference to the Cable Street cycle lane, which was accepted by Councillors Pierce and Mukit.

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

RESOLVED

This Council Notes:

- Six people have now tragically died on Cycle Superhighway 2 (CS2)
- CS2 was recently labelled an "accident waiting to happen" by the coroner investigating the recent deaths of cyclists along the route.
- London Cycling Campaign's Space for Cycling campaign calling on Transport for London and local authorities to ensure:
 - o Safer Routes for schoolchildren
 - o Streets without through motor traffic
 - o Protected space on main roads/major junctions
 - o Safe cycle routes via parks and canals
 - o 20mph speed limits
 - o Liveable town centres
- That despite the high number of accidents involving lorries Tower Hamlets Council only scores 3/5 on the London Cycling Campaign's Safer Lorries rating.
- That over 10,000 Londoners have written to the Mayor in support of the London Cycling Campaign who want an urgent review of CS2.

- Labour London Assembly Member John Biggs has led the way campaigning passionately on cycle and pedestrian safety for many years.
- That he will tomorrow host a high level CS2 Safety Summit giving local residents and cyclists who use the CS2 an opportunity to air their views on what actions should be taken and to agree a list of demands for the Mayor of London and Transport for London.
- Labour representatives in the GLA have consistently put forward tangible solutions to make London safer for cyclists including calling for segregation of cycle lanes as well as an early phase for cyclists at traffic lights.

This Council believes:

- That cycle safety is a vitally important issue not only for road users but also to support cultural change and encourage more people to take up cycling.
- John Biggs' work on the London Assembly over the past years has helped to highlight this as an important issue and that his proposals for segregated lanes and early phases for traffic lights would help to protect cyclists.

This Council further notes:

- The Mayor of Tower Hamlets' dangerously ill-designed cycle scheme in Bethnal Green which was condemned by the Cyclists in the City group as a "new contender for the worst bike lane in London" and labelling its creation as "an utter scandal" with "absolutely no excuse".
- The bike lane was littered with lamp posts and parking ticket machines blocking its path as well as having car parking
- That during the planning process Tower Hamlets Wheelers described the scheme as "[a waste of money" saying it was "unclear who was meant to be benefiting" from the work.](#)
- The IbikeLondon blog described the Bethnal Green route as "woefully inadequate; narrow, within the dooring zone of the parked cars, and ridiculously short before they spit you back in to the road from behind some parking." And actually encourage cyclists to boycott the paths as the (now narrower) roads are actually safer than the cycle route.

This Council further believes:

- That whilst the Mayor of Tower Hamlets may say the right things on cycle safety he does not understand that cycling cannot be treated as a fashionable add-on. It needs to be integrated into the heart of road design and that badly designed cycle routes, whether CS2 or the

Bethnal Green route actually put cyclists in more danger.

- That the widely condemned Bethnal Green route puts cyclists at more danger as a result of both the poor design of the cycle route and the narrower road space.

This Council resolves:

- To call on the Mayor of London to attend tomorrow's CS2 Safety Summit to hear the concerns of local residents.
- To support the proposals resulting from John Biggs' consultations with residents and cyclists at the CS2 Safety Summit and to write to the Mayor of London in support of that work.
- To call on the Mayor of Tower Hamlets to fully review the Bethnal Green cycle route project and the Cable Street cycle lane and to report back to Council on what went wrong.
- To support the London Cycling Campaign's Safer Lorries Campaign and to strongly encourage contractors used by the Council to meet its Safer Lorries conditions.

13.2 Urgent motion – Canvassing allegations and use of Council resources

Councillor Rachael Saunders **moved**, and Councillor Helal Abbas **seconded** the motion as tabled.

Councillor Bill Turner moved an amendment to add under 'this council believes' – "that it is regrettable that the Mayor remained silent when asked about these matters by Councillor Rachael Saunders at the Council meeting on 27th November 2013." This amendment was accepted by Councillors Saunders and Abbas.

Councillor Rachael Saunders **moved** and Councillor Helal Abbas **seconded** a further amendment to add under 'this council resolves' – "to call on the Head of Paid Service to carry out an audit of all Council pass holders and all individuals with access to the Council's information systems."

Following debate, the amendment moved by Councillor Saunders was put to the vote and was **agreed**. The substantive motion as amended was then put to the vote and was **agreed**. Accordingly it was:-

RESOLVED

This Council notes:

- The article on the LoveWapping website entitled "Tower Hamlets Homes 'staff' canvassing for Mayor Lutfur in Wapping" which includes

allegations that people purporting to be from Tower Hamlets Homes were undertaking electoral canvassing for the current Mayor of Tower Hamlets Lutfur Rahman.

- That were the allegations true this would be a significant abuse of tax payer resources and would greatly undermine the integrity of Tower Hamlets Homes staff.
- That were these people not Tower Hamlets Homes staff, and were instead impersonating them, this would constitute an offence of obtaining information by deception as well as being tantamount to electoral fraud and misrepresentation.
- In response to the allegations Tower Hamlets Homes issued a statement on their website reading:

“We have had reports that people claiming to be Tower Hamlets Homes staff are knocking on doors, particularly in the Wapping area. All THH staff carry ID cards.”
- Tower Hamlets Homes has initiated investigations into the allegations.

This Council believes:

- That the Mayor should cooperate fully with the THH investigation and that neither he or any parties acting on his behalf should exert any influence on those involved.
- The Mayor should make a statement on the issue confirming whether or not these people are part of or associated with his re-election team, and if not, how and why they are promoting his work and distributing campaign materials.
- The Monitoring Officer, Returning Officer and Head of Paid Service should work with THH and the police to fully investigate this matter to ensure that residents can have faith that those undertaking political campaigning are following the rules as set out by the Electoral Commission.
- That it is regrettable that the Mayor remained silent when asked about these matters by Councillor Rachael Saunders at the Council meeting on 27th November 2013.

This Council Further notes:

- In the 2011 Budget the Mayor put forward proposals to cut support to democratic services by £323,000 and that this was partly funded by the banning of acknowledgement letters for members enquiries apart from in exceptional circumstances.
- A recent Freedom of Information response which revealed that whilst only 9 acknowledgement letters had been sent from opposition

councillors this financial year, 4322 have been sent by the Mayor and independent councillors at a cost of £2,221 and over a week of officer time.

This Council further believes:

- The Mayor introduced new rules banning acknowledgement letters which were purposely applied to opposition councillors but not to his own office and supporters.
- The Mayor's office categorically failed to ensure that staff working were following the correct procedures and that this has led to £2,221 of tax payer's money being wasted and over a week of Council officers time and resources being unfairly used for political gain.
- Unsolicited letters to residents should not be funded by Council resources – they are political direct mails and will be costing the tax payer thousands of pounds in postage.

This Council resolves:

- To instruct the Head of Paid Service to undertake a full investigation into why acknowledgement letters continued to be issued from the Mayor's office despite the new policy as set out in the Budget agreed by Council in 2011, and to take appropriate disciplinary action.
- To instruct the Monitoring Officer, Returning Officer and Head of Paid Service to work with THH and the police to fully investigate the concerns that THH staff may be using their position for electoral canvassing, or that they or members of Council staff are being impersonated for this purpose.
- To call upon the Mayor and independent Councillors to cooperate fully with these investigations.
- To call on the Head of Paid Service to carry out an audit of all Council pass holders and all individuals with access to the Council's information systems

The meeting ended at 11.08 p.m.

Speaker of the Council

**APPENDIX A – WRITTEN ANSWERS TO PUBLIC AND MEMBERS’
QUESTIONS NOT PUT AT THE COUNCIL MEETING**

6.10 Question from Mr Guy Shennan

You will be aware of the extensive links between schools and community groups within Tower Hamlets and Palestine. Are you keen to further develop these links?

Written response by Councillor Oliur Rahman, Cabinet Member for Environment

Thank you for your question. I agree with the sentiments of your question.

Broadening the minds of our young people by exposing them to different cultures and ways of life can only be a good thing.

6.11 Question from Mr Seb Lynch

With regards to the gay friendly venue the Joiners Arms on Hackney Road, why are the Council considering reducing the licensing hours of one of the very few gay pubs left in the borough?

Written response by Councillor Ohid Ahmed, Deputy Mayor

Thank you for your question.

It is the Metropolitan Police who have requested a review of the current opening times of the Joiners’ Arms due to the level of crime and disorder around the venue.

We are obliged under the Licensing Act 2003, to organise a Licensing Sub Committee to determine the licensing review that has been put forward by the Metropolitan Police.

It will be up to the members of the licensing committee to determine the hours.

8.4 Question from Councillor Fozol Miah

Would the lead member agree with me that the system of corporate governance and accountability of free schools to parents and community has been found to be seriously flawed in the light of a number of scandals besetting free schools across the country and would the lead member confirm that the council is doing everything necessary to ensure that any free schools set up in Tower Hamlets have a system of corporate governance and parental

and community accountability far above the minimum standards currently set by the government?

Written response by Councillor Oliur Rahman, Cabinet Member for Children's Services

You will know that both I and the Mayor have consistently opposed our schools turning into academies as well as the creation of Free Schools in the borough.

Free Schools fall under the control of the Secretary of State for Education and it is he who is responsible for their governance and accountability. Unfortunately we have very few powers to compel Free Schools to follow our high standards.

We are deeply aware of how the decreased regulation of schools under the Academies Act, and its side-lining of Local Council have led to serious issues.

For this reason, we have resisted conversion to Academy status where possible. We have an excellent track record of keeping schools at a good and outstanding level, and turn them around incredibly quickly when they fall behind.

The support schools receive from the Council and as part of the family of schools is the reason we have seen such impressive results and why schools in our borough are not converting to Academies.

Where Free Schools have emerged in the borough, we do everything we can to ensure our Free Schools adhere to our policies around admissions and have high standards of governance.

8.7 Question from Councillor Abdal Ullah

What has the Mayor done about the decimation of Safer Neighbourhood police teams?

Written response by Councillor Ohid Ahmed, Deputy Mayor

I want to say that we take ASB very seriously. That's why I'm proud of the fact that despite the incorrect figures being bandied about by the Labour Party; crime in Tower Hamlets has fallen MORE than in Hackney and Newham. In fact it is down 7 per cent this year. So despite Cllr Sirajul's assertions in the local paper, we won't be following their example when it comes to policing.

I'm also surprised that despite his experience working with the police, Cllr Ullah doesn't understand that it is Boris' cuts that have forced us to change the structure of our SNTs. The Mayor has written to Boris to protest these cuts in the strongest possible way.

8.8 Question from Councillor Kabir Ahmed

In the light of the rising number of deaths and injuries to cyclists both in Tower Hamlets and across London, can the Lead Member tell us what can be done to improve cycle safety?

Written response by Councillor Shahed Ali, Cabinet Member Environment

Firstly I would like to offer my condolences to the families of all those cyclists who have been tragically killed on London's roads. I think it is unacceptable that Boris Johnson is seeking to try place the blame for these deaths on cyclists.

The Mayor has written to Boris Johnson asking for an urgent meeting to discuss measures to make the Bow roundabout safer and called on him to undertake an urgent review of the Cycle Superhighway in Tower Hamlets.

In respect of Cycle Superhighway 2, the Mayor has been lobbying TfL, the traffic authority for that road, since he came into office for improvements to crossing facilities at Bow roundabout.

The Mayor is also aware that Heavy Good's Vehicles (HGV'S) pose a particular danger for cyclists. That's why we have ensured that our highways-related contractors are fully engaged in the London-wide HGV safety accreditation scheme.

We are incorporating a requirement in all new Council contracts for HGV fleets to join this scheme which includes driver awareness training, and provision of safety equipment such as anti-drag bars and mirrors to improve drivers' vision around the vehicle.

That's not all we are doing.

We have already invested additional funding in cycling improvements in the borough in 2013-14. We are planning to deliver more quiet routes for cycling in future, with a new route along Derbyshire Street.

We have built a new bridge across the Regents Canal from Meath Gardens to Mile End Park to open up this new quiet east – west route.

Finally, we want to ensure our cyclist cycle safely. That's why the council is providing free cycle training for any adult who lives, works or studies in Tower Hamlets.

8.9 Question from Councillor John Pierce

What has the Mayor of Tower Hamlets done to improve cycle safety in the borough?

Written response by Councillor Shahed Ali, Cabinet Member for Environment

This administration takes cyclists safety very seriously.

We have already invested additional funding in cycling improvements in the borough in 2013-14. We are providing free cycle training for any adult who lives, works or studies in Tower Hamlets.

We have built a new bridge across the Regents Canal from Meath Gardens to Mile End Park as a means of opening up these routes. We have planned in an extension to the Connect2 route between Bethnal Green and Bow as well as a new North-South route along the river Lea.

The Mayor is also aware that Heavy Good's Vehicles (HGV'S) pose a particular danger for cyclists. That's why we have ensured that our highways-related contractors are fully engaged in the London-wide HGV safety accreditation scheme.

We are incorporating a requirement in all new Council contracts for HGV fleets to join this scheme which includes driver awareness training, and provision of safety equipment such as anti-drag bars and mirrors to improve driver's vision around the vehicle.

The Mayor is especially concerned about the safety at Bow roundabout and has repeatedly expressed those concerns to Boris Johnson whose responsibility it is to ensure cyclists safety at Bow roundabout.

Unfortunately, we are hampered in our desire to improve cycle safety by Boris Johnson's attempt to evade his responsibility for cycle safety and lay the blame on cyclists instead.

That's why it is important that all politicians unite with cyclists groups to maximise the pressure on the Mayor of London to act now to improve cyclists safety in London.

8.10 Question from Councillor Peter Golds

The 4th November Edition of East End Life contained on pages 16 and 17 what can only be described as a Council-paid advert for the administration.

Will the Mayor give an undertaking to pay to Tower Hamlets the commercial rate for this double page spread, not least as the Local Audit and Accountability Bill, which received an unopposed second reading in the House of Commons, will soon receive Royal Assent and the Secretary of State will be legally empowered to direct the closure of East End Life?

Written response by Councillor Alibor Choudhury, Cabinet Member for Resources

The purpose of East End Life is to inform residents about their borough, highlight the work the Mayor and Council are doing with council tax payers money and promote council services and activities.

East End Life also aims to promote Tower Hamlets to build and strengthen community cohesion, encourage engagement with residents on issues ranging from public health to crime and community safety and encourage economic growth of our borough.

The purpose of the spread on 4th November was to inform residents of the excellent progress made to date on housing, education, street cleaning and culture and heritage.

Over 60% of residents read East End Life on a regular basis.

The Council's consultation on East End Life found that 72% of respondents felt positively about East End Life and over half (53%) of respondents wanted to see East End life continue as a weekly publication.

The government will have to answer for itself as to why it chose to enact primary legislation for the small handful of councils who find that council publications are the most cost effective method of reaching their populations. Local residents informing local politicians are best placed to make that choice not government ministers.

8.11 Question from Councillor Denise Jones

Does the Mayor agree that fraud has no place in our politics?

Written response by Councillor Alibor Choudhury, Cabinet Member for Resources

Yes. And as a lawyer he also believes that accusations need to be substantiated and investigated.

8.12 Question from Councillor Harun Miah

Would the lead member join with me in deploring the tragic deaths of cyclists in Tower Hamlets in recent weeks and in extending our heartfelt condolences to the bereaved families and friends and would the lead member agree that much more needs to be done both to ensure that there are safe cycle lanes preferably not shared with motorized traffic and that more is done to educate cyclists on safe cycling practice?

Written response by Councillor Shahed Ali, Cabinet Member for Environment

I do indeed deplore the tragic deaths we have witnessed over the last two weeks.

I think our measures to create more quiet zones, provide training for HGV drivers and cyclists and improve cycling infrastructure are making our roads safer for cyclists.

Unfortunately, cycle safety in the borough is being hampered by Boris Johnson who is failing to make the Superhighways safer, failing to act on Bow roundabout, and instead seeks to blame cyclists for the recent spate of deaths.

All politicians and cyclists need to unite to maximise pressure on Boris Johnson to act urgently to improve cycle safety in London.

8.13 Question from Councillor Ann Jackson

Can the Mayor enlighten us on the allocation of social housing in the Olympic park on a per borough basis and the rationale used for allocation?

Written response by Councillor Rabina Khan, Cabinet Member for Housing

I will provide the Cllr a detailed paper on all the numbers allocated across the full range of sites on the Olympic Park. As you can imagine it is quite a lengthy document!

However in brief, there are two key types of housing on the site:

1. Housing Funded by the GLA on the Athlete's Village
2. Wider development in the LLDC site

For the housing on the Athlete's Village Site, the allocation went through the East London Housing Partnership and were allocated through the normal Sub-Regional Nomination Agreement.

This meant that the London Borough of Newham, as the borough the site is located, gained the biggest share.

All other boroughs were deeply concerned with this approach and we felt it was not in keeping with the Olympic Spirit, which was meant to bring benefits to the whole of East London.

I personally met with the GLA and London Mayor's Advisors to request the GLA develop a special arrangement for these homes. As they are the only fully publicly funded homes on the site, we felt it should be more evenly distributed.

Currently the ELHP Board, have voted not to operate the Sub Regional Agreement and are awaiting further guidance from the GLA.

My question Cllr, is whether John Biggs the London Assembly Member can enlighten us on what he has done to lobby the GLA to improve our Olympic Allocation?

For the wider housing on the site, the LLDC has agreed that 40% of the housing will remain with the host borough and 30% through the East London Housing Partnership, which in effect currently means 70% will remain with host boroughs.

8.14 Question from Councillor Dr Emma Jones

Will the Mayor tell me how much was spent on this year's Borough Fireworks display, and why once more no outside sponsorship was sought?

Written response by Councillor Rania Khan, Cabinet Member for Culture

The final costs of this year's fireworks display have still to be finalised but are estimated at around £70,000.

Contrary to assertions of the Councillor sponsorship was, of course, actively pursued but negotiations did not result in a sponsorship deal.

8.15 Question from Councillor Joshua Peck

What assessment has the Mayor made of the supply of large family homes (over three bed) in the open market in the borough and what does he plan to do to ease the shortage to allow growing families to stay in the borough?

Written response by Councillor Rabina Khan, Cabinet Member for Housing

The Mayor and I are deeply concerned by the shortage of family housing in the borough. We know we need family sized housing in the social sector and in the private sector. This is why we prioritise the delivery of new family homes in our planning documents.

We have an overall target of 30% of all new housing to be suitable for families. Of the 1,005 completed homes in 2012-2013, 35% were suitable for families.

Our policy is to deliver 45% of all social housing to be of a size suitable for a family. Last year 62% were suitable for families. Within the Private Sector we have an overall target of 20% to be family sized. The latest monitoring period (2012/13), 159 private family homes were completed which was 23% of the total number of private homes in the borough.

However I am sure Cllr that you are aware that whilst we are doing all we can, the ability for families to live in the borough has been affected by a range of factors:

The Government's pernicious benefit cuts, which both I and the Mayor have resisted, as well as the over inflated property market which the London Mayor and national Government have failed to address.

8.16 Question from Councillor Aminur Khan

I read an article in the local paper that says there has been a 9% per cent increase in crime since 2010. Could the lead member confirm if these figures are accurate and also what the source of these figures is?

Written response by Councillor Ohid Ahmed, Deputy Mayor

The statistics came from the Metropolitan Police Services' website, who have recently admitted that they are incorrect.

In addition to this, the report has chosen a limited and selective interpretation of police report that formed the basis of the article that I must assume the Councillor is referencing.

2012/13 saw a reduction in overall crime and so far this year compared to last year, there has been a further fall in crime of approximately 7% and an increase in the number of crimes we have solved. Currently there are only 2 other Boroughs in London that solve more crimes than us.

8.17 Question from Councillor Anwar Khan

What is the current vacancy rate in each of the borough's town centres?

Written response by Councillor Shafiqul Haque, Cabinet Member for Jobs and Skills

Vacancy rates from the most recent survey of the borough's major and district town centres, conducted in August 2013, are as follows:

| | |
|-------------------------|-------------|
| Canary Wharf | 1.3% |
| Bethnal Green | 5.4% |
| Chrip Street | 6.3% |
| Roman Road East | 15.0% |
| Roman Road West | 8.9% |
| Whitechapel | 5.5% |
| Brick Lane | 11.1% |
| Watney Market | 11.9% |
| All town centres | 8.6% |

Total vacancy levels across the borough's town centres are lower than the London average of 11%, and significantly below the national rate of 14.1%.

The Mayor identified £355,000 for Town Centre Regeneration.

Roman Road East, the only town centre in the borough where vacancies exceed the national rate, is currently the subject of a number of town centre regeneration interventions. These include a pilot project which will identify vacant commercial premises in Roman Road and use them in cooperation with their owners to provide the setting for new business development, thus reducing vacancies and supporting new enterprises.

8.18 Question from Councillor Zara Davis

What steps is the Mayor taking to ensure that Isle of Dogs residents do not suffer increased aircraft noise pollution as a result of the works proposed in the two major London City Airport planning applications recently submitted?

Written response by Councillor Shahed Ali, Cabinet Member for Environment

London City Airport (LCA) and Newham have powers on this issue.

The Council's representative on the LCA Consultative Committee is Stephen Mutton, who was appointed by the General Purposes Committee on 23 November 2011, which the Labour Group control.

We are making sure LCA are aware of all our residents who will be affected on Isle Dogs and demanding that they provide insulation to those residents' properties.

Perhaps the councillor can raise the issue with his London Mayor about his plan to address this issue – what some have dubbed Boris Island.

8.19 Question from Councillor M. A. Mukit, MBE

How many incidents of anti-social behaviour in Weavers over last year?

Written response by Councillor Ohid Ahmed, Deputy Mayor

For the year 2012 /13 there were 1,872 reports of anti-social behaviour representing a significant reduction of 11% from 2011/12. This represents about five reports a day. Figures for the year to date indicate a further 9% fall so far this year. This represents about five reports a day. Please note that this figure is of reports, which are often repeated – it is not possible to get the number of actual incidents at the moment as the MPS have recently admitted that the statistics available on their website are incorrect.

Whilst Weavers has a particularly challenging ASB problem the reduction in ASB is encouraging and reflective of the work that the Police and the Council have been doing to tackle ASB in the area. The Council and Police have a coordinated and targeted enforcement programme in this ward. As part of this, a pilot project has been started in Weavers targeting ASB and crime hot-spots using an accredited THEO and a security officer with a dog, including a drugs sniffer dog. Early evidence suggests that this is proving very effective in dissuading drug users from congregating in public areas and is just one example of how innovative thinking and more effective partnership working is having a positive impact on the quality of people's lives.

To emphasise how important the whole crime and ASB agenda is we also fund Tower Hamlets Enforcement Officers to supplement the work and to deal with issues that the police will not deal with. If we did not have our officers large amounts of ASB would go unchallenged.

8.20 Question from Councillor Gulam Robbani

Can the lead member tell us what was the purpose of the raid on Whitechapel market some weeks ago and whether it was carried out by the UK Border Patrol or Trading Standards?

Written response by Councillor Ohid Ahmed, Deputy Mayor

The enforcement action carried out at Whitechapel Market was led by the Metropolitan Police but support by Trading Standards and Markets staff. The intention of the intervention was to detect stolen goods and counterfeit telephones and accessories.

8.21 Question from Councillor Marc Francis

Can the Deputy Mayor and Lead Member for Community Safety services tell us what action is being taken to improve the safety of residents in Fish Island using the Hackney Cut and Hertford Union canal towpath?

Written response by Councillor Ohid Ahmed, Deputy Mayor

The canal and cut are the responsibility of the "Canal and Rivers Trust". The Trust does not light the canal path and it is not a recommended safe walking route at night. However, we are aware that people do use it to walk along and therefore we are writing to the Trust for them to reconsider their obligation to the safety of residents.

We have also supported the police in this area with a special operation using CCTV thermal cameras on the canal which resulted in a number of arrests.

8.22 Question from Councillor Gloria Thienel

Will the Mayor confirm for how long Social Care visits are timed within the borough?

Written response by Councillor Abdul Asad, Cabinet Member for Health and Wellbeing

In Tower Hamlets the minimum visit time for commissioned home care to any vulnerable adult including the elderly, is 30 minutes. This minimum period is included in both the block and spot home care contracts. No referral will be made for a visit lasting less than 30 minutes.

The length of the home care visit will depend on the needs of the individual and many visits will be much longer than 30 minutes.

We can also confirm that the in house home care team do not provide any visits of less than 30 minutes.

8.23 Question from Councillor Zenith Rahman

Why does the Mayor think almost 20,000 incidences of anti-social behaviour in one year is acceptable? If he doesn't, why hasn't he acted?

Written response by Councillor Ohid Ahmed, Deputy Mayor

Councillor Zenith Rahman clearly either doesn't understand the article, or does and is being deliberately misleading.

Firstly, the article is clearly sensationalist, as the headline figure of 20,000 later admits an actual number of 19,412. Anyone would think from your question that you just read the headline and didn't bother reading the rest of the article.

Secondly, the stated number relates to the number of *reports* of ASB to the police, **not** the number of actual incidents. The number of ASB incidents is nowhere even close to 20,000.

We also know that drug dealing and drug use is a cause for concern for our residents so we have the dealer a day initiative. No other Borough in London takes this problem as seriously as we do on behalf of our residents.

Crime in the borough is decreasing and this year it is currently 7% lower than this time last year.

8.24 Question from Councillor Maium Miah

Can the Mayor please tell what is being done to prepare for the 100th Anniversary of the First World War that takes place next year?

Written response by Councillor Rania Khan, Cabinet Member for Culture

The Council is in the process of ensuring that all council owned World War 1 memorials are in a good condition for next year's anniversary of WW1. Mayor has already announced the restoration of all war memorials in the borough and listing them under the local listing. This is going through public consultation now.

Discussions are underway to look at how we can support community initiatives linked to this anniversary including ring fencing funds from our small event grants. The Council is also looking at putting on some inclusive events of its own and is looking into what is already planned or being proposed by others and investigating external funding streams that may support activities in the borough.

8.25 Question from Councillor Craig Aston

Will the Mayor indicate what actions he has taken to ensure the safety of residents and pedestrians in the vicinity of 96 Narrow Street, following the erection of hoardings across the full width of the pavement, thereby forcing pedestrians to use the road?

Written response by Councillor Shahed Ali, Cabinet Member for Environment

The council takes the safety of its residents very seriously. The building site in the vicinity of 96 Narrow Street complies with the New Road and Streetworks Act 1991 therefore lawfully it is safe for pedestrians.

However, the council is aware of the concerns and is in discussions with the developer of the site on how the developer can go even further to ensure street safety for our residents.

8.26 Question from Councillor Lutfa Begum

Can the lead member provide a detailed list of all road resurfacing, traffic calming, road and cycle safety measures enacted in the borough over the last 18 months?

Written response by Councillor Shahed Ali, Cabinet Member for Environment

I will be happy to supply such a list which will essentially be a summary of the capital programme presented to Cabinet in previous years, to which I will add those schemes delivered by Transport for London on the red route network.

APPENDIX B – CORRECTION TO AGENDA ITEM 11.3
(Replacement Page 284)

Appendix 3 – 2013-14 Prudential and Treasury Management Indicators

| Prudential Indicators | 2011/12 | 2012/13 | 2013/14 | 2013/14 | 2014/15 | 2015/16 |
|---|----------------|----------------|-------------------|------------------|----------------|----------------|
| Extract from budget and rent setting reports | Actual | Actual | Original Estimate | Revised Estimate | Estimate | Estimate |
| | £m | £m | £m | £m | £m | £m |
| Capital Expenditure | | | | | | |
| Non – HRA | 130.717 | 110.254 | 107.212 | 118.307 | 26.525 | 30.980 |
| HRA | 31.615 | 39.045 | 78.481 | 103.027 | 76.590 | 39.000 |
| TOTAL | 162.332 | 149.299 | 185.693 | 221.334 | 103.115 | 69.980 |
| Ratio of Financing Costs To Net Revenue Stream | | | | | | |
| Non – HRA | 2.12% | 2.51% | 2.89% | 2.50% | 3.05% | 3.55% |
| HRA | 17.93% | 3.98% | 4.04% | 4.00% | 3.95% | 3.95% |
| | £m | £m | £m | £m | £m | £m |
| Gross Debt and Capital Financing Requirement | | | | | | |
| Gross Debt | 91.351 | 90.408 | 99.563 | 99.563 | 113.964 | 128.896 |
| Capital Financing Requirement | 231.735 | 225.848 | 229.477 | 229.702 | 238.057 | 283.584 |
| Over/(Under) Borrowing | (140.384) | (129.914) | (135.440) | (130.139) | (124.093) | (154.688) |
| In Year Capital Financing Requirement | | | | | | |
| Non – HRA | (0.986) | (5.887) | 3.628 | 3.854 | (6.492) | 8.378 |
| HRA | 12.500 | 0.000 | 1.189 | (1.189) | 15.072 | 37.149 |
| TOTAL | 11.514 | (5.887) | 4.817 | 2.665 | 8.580 | 45.527 |
| Capital Financing Requirement as at 31 March | | | | | | |
| Non - HRA | 162.060 | 156.173 | 159.802 | 160.027 | 153.310 | 161.688 |
| HRA | 305.875 | 69.675 | 69.675 | 69.675 | 84.747 | 121.896 |
| HRA Settlement | (236.200) | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 |
| TOTAL | 231.735 | 225.848 | 229.477 | 229.702 | 238.057 | 283.584 |
| Incremental Impact of Financing Costs (£) | | | | | | |
| Increase in Council Tax (band D) per annum | 3.579 | 0.000 | 0.908 | 0.908 | 0.000 | 1.746 |
| Increase in average housing rent per week | 1.781 | 5.311 | 5.370 | 5.376 | 5.381 | 0.885 |

LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 22nd JANUARY 2014

PETITIONS

**REPORT OF THE SERVICE HEAD,
DEMOCRATIC SERVICES**

SUMMARY

1. The Council's Constitution provides for up to three petitions to be received at each Council Meeting. These are taken in order of receipt. This report sets out the valid petitions submitted for presentation at the Council meeting on Wednesday 22nd January 2014.
2. The deadline for receipt of petitions for this meeting is noon on Thursday 16th January. However, at the time of agenda despatch the maximum number of petitions has already been received as set out overleaf.
3. The texts of the petitions received for presentation to this meeting are set out in the attached report. In each case the petitioners may address the meeting for no more than three minutes. Members may then question the petitioners for a further four minutes. Finally, the relevant Cabinet Member or Chair of Committee may respond to the petition for up to three minutes.
4. Any outstanding issues will be referred to the relevant Corporate Director for attention who will respond to those outstanding issues in writing within 28 days.
5. Members, other than a Cabinet Member or Committee Chair responding at the end of the item, should confine their contributions to questions and not make statements or attempt to debate.

5.1 Petition requesting support for initiatives to create a sustainable environment (Petition from Mr Muhammad Haque and the CBRUK umbrella organisation on behalf of 50+ associated voluntary non-profit and charitable initiatives, groups and bodies working in LBTH)

“We, the undersigned, residents and/or members of the Community in the London Borough of Tower Hamlets and/or persons who spend our working time and have social contacts with people in Tower Hamlets most of the time in the week, support this CBRUK petition calling for tangible and affordable support of the London Borough of Tower Hamlets for the creation of a sustainable environment in Tower Hamlets that markedly and significantly helps people feel and experience living in a cohesive environment that can be felt in peoples’ ordinary lives and we especially support the call in this CBRUK petition for Tower Hamlets Council to support initiatives, old and new, that are done by people in the ordinary community in Tower Hamlets which would make this Borough a better place all round.”

5.2 Petition regarding leaseholder charges and services delivered by Tower Hamlets Homes (Petition from Ms Allison Charles and others)

“We, the undersigned residents of Tower Hamlets, are concerned about the rapidly increasing yet unsubstantiated costs of Housing Services delivered by Tower Hamlets Homes (THH), whilst historic concerns about the quality of the services continue to be ignored.

An independent audit, conducted by Beever & Struthers in 2010 recommended THH make a series of service improvements designed to deliver better quality services, reduce a complex and expensive cost base and provide accounting transparency. Additional recommendations extrapolated from the Audit Commission findings (2011) and THH’s own internal exercises created a 54 point action plan for implementation by THH between 2011 and 2013.

We are yet to see any demonstrable evidence that these recommendations have been implemented; instead in 11/12 THH introduced a privately developed service charge methodology which resulted in significant increases for many, circa 70% in some cases.

Over the last three years THH have conducted substantial restructuring/operational revisions which have resulted in greater confusion around their cost base, none appear to address the historic issues of lack of accounting transparency, below par services and poor value for money. Another significant change is proposed for 2014.

This consistent need to significantly revise operations is a worrying indication of an organisation in chaos, meanwhile residents experience decreasing input and influence over its conduct.

We are calling upon the council to formally address these issues, more specifically the failure to implement the 54 LAPWG recommendations, including why the assessments made by B&S, identifying substantial cost savings to be realised in 2010/11 have not been achieved (also raised in a Labour Party motion tabled for the

November Full Council but not discussed and in the SELA resident scrutiny review submitted to THH and LBTH in August 2013).

Furthermore we ask that what is rapidly becoming an annual exercise in substantial restructuring conducted by THH be suspended until the outcome of a thorough review is made public including the details of and justifications for the revised service charge methodology including the introduction of a 17% overhead uplift and ever increasing SLA's between THH and LBTH. Aside from the obvious cost implications of these restructuring or reshaping exercises, they have historically only served to muddy the waters making it increasingly difficult for residents to attain the truth regarding THH's activities and accounts."

5.3 Petition highlighting problems with Anti-Social Behaviour at Anson House (Petition from residents of Anson House)

"We, the residents of Anson House, are petitioning Tower Hamlets Homes, who manage Anson House, to tackle the Anti-Social Behaviour within the building and on Ocean Estate.

For several years the building and local area has had little security to prevent ASB, especially the constant abuse of drugs and noise nuisance within the building. There is a constant presence of individuals in the building with a strong smell of drugs. Residents are intimidated and do not feel safe within their homes. Residents should not have to put up with this and are entitled to live peacefully in their home and building.

We demand THH take immediate action to prevent and deter ASB in Anson House, through the use of Law Enforcement Officers and CCTV."

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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 22nd JANUARY 2014

**QUESTIONS SUBMITTED BY
MEMBERS OF THE PUBLIC**

**REPORT OF THE SERVICE HEAD,
DEMOCRATIC SERVICES**

SUMMARY

1. Set out overleaf are the questions submitted by members of the public, for response by the Mayor or appropriate Cabinet Member at the Council Meeting on 22nd January 2014.
2. The Council's Constitution sets a maximum time limit of twenty minutes for this item.
3. A questioner who has put a question in person may also put one brief supplementary question without notice to the Member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. Supplementary questions and Members' responses to written and supplementary questions are each limited to two minutes.
4. Any question which cannot be dealt with during the twenty minutes allocated for public questions, either because of lack of time or because of non-attendance of the questioner or the Member to whom it was put, will be dealt with by way of a written answer.
5. Unless the Speaker of Council decides otherwise, no discussion will take place on any question, but any Member of the Council may move, without discussion, that the matter raised by a question be referred for consideration by the Cabinet or the appropriate Committee or Sub-Committee.

QUESTIONS

Nine public questions have been submitted as set out below:-

6.1 Question from Ms Julia Dockerill

What progress has been made by the Mayor and his Executive with respect to the application made by the Turk's Head charity to have Wapping Green formally designated as a protected, official 'village green' under the Commons Act of 2006?

6.2 Question from Mr Matthew Smith

Will the Mayor inform residents as to the progress of his proposals for the Community Infrastructure Levy?

6.3 Question from Mrs S Morrison

What is the Mayor doing to honour the legacy of Nelson Mandela?

6.4 Question from Mr Shah Ahmed

What is the Mayor doing about behaviour in Full Council meetings?

6.5 Question from Ms Nasmin Sultana

Can The Mayor tell me why Poplar Business Park went to appeal and was granted planning consent and what losses the council incurred?

[Note: A similar question was also received from Mr Shahin Uddin. Ms Sultana's question is listed above as it was received first. Mr Uddin will receive a written response to his question after the meeting.]

6.6 Question from Mr Steven Walker

Are tenants permitted to erect individual satellite dishes on the outside walls of council houses or flats?

6.7 Question from Mr Abdul Shamad

After a Bow community activist petitioned the last Full Council and asked questions about public spending by Labour Group members, he was subject to a vile homophobic poster campaign. What is being done about this?

6.8 Question from Kois Miah

Is the Lead Member aware of the campaign against the organisation “Student Rights” and will he join us in condemning their divisive rhetoric and tactics?

6.9 Question from Mr Amzal Hussain

Restaurants in Brick Lane have been trading for the last 50 years, we run an honest and transparent business, Our customers are sensible and polite customers, they do not and have not in the past created any anti-social behaviour in the area. Recently the bars, clubs, pubs and off licenses have given rise to anti-social behaviour, street urination in the area. Then why have the restaurants been included in the Saturation policy, when we were not consulted fully in the saturation policy consultation, and feel again the Bangladeshi restaurants have been targeted?

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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 22nd JANUARY 2014

**QUESTIONS SUBMITTED BY
MEMBERS OF THE COUNCIL**

**REPORT OF THE SERVICE HEAD,
DEMOCRATIC SERVICES**

SUMMARY

1. Set out overleaf are the questions submitted by Members of the Council for response by the Mayor or relevant Committee/Sub-Committee Chair at the Council meeting on Wednesday 22nd January 2014.
2. Questions are limited to one per Member per meeting, plus one supplementary question unless the Member has indicated that only a written reply is required and in these circumstances a supplementary question is not permitted.
3. Oral responses are time limited to one minute. Supplementary questions and responses are also time limited to one minute each.
4. There is a time limit of thirty minutes for consideration of Members' questions with no extension of time allowed and any question not answered within this time will be dealt with by way of a written response. The Speaker will decide the time allocated to each question.
5. Members must confine their contributions to questions and answers and not make statements or attempt to debate.

MEMBERS' QUESTIONS

29 questions have been received from Members of the Council as follows:-

8.1 Question from Councillor Denise Jones

Sadly for the second year running we are meeting after more stabbings in Wapping over the Christmas period. This year's incident came at an illegal rave which spiralled out of control. Will the Mayor tell us what steps he has taken since he came to power to crack down on this type of activity as well as to combat knife crime on our streets?

8.2 Question from Councillor Peter Golds

Will the Mayor explain the reasons for the conflicting statements issued by the council in his name regarding the march against the sale of alcohol organised by Anjem Choudhary in Brick Lane during December?

8.3 Question from Councillor Rachael Saunders

At the Council's last meeting the Mayor sat for over an hour whilst serious questions were asked about the integrity and legality of his re-election campaign. The Mayor has also refused to attend any of the ten Overview and Scrutiny meetings this municipal year. Does he not realise that he, like us, was elected by the people of Tower Hamlets and that he has a duty to justify his decisions both to residents and the councillors they have elected to hold him to account?

8.4 Question from Councillor Fozol Miah

Is the lead member aware of the recent publicity about the levels of sugar content placed in many foods and drinks by the food industry unbeknownst to consumers contributing to life threatening obesity, cancer and other ill effects and could the lead member say what the council is doing to inform Tower Hamlets residents about the bad effects of high levels of sugar and about how they can realistically reduce sugar consumption?

8.5 Question from Councillor Joshua Peck

Is the Deputy Mayor happy with the level of dog fouling and street cleanliness in his ward and in the borough as a whole?

8.6 Question from Councillor Gloria Thienel

Does the Mayor support my motion, which would see spitting and urinating in public places punishable by a fine, as is already the case in Waltham Forest?

8.7 Question from Councillor Helal Abbas

Could the Council have an explanation of exactly how the Mayor's incredibly expensive taxpayer funded press machine issued an incendiary statement in his name regarding the Anjem Choudhury march on Brick Lane?

8.8 Question from Councillor Harun Miah

Would the lead member join with me in welcoming Bangladesh hosting the T20 Cricket World Cup in a few weeks' time with matches scheduled to take place in Sylhet, Chittagong and Dhaka and wishing the tournament every success despite the political turmoil which the Bangladesh government has plunged Bangladesh into and would the lead member say what the council will be doing to use the T20 World Cup to promote cricket amongst young people in Tower Hamlets across all communities?

8.9 Question from Councillor M.A. Mukit M.B.E.

How many residents in Weavers Ward are affected by the Mayor's trial to dim street lights in the Borough?

8.10 Question from Councillor Craig Aston

How many bin collections were missed in Tower Hamlets in the last municipal year, and what is the Mayor doing to address the persistent complaints of missed bin collections?

8.11 Question from Councillor Amy Whitelock Gibbs

Could the Mayor update the council on what action has been taken since he signed the Time to Change pledge against mental health discrimination in April 2012, and reaffirmed the pledge with the Health and Wellbeing Board in October 2013?

8.12 Question from Councillor Kabir Ahmed

What are the Mayor's views about the findings of the Transforming Education for All report which stated that Tower Hamlets has some of the best urban schools in the world?

8.13 Question from Councillor Marc Francis

Who authorised the developer of the former Methodist Church on the corner of Armagh Road and Old Ford Road to obstruct hoardings across the footpath? Given that this has resulted in pedestrians including children and pensioners, being forced to walk in the road at this dangerous junction and why LBTH did not require the creation of a temporary walkway to ensure the safety of pedestrians before these hoardings were erected?

8.14 Question from Councillor Dr Emma Jones

Will the Mayor please confirm what steps are taken to ensure council leisure facilities are clean and safe for the public?

8.15 Question from Councillor Shiria Khatun

What response does the Mayor have to George Osborne's suggestion that the Government should further cut welfare benefits from the poorest in our community? The Conservative Government would cut housing benefit from under 25 year olds & increase rent for social housing tenants if they are re-elected isn't the only choice to elect a Labour Government?

8.16 Question from Councillor Gulam Robbani

Councillors launched a campaign based on the statement that the Mayor was unwilling to clean up the borough, only to find it was the cleanest it had ever been. Now they are claiming that rubbish miscollections are out of hand. Could the Lead Member tell us what the real figures are?

8.17 Question from Councillor Carli Harper-Penman

The Council's new Communications Protocol states that the Council "may not publish material that, having regard to the content and style, appears, in whole or in part, to be designed to affect public support for a political party." Can the Mayor therefore explain why over six months last year East End Life featured 320 quotes from the Mayor and independent councillors compared with only 15 from Labour, Conservative, Liberal Democrat and Respect councillors combined. Or why the paper also ran 164 images of the Mayor and his supporters as opposed to 26 featuring opposition councillors including the ceremonial speaker of the Council?

8.18 Question from Councillor David Snowden

What is the Mayor doing to ensure that the Thames Path on the western side of the Isle of Dogs is made safe as soon as practical? It has been blocked by building work north of Cascades Tower, and residents have also contacted me regarding unfinished pavement repairs next to Sir John McDougal Gardens?

8.19 Question from Councillor Judith Gardiner

What contingency planning has the Mayor and his officers undertaken in relation to the impact that the Tory Government's Plans to privatise the probation service and cut legal aid will have on the borough's ability to effectively deliver its crime and anti-social behaviour strategies?

8.20 Question from Councillor Lutfa Begum

What are the Mayor's views about the impact on Tower Hamlets of George Osborne's decision to make a further £25 billion of cuts, half of which are to come from welfare spending?

8.21 Question from Councillor Sirajul Islam

Does the Mayor welcome John Biggs' lobbying efforts which helped to secure the TFL investment in Cambridge Heath and Bethnal Green train stations? Does he agree with me that this will have a significant and positive effect on residents in my ward?

8.22 Question from Councillor Tim Archer

What steps is the Mayor taking to combat speeding on Manchester Road?

8.23 Question from Councillor Ann Jackson

Why has the Mayor, in his 'frontline saving' budget, cut vital mental health supported accommodation and older people's telecare; yet last month thought it right to agree over 150k of third sector support grants be 'moved' to spend on events such as Gala Dinners and concerts?

8.24 Question from Councillor Maium Miah

Following the opposition publication of inaccurate and alarmist statistics on crime last month, can the lead member tell us what the true figures are and how they compare to other London Boroughs?

8.25 Question from Councillor Helal Uddin

Can I ask the Mayor whether he has any further update on Watts Grove housing development scheme in Bromley by Bow?

8.26 Question from Councillor Zara Davis

Could the Mayor outline the impact on the council of the recent case of East End Homes Ltd vs London Borough of Tower Hamlets Council, heard at the Chancery Court in December?

8.27 Question from Councillor Motin Uz-Zaman

An independent review found last month that the reforms bought in under the last Labour Government and Council helped create some of the “best urban schools in the world.” Instead of taking credit for the work of those who came before him, could the Mayor now congratulate those Labour politicians, council officers and local school teachers who have made this transformation possible?

8.28 Question from Councillor Aminur Khan

Can the Mayor tell us if he has heard back from Boris Johnson after writing to him regarding cycling safety?

8.29 Question from Councillor Anwar Khan

What's the plan to reform bow west road network?

LONDON BOROUGH OF TOWER HAMLETS
COUNCIL MEETING
22nd January 2014
WATTS GROVE DEPOT
DRAFT REFERENCE FROM THE OVERVIEW AND SCRUTINY
MEETING ON 20TH JANUARY 2014

EXECUTIVE SUMMARY

The Full Council meeting on 18th September 2013 passed a motion asking the Overview and Scrutiny Committee (OSC) to investigate the reasons for the cancellation of the Watts Grove Depot proposal to build 149 new homes on the site. The OSC were asked to report their findings back to Full Council.

The OSC considered the referral at their meetings on 1st October 2013, 5th November 2013 and 3rd December 2013 and informally discussed their report back to Full Council on 7th January 2014.

The OSC meeting on 20th January 2014 will consider the Committee's final response back to Full Council. The published report to the OSC is attached as an appendix to this cover report and any additional comments or changes from the meeting on 20th January will be circulated as soon as possible in advance of the Full Council meeting.

RECOMMENDATIONS

- 1 That the Council consider the reference back from the Overview and Scrutiny Committee (including any amendments agreed at the O&S Committee's meeting on 20th January), and consider the committee's recommendations.

1. DETAILS OF REPORT

- 1.1 The Motion passed at Full Council on 18th September 2013 requesting the review is attached as Appendix 1.
- 1.2 The report to the Overview and Scrutiny Committee of 20th January 2014 is attached as Appendix 2.
- 1.3 Any changes made to the draft report by the Overview and Scrutiny Committee on 20th January 2014 will be circulated as soon as possible after that date to all Members.

2. COMMENTS OF THE CHIEF FINANCE OFFICER

- 2.1. The reference report from the Overview and Scrutiny Committee contains all relevant financial comments.

3. LEGAL COMMENTS

- 3.1. Legal comments are set out in the report in appendix 2.

4. OTHER IMPLICATIONS

- 4.1 Other relevant considerations and implications are set out in the attached draft report of the Overview and Scrutiny Committee.

5. APPENDICES

Appendix 1 – Motion passed at Council on 18th September 2013

Appendix 2 – Report to the Overview and Scrutiny Committee of 20th January 2014.

Background Papers: Section 100D of the Local Government Act 1972

NONE

**EXTRACT FROM MINUTES OF THE COUNCIL MEETING HELD ON
WEDNESDAY, 18 SEPTEMBER 2013**

12.3 Motion regarding the Watts Grove Depot redevelopment

RESOLVED

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;*
 - o *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;*
 - o *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.

| | | | |
|--|---------------------------------|---|---------------------|
| Committee: Overview and Scrutiny Committee | Date: 20 January 2014 | Classification: Unrestricted | Agenda Item: |
| Draft Report of: Overview & Scrutiny Committee | | Title: Reference from Council - Watts Grove Depot Project and financial mechanisms for Dame Colet House and Poplar Baths projects – Draft OSC report to Council Wards Affected: All | |

1. **SUMMARY/ BACKGROUND**

- 1.1 Full Council (18 September 2013), passed a motion expressing concern at the Mayor’s decision on 29 July 2013 not to proceed with the Watts Grove Depot redevelopment project and also questioning the suitability of the financial mechanisms used to fund Dame Colet House and Poplar Baths.
- 1.2 Full Council referred the issues to the OSC and asked it to investigate in detail and to report back to full Council on 27 November 2013.
- 1.3 OSC (01 October 2013) considered this request and agreed that, to enable it to undertake full/ appropriate scrutiny of the issues and reach an informed decision/ conclusion, The Corporate Director Development and Renewal be instructed to prepare a comprehensive report, containing all relevant information on the matter for OSC consideration.
- 1.4 OSC (05 November 2013) considered the report of the Corporate Director Development and Renewal and exempt appendices thereto, and had requested further information, the presentation of the relevant information in a more transparent way, and different access arrangements to exempt information. Accordingly the OSC agreed that further consideration of the matter be deferred to the next meeting of the OSC.
- 1.5 OSC (03 December 2013) had considered a further report on the matter which included additional information requested by the OSC and further information was provided by Officers when introducing the report. However the Mayor/Cabinet Members with portfolio for this matter were not in attendance. The OSC agreed that the Chair should prepare a full report on OSC consideration of this matter, including any recommendations arising,

and that this be submitted to the next OSC for agreement before onward reporting to full Council.

- 1.6 OSC (07 January 2014) received the proposed recommendations of the Chair of the Committee and commented on them prior to submission of a report for the Committee to consider at its meeting on 20 January 2014.
- 1.7 A comprehensive discussion took place at the OSC meetings held on 05 November and 03 December and the key findings are summarised below:-
- 1.8 Cabinet members pointed to two key reasons for the decision by the Mayor not to progress with procurement of the Watts Grove Depot redevelopment. These were the implications for the council's Housing Revenue Account (HRA) and overall debt cap of:
 - the Comprehensive Spending Review; and
 - a change in the terms of one of the most attractive bids between the competitive dialogue and competitive tender stages, which transferred much of the cost and risk of the redevelopment back to the council.

However, the advice to the Mayor from the relevant Corporate Director (signed in mid-June), and the Chief Finance Officer (in mid-July) was to proceed with the procurement, as it had been assessed as being affordable. In spite of this, on the same day as the Chief Finance Officer's signoff, these recommendations were rejected. The reason for the disparity between officer advice and the Mayor's decision remains unclear.

- 1.9 The reasons the Committee was given for not delivering the Watts Grove Depot redevelopment through a partnership with a registered provider (RP) were:
 - When the procurement process began for Watts Grove, the future costs of flexible tenancies and affordable rent models inherent in using an RP partner were felt to outweigh the likely costs to the HRA and debt cap of the council retaining the stock itself;
 - The Mayor had decided that the council should retain ownership of the housing stock to ensure more secure tenancies; and
 - An RP would likely have charged 80% of the market rent for the homes in order to meet the needs of its business plan, which would not have been sufficiently affordable for residents.

However, this route would have had no effect on the Housing Revenue Account (HRA) and the council's statutory debt cap. Furthermore, any RP

partner would, as a member of the Common Housing Register, be required to allocate homes in accordance with the council's policy and procedures. Indeed, this option was used for the procurement for Dame Colet House and Poplar Baths.

2.0 In addition to the above findings, Overview & Scrutiny Committee concludes that:

- The decision to use the model selected for the Watts Grove Depot redevelopment was flawed, and vulnerable to potentially foreseeable changes. The consequence of these decisions has seen the council incur costs of approximately £308,000 (as of 5th November), and lose out on the opportunity to provide 149 affordable homes. A partnership with an RP, or another more economically viable model such as council housing, would have been a better option. However, to pursue this now would involve starting the full and costly process again from the beginning.
- Whilst the Mayor is entitled to make certain decisions in private, doing so makes it difficult to ascertain the full rationale for these, and for the Committee to discharge its functions (as was the case here). The Committee therefore believes that decisions such as these should be made in public unless absolutely necessary. Equally importantly, where decisions are made in private, the basis and rationale for these should be clear and available for scrutiny just as for decisions made in public, and the Mayor should make himself available in person to justify them when requested by the Committee.
- Related to the above, the Mayor and Cabinet members should adhere to the council constitution and attend the Overview and Scrutiny Committee when they are required, rather than leaving officers to defend their decisions. The absence of the political leadership of the council from meetings has obstructed the Committee from fully carrying out its role in scrutinising their decisions.
- Where the Mayor rules out working with RSL partners on a project which is otherwise financially unviable he should justify his reasons for doing so.
- The cabinet member responsible for housing should provide accurate figures when commenting on the number of homes built by the council, so that members and residents can be confident that these are reliable.
- Cabinet members should be fully briefed and should have all the information they need before they attend meetings of the Committee, so that the Committee's discussions, findings and recommendations are based upon the fullest and most accurate information possible.
- Reports should be unrestricted in the interests of transparency, with exceptions for restricted papers only where absolutely necessary (such as

commercially sensitive information). In this case, the Committee believes that more of the reports should have been unrestricted.

2. RECOMMENDATIONS

- 2.1 The Overview & Scrutiny Committee recommends that the Council endorses the above findings, and that the Mayor and Cabinet members act accordingly.

3. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 3.1 This report updates Members on the results of the Overview and Scrutiny Committee's consideration of the Watts Grove Depot Project following its referral from Council in September 2013.
- 3.2 The comments of the Chief Finance Officer were included within the various reports previously considered by the Overview and Scrutiny committee.

4. COMMENTS OF LEGAL SERVICES

- 4.1 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions. In this instance, the Committee has asked Full Council to endorse its recommendations in relation to the carrying out of executive functions. It will be for the Executive to determine how it responds to such recommendations.

5. ONE TOWER HAMLETS CONSIDERATIONS

- 5.1 Any relevant matters are set out in the previous reports.

6. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 6.1 Any relevant matters are set out in the previous reports.

7. RISK MANAGEMENT IMPLICATIONS

7.1 Any relevant matters are set out in the previous reports.

8. CRIME AND DISORDER REDUCTION IMPLICATIONS

8.1 Any relevant matters are set out in the previous reports.

9. EFFICIENCY STATEMENT

9.1 Any relevant matters are set out in the previous reports..

10. APPENDICES

None

**Local Government Act, 1972 Section 100D (As amended)
List of "Background Papers" used in the preparation of this report**

| Brief description of "background papers" | Name and telephone number of holder and address where open to inspection. |
|--|---|
| None | N/A |

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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

22nd JANUARY 2014

**APPOINTMENT OF MEMBERS TO THE TOWER HAMLETS
HEALTH AND WELLBEING BOARD**

REPORT OF THE SERVICE HEAD, DEMOCRATIC SERVICES

EXECUTIVE SUMMARY

The Health and Social Care Act 2012 requires all upper tier local authorities to establish a Health and Wellbeing Board as a forum for local health and care leaders to improve the health and wellbeing of their local residents.

At the Cabinet meeting on 4th December 2013, The Mayor agreed to establish the Tower Hamlets Health and Wellbeing Board and the report received is attached at Appendix 1. Whilst the establishment of the Health and Wellbeing Board is an executive function, it is for Full Council to agree the proposed appointments to the Board on behalf of the Authority, other than those who are on the board *ex officio* or by force of statute following nomination by the Mayor, as outlined in paragraph 6.5 of the report to Cabinet.

RECOMMENDATIONS

That the Council –

1. Agree the appointment of co-opted members to the Tower Hamlets Health and Wellbeing Board as set out at paragraph 1.3 overleaf; and
2. Nominate a non-executive majority group Councillor to serve on the Board.
3. Note the other appointments to the Board which take effect by operation of statute.
4. Agree that the appointments will be for the current municipal year.

1. **DETAILS OF THE REPORT**

1.1 It is proposed that the membership of the Tower Hamlets Health and Wellbeing Board would include the following:

- Mayor (Chair of the Health and Wellbeing Board);
- Cabinet Members for Health and Wellbeing and Children's Services;
- Cabinet Member for Resources;
- Executive Advisor on Adult Social Care;
- Non-executive majority group councillor nominated by Council.

The Chair of the Council's Health Scrutiny Panel will be able to sit as an observer.

1.2 The Mayor in Cabinet on 4th December also amended the proposed terms of reference to indicate that the Cabinet Member for Health and Wellbeing would Chair the meetings in the absence of the Mayor.

1.3 For information, the rest of the membership includes:

Local Authority Officers

- Corporate Director - Education, Social Care and Wellbeing; and
- Director of Public Health

Healthwatch

- Chair of Local Healthwatch

NHS Commissioners

- Chair, NHS Tower Hamlets Clinical Commissioning Group
- Chief Operating Officer, NHS Tower Hamlets Clinical Commissioning Group

Co-opted Members (non-voting)

NHS Providers

- Chief Operating Officer – Barts Health
- Chair of Tower Hamlets – Council for Voluntary Services
- Deputy Chief Executive – East London Foundation Trust

- Representative from the Housing Forum;
- Chair of the Integrated Care Board; and
- The Young Mayor.

1.4 It should be noted that the local liaison officer of the National Commissioning Board will also be invited to attend but is not a formal member.

1.5 The Terms of Reference enable the Health and Wellbeing Board to co-opt

other Health and Wellbeing Board members as the Board develops and evolves over time.

1.6 All further details are set out in the report to Cabinet attached at Appendix 1.

2. COMMENTS OF THE CHIEF FINANCE OFFICER

2.1 Relevant financial considerations are set out in the attached Cabinet report.

3. LEGAL COMMENTS

3.1 Relevant legal considerations are set out in the attached Cabinet report.

4. OTHER IMPLICATIONS

4.1 Any other relevant implications are set out in the attached Cabinet report.

Appendices

- Appendix 1 – Report to 4 December Cabinet on the establishment of the Health and Wellbeing Board.

Background Papers: Section 100D of the Local Government Act 1972

NONE

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| Cabinet 4 December 2013 |  TOWER HAMLETS |
| Report of: Robert McCulloch-Graham, Corporate Director of Education, Social Care and Wellbeing | Classification: Unrestricted |
| Establishment of the Tower Hamlets Health and Wellbeing Board | |

| | |
|-------------------------------|---|
| Lead Member | Mayor Lutfur Rahman |
| Originating Officer(s) | Deborah Cohen, Service Head Commissioning and Strategy John S. Williams, Service Head, Democratic Services |
| Wards affected | All wards |
| Community Plan Theme | A Healthy and Supportive Community |
| Key Decision? | Yes |

Executive Summary

- 1.1 This paper sets out proposals to establish the current shadow Health and Wellbeing Board as a statutory committee of the Council, as required by the Health and Social Care Act 2012. The establishment of the HWB is an executive function and appointments to it should be confirmed by full council.

Recommendations:

The Mayor in Cabinet is recommended to:

- 2.1 Establish the Health and Wellbeing Board with the terms of reference and membership as set out in Appendix 1.
- 2.2 Note that appointments to the Board will be presented to full council to be formally made.

1. REASONS FOR THE DECISIONS

- 1.1 The Health and Social Care Act 2012 requires all upper tier local authorities to establish a Health and Wellbeing Board as a forum for local health and care leaders to improve the health and wellbeing of their local residents. This requires the Local Authority to formally establish the Board including agreeing its Terms of Reference.

2. ALTERNATIVE OPTIONS

- 2.1 There is no alternative option to the establishment of a Health and Wellbeing Board as the Council is required to do this by Statute.
- 2.2 The Council may choose to establish the Health and Wellbeing Board with different terms of reference from those recommended in Appendix 1, but those terms of reference are recommended for reasons set out in the body of the report. A different approach may require further analysis and advice.

3. DETAILS OF REPORT

Background

- 3.1 The Health and Social Care Act 2012 requires all upper tier local authorities to establish a Health and Wellbeing Board as a forum for local health and care leaders to improve the health and wellbeing of their local residents.
- 3.2 On the 3rd August 2011 the Mayor in Cabinet agreed the following in relation to a shadow Health and Wellbeing Board, established in anticipation of the changes made by the Health and Social Care Act 2012:
- that the Mayor chairs the Tower Hamlets Health and Wellbeing Board;
 - the proposed membership of the Board and
 - that the first meeting of the HWB should be in September 2011 and quarterly thereafter.
- 3.3 The Shadow Health and Wellbeing Board has been operating in this way since its first meeting in October 2011.
- 3.4 This paper sets out proposals to establish the Board as a statutory body and proposed terms of reference which are attached in Appendix 1.

Body of report

- 4.1 In accordance with the Health and Social Care Act 2012, the Shadow Tower Hamlets Health and Wellbeing Board should transition to be a statutory committee. Under the legislation the Board is to be treated as if it were a committee appointed by the Council under section 102 of the Local Government Act 1972.
- 4.2 However, the policy intention underpinning the establishment of the Board is that of collaborative local leadership which is very different from a normal local authority committee established in this way. The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, reflecting the spirit of the policy, set out the possibility for Councils to either disapply or modify rules of section 102 Committees.

4.3 The proposed Terms of Reference for the Tower Hamlets Health and Wellbeing Board (see Appendix I) reflect the Health and Wellbeing Board regulations. The key elements of the Terms of Reference are outlined below. The Health and Wellbeing Board will be an Executive Body of the Council with Executive Functions. The functions of the Health and Wellbeing Board are set out in 5.2 of the Terms of Reference, the key functions however are:

- To encourage integrated working between persons who arrange for the provision of any health or social services in Tower Hamlets for the advancement of the health and wellbeing of the people in Tower Hamlets.
- To identify needs and priorities across Tower Hamlets and publish and refresh the Tower Hamlets Joint Strategic Needs Assessment (JSNA) so that future commissioning/policy decisions are based on evidence.
- To prepare the Joint Health and Wellbeing Strategy.
- To be involved in the development of any CCG Commissioning Plan that applies to Tower Hamlets and to give its opinion to the CCG on any such proposed plan.
- To communicate and engage with local people on how they could achieve the best possible quality of life and be supported to exercise choice and control over their personal health and wellbeing. This will involve working with Local HealthWatch to make sure there's a continuous dialogue with the public to ensure services are meeting need.
- To carry out new functions as requested by the Secretary of State and as advised in guidance issued from time to time.

4.4 **Membership**

4.4.1 Following consultation with the Shadow Health and Wellbeing Board it is proposed that the Health and Wellbeing Board membership comprise the following categories:

- Elected Representatives;
- Local Authority Officers;
- Healthwatch;
- NHS Commissioners;
- Health Providers; and
- Co-opted Members.

4.4.2 The proposed membership of the Tower Hamlets Health and Wellbeing Board is as follows:

Elected Representatives

- Mayor (Chair of the Health and Wellbeing Board);
- Cabinet Members for Health and Wellbeing and Children's Services;
- Cabinet Member for Resources;
- Executive Advisor on Adult Social Care;
- Non-executive majority group councillor nominated by Council.

The Chair of the Council's Health Scrutiny Panel will be able to sit as an observer.

Local Authority Officers

- Corporate Director - Education, Social Care and Wellbeing; and
- Director of Public Health

Healthwatch

- Chair of Local Healthwatch

NHS Commissioners

- Chair, NHS Tower Hamlets Clinical Commissioning Group
- Chief Operating Officer, NHS Tower Hamlets Clinical Commissioning Group

Co-opted Members (non-voting)

- **NHS Providers**
 - Chief Operating Officer – Barts Health
 - Chair of Tower Hamlets – Council for Voluntary Services
 - Deputy Chief Executive – East London Foundation Trust
- Representative from the Housing Forum;
- Chair of the Integrated Care Board; and
- The Young Mayor.

4.4.3 It should be noted that the National Commissioning Board is a key stakeholder of the Health and Wellbeing Boards. The local liaison officer will be invited to attend the Board but is not a formal member.

4.4.4 The Terms of Reference enable the Health and Wellbeing Board to co-opt other Health and Wellbeing Board members as the Board develops and evolves over time.

4.5 Quorum

4.5.1 The quorum of the Board in the Terms of Reference is a quarter of the membership including at least one Elected Member of the Council and one representative from the NHS Tower Hamlets Clinical Commissioning Group.

4.6 Code of Conduct and Declarations of Interest

4.6.1 Elected Members who are appointed to the Health and Wellbeing Board will be required to comply with the Council's code of conduct in carrying out their duties on the Board.

4.6.2 It is proposed that non-councillor members of the Board should be required to comply with the same code of conduct as Members in relation to standards of behaviour, declarations of interest etc. when undertaking their Board duties.

4.7 **Voting Restrictions**

4.7.1 The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 disapply certain provisions of section 104 of the Local Government Act 1972 which would otherwise prevent certain persons, including officers of the local authority, from being members of the Health and Wellbeing Board.

4.7.2 The regulations also modify section 13 of the Local Government and Housing Act 1989 to enable all members of the Health and Wellbeing Board to be voting members unless the local authority, having consulted the Health and Wellbeing Board, directs otherwise. It is proposed that the Tower Hamlets Health and Wellbeing Board will include non-voting ‘co-opted members’ as listed at 6.4.2 above and this proposal has been developed in consultation with the Shadow Health and Wellbeing Board.

4.8 **Application of Transparency Provisions**

4.8.1 As the Health and Wellbeing Board is required to operate as if it were a committee approved by the Council under section 102 of the Local Government Act 1972 this means that public access to the meetings and to papers will be required.

4.8.2 The rules governing public participation in meetings are those set out in the Council Procedure Rules; members of the public can submit questions to the Board in advance and can contribute at the Chairs discretion.

4.9 **Establishment of sub committees and delegation**

4.9.1 In January 2012 the Shadow Health and Wellbeing Board agreed to establish a number of sub groups to support the implementation of the Board’s work.

4.9.2 The current structure of the Board is illustrated in figure 1 below.

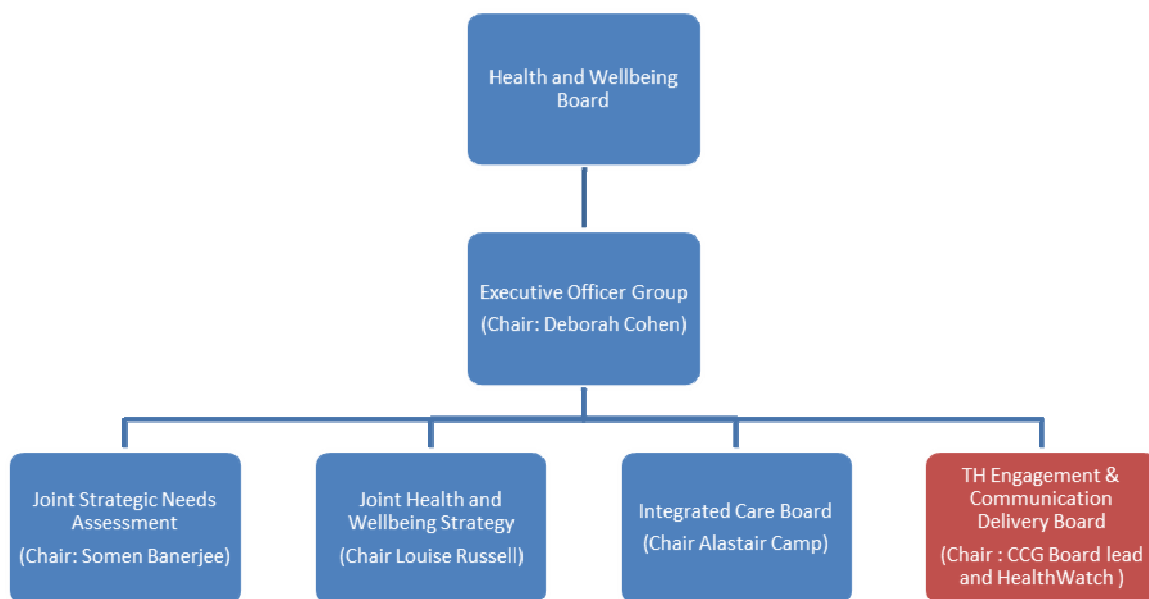


Figure 1: Shadow Tower Hamlets Health and Wellbeing Board Structure (red = also reports to the CCG Board)

4.9.3 The 2013 Regulations provide that where the Health and Wellbeing Board has powers to discharge certain functions it may, unless the local authority directs otherwise, arrange for a those functions to be discharged by a sub-committee of the Board. The current sub groups of the Board do not have delegated powers from the Board. If this were to change then the sub committees would be subject to the same rules as the Health and Wellbeing Board. It is not proposed to delegate powers to these bodies at this time.

4.10 **Disapplication of proportionality rules**

4.10.1 The 2013 Regulations disapply the political balance requirements as set out in sections 15 and 16 of, and schedule 1 to, the Local Government and Housing Act 1989. The elected member appointments to the Board therefore do not have to be made on the basis of political proportionality.

5. **COMMENTS OF THE CHIEF FINANCE OFFICER**

5.1 The establishment of the Health & Wellbeing Board presents an opportunity to transform Health and Wellbeing in Tower Hamlets by joining up council services with those provided by local health services and other partners. While the primary goal would be to improve Health & Wellbeing opportunities for residents, there may also be financial efficiencies that could be realised through a joined up strategy – these are currently difficult to quantify.

5.2 There are no specific financial implications arising directly from the recommendations in this report.

6. **LEGAL COMMENTS**

6.1 Section 194 of the Health and Social Care Act 2012 (“**the 2012 Act**”) requires the Council to establish a Health and Wellbeing Board (“**HWB**”) for its area. The Council established the Shadow Tower Hamlets Health and Wellbeing Board in 2011. This was done in anticipation of the 2012 Act, but absent the necessary statutory framework, the shadow board could not be given statutory functions. The arrangements for the HWB must be formalised so as to comply with the requirements of the 2012 Act and regulations made under the Act.

6.2 Section 194(11) of the 2012 Act provides that the HWB will be a committee of the local authority which establishes it, in this case the London Borough of Tower Hamlets (“**the Council**”). That section further provides that the HWB is to be treated for the purposes of any enactment as if it were a committee approved by the Council under section 102 of the Local Government Act 1972 (respectively “**a section 102 committee**” and “**the LGA 1972**”).

- 6.3 In the ordinary course, consequences would flow from the HWB being a section 102 committee, some of which are as follows –
- The access to information provisions in Part 5A of the LGA 1972 would apply to the HWB by virtue of section 100E of that Act.
 - Committee members who are not members of the authority would ordinarily be non-voting members by virtue of section 13 of the Local Government and Housing Act 1989 (“the LGHA 1989”).
 - The requirement for political balance in section 15 of the LGHA 1989 would ordinarily apply.
 - Business at meetings would be conducted in accordance with the requirements of section 99 and Schedule 12 of the LGA 1972, which provide for majority voting.
- 6.4 However, section 194 of the 2012 Act goes on to provide in sub-section (12) that regulations may, in relation to HWBs, either: (a) dis-apply any enactment relating to a section 102 committee; or (b) apply any such enactment subject to specified modifications. The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 disapply the requirements in relating to voting rights and political balance.
- 6.5 Section 194 of the 2012 Act sets minimum requirements for the composition of the HWB. The HWB may include such persons or representatives of such persons as the Council thinks appropriate, but must consist of at least the following –
- At least one elected councillor nominated by the elected mayor. The elected mayor may be a member of the HWB instead of or in addition to this elected councillor.
 - The Council’s directors of Adult Social Services, Children’s Services and Public Health.
 - A representative of the Local Healthwatch organisation.
 - A representative of each relevant clinical commissioning group for Tower Hamlets.
- 6.6 The terms of reference drafted for the HWB specify the Board’s proposed composition. It includes the directors and representatives required by the 2012 Act, but also additional members.
- 6.7 The HWB is required to have and to exercise functions specified by enactment, which include the following –
- To encourage integrated working between persons who arrange for the provision of any health or social services in Tower Hamlets for the advancement of the health and wellbeing of the people in Tower Hamlets.
 - To provide advice, assistance or other support in order to encourage partnership arrangements under section 75 of the National Health Service Act 2006.

- To encourage those who arrange for the provision of any health-related services in Tower Hamlets (e.g. services related to wider determinants of health, such as housing) to work closely with the HWB.
- To encourage persons who arrange for the provision of any health or social care functions in Tower Hamlets and those who arrange for the provision of health-related services in Tower Hamlets to work closely together.
- To prepare the Joint Strategic Needs Assessment.
- To prepare the Joint Health and Wellbeing Strategy.
- To develop, prepare, update and publish the local pharmaceutical needs assessments.
- To be involved in the development of any CCG Commissioning Plan that applies to Tower Hamlets and to give its opinion to the CCG on any such proposed plan.

6.8 The Council may additionally arrange for its HWB to exercise any of the Council's functions, with the exception of the health scrutiny function under section 244 of the National Health Service Act 2006. As presently drafted, the terms of reference do not propose giving additional Council functions to the HWB.

6.9 The establishment of the HWB is an executive function and appointments to it should be confirmed by full council.

6.10 When establishing the HWB, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't. There is information in section 9 of the report relevant to these considerations.

7. ONE TOWER HAMLETS CONSIDERATIONS

7.1 Council leadership of the Tower Hamlets Health and Wellbeing Board will ensure greater democratic accountability within the NHS and strengthen partnerships and joint commissioning to reduce inequality, especially health inequalities.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no specific SAGE implications

9. RISK MANAGEMENT IMPLICATIONS

9.1 There are no specific risk implications

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no specific Crime and Disorder Reduction Implications

11. EFFICIENCY STATEMENT

11.1 There are no specific Efficiency implications.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 – Proposed Terms of Reference

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

Officer contact details for documents:

- N/A
-

Tower Hamlets Health and Wellbeing Board

Proposed Terms of Reference

1. Introduction and glossary

1.1 The Tower Hamlets Health and Wellbeing Board demonstrates joint commitment to work together in partnership to improve the health of all communities and sectors in the borough. Chaired by the Mayor of Tower Hamlets and with representatives from the Local Authority (Councillors and Officers including the Director of Public Health), the NHS - the Tower Hamlets Clinical Commissioning Group, HeathWatch, The Council for Voluntary Services, East London Foundation Trust, Barts Health and The Tower Hamlets Housing Forum, this Board provides a unique opportunity to reduce health inequalities and to deliver significant improvements in health and wellbeing. The Board will do this through the initiation of integrated and joint approaches that provide added value or benefit to the population of Tower Hamlets.

1.2 The Tower Hamlets Health and Wellbeing Board is established in response to the Health and Social Care Act 2012. It is a committee of the Council and exercises functions given to it by statute and outlined in these terms of reference. It is an executive decision-making body of the Council.

1.3 References in this document to the 'Board' are references to the Tower Hamlets Health and Wellbeing Board.

1.4 The following abbreviations are used in these terms of reference –

| | |
|------|---|
| CCG | Clinical Commissioning Group |
| DASS | Director of Adult Social Services, LBTH |
| DCS | Director of Children Services, LBTH |
| DPH | Director of Public Health |
| HWB | Health and Wellbeing Board |
| LBTH | London Borough of Tower Hamlets |
| NELC | North East London and City |
| NHS | National Health Service |
| TH | Tower Hamlets |

2. Standing Orders

2.1 The Standing Orders of LBTH will apply to the HWB and the conduct of its business subject to any necessary modifications.

2.2 Without limiting the meaning of Standing Orders, these will include relevant rules of procedure contained in the Council's Constitution such as the:

- Council Procedure Rules
- Access to Information Procedure Rules
- Executive Procedure Rules
- Exclusion of access by the Public to meetings

2.3 The following are relevant modifications to Standing Orders for the HWB:

- The Chair of the TH Health and Wellbeing Board will be the Elected Mayor of the Borough.
- The quorum for a meeting must be a quarter of the membership, including at least one Elected Member of the Council and one representative of the TH CCG.
- Health providers represented on the Health and Wellbeing Board (East London Foundation Trust, Barts Health and the Council for Voluntary Services) must be excluded from meetings in the event of the Board making procurement decisions and/or recommendations.

2.4 Record of attendance: all members of the Board present during the whole or part of a meeting must sign their names on the attendance sheet before the conclusion of every meeting to assist with the record of attendance.

2.5 Declarations of interest:

2.5.1 In accordance with the Council's Code of Conduct for Members (which applies to all Board Members), Councillors and HWB Board Members are reminded that it is a requirement to declare interests that they may have within the published register of interests. Board members will also be required to declare interests in items included on the agenda for any meeting of the Health and Wellbeing Board at which they are present. This should be done at the beginning of the meeting or as soon as the interest becomes apparent. A copy of the Code of Conduct is attached for information.

2.5.2 Under a specific agenda item the Chair will invite members of the Board to make any declarations orally and these will be recorded in the minutes.

2.5.3 If in doubt Board members are asked to discuss with the clerk before the meeting starts.

2.5.4 Following the declaration of a Conflict of Interest the Board member can decide to:

- Remain for all or part of the meeting,
- Participate in the meeting,
- Vote at the meeting,
- Leave the meeting.

Nevertheless, a Board Member who declares an interest cannot participate in discussion or vote on any matter covered by that interest; and a Board Member who has a Disclosable Pecuniary Interest in any matter to be discussed at a meeting must leave the room during consideration of that matter.

3. Membership of the Tower Hamlets Health and Wellbeing Board

3.1 The membership of the Board reflects the requirements of the Health and Social Care Act 2012 and includes other members that Tower Hamlets regard as important to the Health and Wellbeing of its residents.

3.2 The membership of the Board is as follows:

Chair

- Mayor (Chair of the HWB)

Elected Representatives

- Cabinet Members for Health & Wellbeing and Children's Services (2)
- Cabinet Member for Resources
- Executive Advisor on Adult Social Care
- Non-executive majority group councillor nominated by Council

Local Authority

- Corporate Director - Education, Social Care and Wellbeing (DASS and DCS) - LBTH
- Director of Public Health - Tower Hamlets

Local HealthWatch

- Chair of local Healthwatch

NHS (Commissioners)

- Chair - NHS TH CCG
- Chief Operating Officer – NHS TH CCG

Co-opted Members

- Health Providers
 - Chief Operating Officer - Barts Health
 - Chair of Tower Hamlets - CVS
 - Deputy Chief Executive - East London and the Foundation Trust
- Representative from the Housing Forum;
- Chair of the Integrated Care Board
- The Young Mayor

3.3 Stakeholders that may attend the Board from time to time but are not members:

- Representative of NHS England
- Chairs of Tower Hamlets Safeguarding Boards (Adults and Childrens).

3.4 It is expected that Members of the Board will have delegated authority from their organisations to take decisions within the Terms of Reference. Representatives will be accountable through their own organisation's decision making processes for the decisions they take.

3.5 The aspiration for the Health and Wellbeing Board is to make decisions by consensus. Where this is not possible a process for majority voting is required. Voting members are elected representatives, local authority officers, Healthwatch and NHS commissioners.

3.6 Attendance by substitute for members is discouraged and members are expected to attend at least 3 out of 4 of the Board meetings each year in the normal course of events. The Health and Wellbeing Board will be keeping a log of attendance which will be published alongside any published agendas, minutes and papers.

3.7 Alternates for Board Members will be allowed where necessary and members of the Board may each nominate one named deputy who may attend in their absence. Deputies must be notified in advance to the clerk. All meeting papers will be sent to the members of the Board and if any member is unable to attend a meeting it is the responsibility of that member to arrange attendance by his/her deputy and to pass on any necessary papers to the deputy.

4. Frequency of meetings and other arrangements

4.1 The Tower Hamlets Health and Wellbeing Board will meet quarterly. Additional Extraordinary Meetings may be arranged with the agreement of the Chair as necessary.

4.2 The Tower Hamlets HWB is established as a committee within section 102 of the Local Government Act 1972. This requires public access to meetings of the HWB and its business papers unless properly excluded in relation to disclosure or likely disclosure of exempt or confidential information.

4.3 At each Board meeting the following groups will be present:

- Members of the Board
- Officers in attendance and Board stakeholders
- Members of the Public

4.4 Members of the Board and Officers in Attendance will be distinguished by different colour name plates.

4.5 Members of the public will be able to observe Board meetings from designated seating areas.

4.6 Officers in attendance and members of the Board can contribute to discussion at the discretion of the Chair. Rules governing public participation are set out in the Council Procedure Rules.

4.7 Agendas and papers for the Health and Wellbeing Board will be made public in accordance with LBTH's Access to Information Procedure Rules. This is achieved through the Tower Hamlets Council website and by making papers available at the meeting, in the same way as LBTH does for others of its committee meetings (e.g. Cabinet, Scrutiny etc...). This means that in the ordinary course, papers will be posted to Board members at least 5 working days before the Board meeting.

5. Board Role and Purpose:

5.1 The Health and Wellbeing Board will lead, steer and advise on strategies to improve the health and wellbeing of the population of Tower Hamlets. It will

seek to do this through joint work across services in the Borough and the greater integration of health and social care as well as with those accessing services that can help to address the wider determinants of Health. The Board continues to support the ambitions of the Tower Hamlets Partnership outlined within the Tower Hamlets Community Plan.

5.2 The Health and Wellbeing Board has the following functions:

- To have oversight of assurance systems in operation
- To encourage integrated working between persons who arrange for the provision of any health or social services in Tower Hamlets for the advancement of the health and wellbeing of the people in Tower Hamlets.
- To provide advice, assistance or other support in order to encourage partnership arrangements under Section 75 of the NHS Act 2006.
- To encourage those who arrange for the provision of any health-related services in Tower Hamlets (e.g. services related to wider determinants of health, such as housing) to work closely with the HWB.
- To encourage persons who arrange for the provision of any health or social care functions in Tower Hamlets and those who arrange for the provision of health-related services in Tower Hamlets to work closely together.
- To identify needs and priorities across Tower Hamlets and publish and refresh the Tower Hamlets Joint Strategic Needs Assessment (JSNA) so that future commissioning/policy decisions are based on evidence.
- To prepare the Joint Health and Wellbeing Strategy.
- To develop, prepare, update and publish the local pharmaceutical needs assessments.
- To be involved in the development of any CCG Commissioning Plan that applies to Tower Hamlets and to give its opinion to the CCG on any such proposed plan.
- To communicate and engage with local people on how they could achieve the best possible quality of life and be supported to exercise choice and control over their personal health and wellbeing. This will involve working with Local HealthWatch to make sure there's a continuous dialogue with the public to ensure services are meeting need.
- Consider and promote engagement from wider stakeholders.
- To have oversight of the quality, safety, and performance mechanisms operated by member organisations of the Board, and the use of relevant public sector resources across a wide spectrum of services and interventions, with greater focus on integration across outcomes spanning health care, social care and public health. Areas of focus to be agreed

from time to time by members of the Board as part of work planning for the Board.

- Such other functions delegated to it by the Local Authority.
- Such other functions as are conferred on Health and Wellbeing Boards by enactment.

6. The Board in Practice

- 6.1 The Health and Wellbeing Board will establish supporting task and finish or sub groups to deliver the work of the Board as required, in general, these will be working groups with no powers delegated to them by the Health and Wellbeing Board. Any Sub-Committee established by the Board with delegated powers to discharge any function of the Board shall be subject to the same rules as a formal Board meeting including the provisions relating to public attendance and access to information. Sub groups may involve stakeholders who are not represented as Board members but are important to influencing and shaping health and wellbeing in Tower Hamlets.
- 6.2 The Health and Wellbeing Board is supported by and Executive Officer Group. It will oversee implementation of decisions and strategic direction as set by the Board.

The Executive Officer Group will be chaired by Service Head for Commissioning and Health, Education, Social Care and Wellbeing (ESW) Directorate, LBTH.

- a. Corporate Director of ESW Director of Public Health –Tower Hamlets
- b. Chief Operating Officer –NHS TH CCG
- c. Head of Corporate Strategy and Equalities – Tower Hamlets
- d. Director/CEX Healthwatch

7. Accountability and relationships with other Groups

- 7.1 The Health and Wellbeing Board is accountable to the Mayor of Tower Hamlets.
- 7.2 The Health and Wellbeing Board is part of the broader One Tower Hamlets Partnership.
- 7.3 As a committee appointed by the local authority the Health and Wellbeing Board will be subject to scrutiny by the Council's overview and scrutiny arrangements.
- 7.4 Other relationships:

Safeguarding Boards: The Chairs of the Adults Safeguarding Board and The Local Safeguarding Children's Board will be invited to attend Health and Wellbeing Boards annually with more frequent attendance by exception. Chairs of the Safeguarding Boards can escalate issues to the Health and Wellbeing Board through the Corporate Director of Adults Health and Wellbeing and Children, Schools and Families.

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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 22nd JANUARY 2014

**MOTIONS SUBMITTED BY
MEMBERS OF THE COUNCIL**

**REPORT OF THE SERVICE HEAD,
DEMOCRATIC SERVICES**

SUMMARY

1. Fourteen motions have been submitted by Members of the Council under Council Procedure Rule 13 for debate at the Council meeting on Wednesday 22nd January 2014.
2. The motions submitted are listed overleaf. In accordance with the protocol agreed by the Council on 21st May 2008, the motions are listed by turns, one from each group, continuing in rotation until all motions submitted are included. The rotation starts with any group(s) whose motion(s) were not reached at the previous meeting.
3. Motions must be about matters for which the Council has a responsibility or which affect the Borough. A motion may not be moved which is substantially the same as a motion which has been put at a meeting of the Council in the previous six months; or which proposes that a decision of the Council taken in the previous six months be rescinded; unless notice of the motion is given signed by at least twenty Members.
4. There is no specific duration set for this agenda item and consideration of the attached motions may continue until the time limit for the meeting is reached. The guillotine procedure at Council Procedure Rule 9.2 does not apply to motions on notice and any of the attached motions which have not been put to the vote when the time limit for the meeting is reached will be deemed to have fallen. A motion which is not put to the vote at the current meeting may be resubmitted for the next meeting but is not automatically carried forward.

MOTIONS

Set out overleaf are the motions that have been submitted.

12.1 Motion regarding the Mayor's statements on the "March against alcohol"

Proposer: Councillor Peter Golds

Seconded: Councillor Tim Archer

This Council notes:

- The possibility of an increase in community tensions arising from the well publicised "March against alcohol" in Brick Lane on December 13th.
- That Brick Lane is known worldwide for its vibrant restaurant offer, and that the beginning of the Christmas period is a highpoint for the local economy.

This Council believes:

- This event would intimidate restaurants and their customers, and attract other extremist groups to the area
- Policing the event was a waste of valuable police resources, with a reduction in the availability of officers across the borough at a particularly busy time.

This Council also notes:

- That the initial statement issued in the name of the Mayor was "We strongly believe in the right to free speech and association, and I am pleased that, with the Police's support, this group were able to exercise that right whilst upholding respect for our communities, which is the hallmark of our 'No Place for Hate' pledge."

This Council also believes:

- That this was an extraordinary response in view of the threats to legitimate local businesses and their customers who were intent on enjoying a pre-Christmas lunch completely within the law.

This Council further notes:

- That following hostile publicity after the release of this statement an amended statement was published, stating "As part of our pledge to 'No Place for Hate', we oppose all groups that seek to impose their views on and bring division to our communities. Council staff worked with the Police to ensure that the businesses, residents and visitors on Brick Lane were protected during the demonstration."

This Council further believes:

- That the confusion around the Mayor's position on this important issue shames the Council, reflecting poorly on his office.

- That there are a number of unanswered questions as to how the original inappropriate statement came to be released, including:-
 1. Why, with a multi-million pound publicity budget he makes such different statements?
 2. Who authorised the initial statement in his name?
 3. What particular event or events the following week encouraged him to change the statement?

This Council resolves:

- To condemn the Mayor's original statement, and the confusion around its subsequent retraction.
- To instruct officers to present a report to the next Council meeting, outlining the procedural failures that led to this debacle; and the steps to be taken to prevent a repeat.

12.2 Motion regarding Government Immigration Policy

Proposer: Councillor Fozol Miah

Secunder: Councillor Harun Miah

This Council notes:

- 1) There has been a concerted campaign of disinformation promoted by certain right wing newspapers and UKIP about immigration into Britain, thereby whipping up racism
- 2) All the major political parties have capitulated to this racist agenda rather than countering it with the facts
- 3) The Government has precisely no information on what the likely effects on the benefit bill will be from migration from Romania and Bulgaria following the easing of restrictions on entry from 1st January
- 4) All the evidence over the past few years is that migrants have contributed more to public funds through taxation than they have received in the form of benefits and that migration has been vital for economic growth
- 5) The problems facing less well off members of the community are not a result of migration but the failure of successive governments to ensure adequate job opportunities and decent housing through deliberate policy decisions
- 6) The Condem Coalition has brought in a new immigration bill which will make even worse the current immigration policy, which, amongst many other things, discriminates against British people, including many residents of Tower Hamlets, marrying whom they wish and living with them, thereby dividing families
- 7) Only 18 MPs, including the former MP for Bethnal Green and Bow George Galloway, voted against this bill

This Council deplores the fact that:

- 1) The Government has pandered to prejudice and ignorance in introducing new legislation on immigration
- 2) The Labour opposition has also capitulated to this prejudice and ignorance by abstaining in the vote on the new immigration bill
- 3) Tower Hamlets two Labour MPs, Rushanara Ali and Jim Fitzpatrick, abstained in the vote on the immigration bill
- 4) The Labour front bench spokesman Chuka Umunna has raised the possibility of a future Labour government further restricting free movement of EU citizens

This Council urges the Mayor to do all he can to dispel the ignorance and prejudice about migration amongst Tower Hamlets residents and to point out the benefits that everyone in Tower Hamlets will gain from migration, to inform residents that the problems facing many in Tower Hamlets are the product of deliberate government policy in relation to the economy, housing and jobs and not from migration and that the right way to address these problems is by securing a complete change of government and policy

12.3 Motion regarding Cost of Living

Proposer: Councillor Rachael Saunders

Secunder: Councillor Sirajul Islam

This Council believes:

- That families in Tower Hamlets are feeling the pinch, with prices rising faster than wages, and too many local people finding it difficult to access decent work.
- That the Conservative-led Government is complacent about the difficulties people are facing, as demonstrated by Ian Duncan Smith's refusal to even speak to representatives from the Trussell Trust who run many of the country's food banks.
- That it is shameful that people in the UK are dependent on food banks
- That Lutfur Rahman is weak and out of touch with the real needs of local people – whilst his administration has plenty of short term gimmicks, he has done little to tackle to real issues that local people face.

This Council notes:

- That despite much fanfare at launch, Tower Hamlets Power has so far only helped 237 residents with their electricity bills despite spending over £12,000 on publicity for the scheme and plans to spend a further £37,351 promoting it this month.
- That Lutfur Rahman's cuts to funding for already overstretched advice services have left many families with no access to support. Whilst other London boroughs such as Labour controlled Camden and Islington are increasing their funding for these kind of advice services in light of increasing demand.
- That CAB applied for funding from the events grants funds, but was refused yet the Mayor instead decided to fund events by commercial media organisations.
- That the weak, insular approach of the current administration means that opportunities to support local people in tough times are being missed.
- That most high streets in Tower Hamlets feature at least one pay day loan shop.
- That with a Mayor that refuses to answer questions in public, Tower Hamlets has little chance of being taken seriously by business or other local stakeholders.

This Council resolves:

- To support Ed Miliband's cost of living pledge, which sets out the real action a Labour government would take:
 1. Stop the Government's raid on pensioners and block its £40,000 tax cut to 14,000 millionaires
 2. End rail rip-offs by capping fares increases on every route

3. Force the energy firms to cut gas and electricity bills for 4 million over-75s
 4. Stop excessive fees charged by banks and low cost airlines
 5. Defend working families from the raid on their tax credits by reversing the Government's pension tax break for those earning over £150,000
- To condemn Boris Johnson's rip off rises to fares on tubes and buses.
 - To campaign for effective benefit take up advice for Tower Hamlets residents and to call upon the Council to use the communications tools at their disposal for the benefit of local people not the ludicrous self promotion of the Mayor.
 - To call on Lutfur Rahman to reconsider the grant funding that goes to his cronies, and to reinstate the previous levels of funding to our advice services.
 - To call on the Council to provide logistical support to those organising food banks, including offering the use of Council buildings for collections.
 - To condemn Lutfur Rahman for his failure to work with business to secure apprenticeships or work experience opportunities in the borough, or to secure Living Wage commitments for Tower Hamlets workers outside the Town Hall.

12.4 Motion regarding issuing fines for spitting or urinating in public

Proposer: Councillor Gloria Thienel

Seconder: Councillor Dr Emma Jones

Tower Hamlets Council condemns those whose filthy habits ruin our public spaces. It is never acceptable for residents or visitors to commit antisocial behaviour such as spitting or urinating in public in our borough.

This Council classifies spit and urine as waste, and will enforce against it through penalty charge notices, the same as for other forms of littering.

12.5 Motion regarding the shooting of Mark Duggan

Proposer: Councillor Harun Miah

Secunder: Councillor Fozol Miah

This Council notes:

- 1) The jury at the Coroner's Inquest into the shooting by police of Mark Duggan concluded that he was unarmed when he was shot
- 2) Police officers colluded to concoct a story about the circumstances of the shooting which the jury concluded was untrue
- 3) The jury illogically concluded that although Mark Duggan was shot whilst he was unarmed, the killing was nonetheless lawful
- 4) The shooting of Mark Duggan and the illogical conclusion of the inquest jury has further undermined confidence in the police amongst significant sections of the community
- 5) This lack of confidence in the Police is itself the product of many years of institutionalised racism in the Police
- 6) This institutionalised racism, evidenced by the use of stop and search powers disproportionately on younger members of the ethnic minorities, appears to be continuing despite the Macpherson Inquiry and recommendations arising out of the disgracefully botched investigation into the killing of Stephen Lawrence

This Council supports:

- 1) Any attempts that the Duggan family make to overturn the illogical conclusion of the inquest jury that Mark Duggan's killing was lawful
- 2) Changes to the law relating to police shootings so that police officers are unable to collude in concocting untrue versions of events
- 3) The Mayor pressing Tower Hamlets Police and the Met Police more generally to take concrete actions to address the widespread belief that the Police continue to discriminate against members of the ethnic minorities and of less well off communities.

12.6 Motion regarding commercialisation of the Borough's public spaces

Proposer: Councillor Joshua Peck

Seconder: Councillor Abdal Ullah

This Council notes:

- That Tower Hamlets is a densely populated borough where many people don't have their own gardens
- That an increasing number of Tower Hamlets residents live at or near the poverty line, with all of their disposable income going on housing, heating and food, leaving nothing left over for leisure or entertainment
- That many of our residents rely on free access to our parks, open spaces and community facilities for recreation, physical and mental health and community cohesion
- That parks and open spaces represent important public places for people of all communities to come together strengthening community cohesion and building One East End.
- That the current Mayor has been increasingly using the borough's parks, open spaces and community facilities to raise money, at the expense of their intended purpose as a community asset and public service, including:
 - Letting a four year contract to Lovebox for seven days of festivals each year in Victoria Park, despite significant complaints from residents about disturbance from events, huge damage to the Park and significant spikes in crime when Lovebox takes place each year;
 - allowing a cider company to run a pop-up bar in Victoria Park;
 - renting out Island Gardens for an Oktoberfest event;
 - changing the use of the Mile End Park Arts Pavilion from a community art gallery to a wedding and commercial events venue
 - and a proposal to allow parties on Trinity Square Gardens, adjacent to the war memorial, which attracted national condemnation.
- That whilst many residents accept the need for revenue-raising activities as council funding is severely cut by the Government, the nature and frequency of many of these commercial events is having a disproportionate effect on the ability of residents to use and enjoy them.
- That the proportion of funding raised from these facilities that is reinvested in them is dropping dramatically – for example, falling from 73% of funding raised by Victoria Park in 2010 being reinvested in the Park and free events in it to just 29% in 2012.
- That free events for residents put on by the Council – which also used to be paid for by these funds – is also reducing:
 - The popular Paradise Gardens was cancelled by the Mayor in 2012

- The Victoria Park fireworks were cancelled by the Mayor in 2012, on the pretence that this was to allow three fireworks events to take place across the borough, but in 2013, only one event took place, and that the number of residents attending the fireworks has dropped from 80,000 in 2011 to just 16,000 in 2013

This Council believes:

- The primary and over-riding purpose of our public parks, open spaces and community facilities should be for the free and unfettered use of our residents
- Some commercial use of these facilities is acceptable as long as it is done in a way that does not unduly impact on users and local residents

This Council further notes:

- That on 16 May 2012 this Council resolved to amend the Open Spaces Strategy to put reasonable restrictions on the use of parks and open spaces for commercial events, in order to protect their primary purpose
- That as a result of the Council's process for resolution of disputes between the Council and the Executive, the Open Spaces Strategy was referred back to the Mayor for consideration and should have then been brought back to Council for a final decision, yet 19 months later, it still has not been considered by the Mayor and been brought back to Council.

This Council resolves:

- To restate its position that reasonable limits must be put on the use of open spaces and community facilities for commercial events
- To instruct the Head of Paid Service to report in writing to all Councillors as to why a revised Open Spaces Strategy, implementing the decision of Council on 16 May 2012 has not been put forward to the Mayor to consider and then brought to Council.

12.7 Motion regarding Tower Hamlets Schools

Proposer: Councillor Oliur Rahman

Seconder: Councillor Kabir Ahmed

This Council notes:

- The recent “Transforming Education for All” academic report naming Tower Hamlets schools as some of the best urban schools in the world
- The dramatic turnaround from being ranked the worst Local Authority for education in the country, to being one of the best
- The 380m investment by the Mayor which has allowed us to transform and rebuild secondary in the schools, rendering no need for new academies to be built
- That the Mayor has worked hard to resist academisation of its existing schools
- That every secondary maintained school in the borough is rated either as Ofsted “Outstanding” or “Good”
- The Mayor’s 1.5m funding to replace the Educational Maintenance Allowance axed by the Tory Government

This Council believes:

- That Tower Hamlets is an example to the world, providing a better education for a commonly under-served demographic than is often available in many of the country’s richer boroughs
- That the success story evidences the potential of our young people, which Tory governments would rather leave behind
- That grants such as the Mayor’s Educational Allowance, opposed by both Labour and Tory councillors in this administration, has been pivotal in helping many of these young people secure a better education and a better future
- That the Council has proven the ability of local governments to turn schools around without the profit motive
- That the work the Mayor to resist academisation has been both relevant and successful

This Council further believes:

- That the Government’s academisation plan is an ideologically driven crusade which has no bearing in local authorities who have a proven track record in turning schools around
- That Labour and Tory councillor’s opposition to the Mayor’s Educational Allowance was misplaced and ill-judged

- That the Mayor has a record second-to-none for advancing this Council's impressive academic record

This Council resolves:

- To continue the opposition to academisation within the borough, as the Local Authority has a clear track record in changing schools around
- To call on the Government to review its ideologically driven policy of forced academisation
- To continue to support our under-served demographic through grants such as the Mayor's Educational Allowance

12.8 Motion regarding Leasehold Service Charges

Proposer: Councillor Marc Francis

Seconder: Councillor Carlo Gibbs

This Council notes:

- In 2008, Full Council agreed a motion authorising the Lead Member for Housing to commission an independent audit of leasehold service charges following concerns about the two-thirds increase in the level of Management & Administration fees, numerous historic disputes over the costs recharged and a Scrutiny Review which called for much greater transparency and accountability in the calculation of service charges;
- In 2009, a Project Steering Group (PSG) involving councillors, Tower Hamlets Homes (THH), Tower Hamlets Leaseholders Association (THLA) and other leaseholders agreed detailed Terms of Reference for that audit, commissioned Beevers & Struthers Ltd to carry it out;
- In spring 2010, THH attempted unilaterally to introduce new methodology for the calculation of management fees and a new policy to charge to ground floor leaseholders for services they did not benefit from, which was blocked by the Lead Member;
- In summer 2010 a draft version was produced for the PSG, identifying a series of very challenging issues for THH around the management of leasehold services, value for money, caretaking, repairs and maintenance, management and administration fees, and several Service Levels Agreements with LBTH;
- However, publication of the final audit report was delayed by the Mayoral Election in October 2010 and not finally signed off by the PSG until May 2011, by which time LBTH/THH had already begun consultation on a "Leasehold Policy Review" which was claimed to have been based on its findings;
- The Mayor and Lead Member subsequently established a Leasehold Action Plan Working Group (LAPWG), including representatives of leaseholders to bring together the Beevers & Struthers' recommendations, those of the Audit Commission and THH's own Leaseholder Service Improvement Group, and a Statement of Intent was agreed by all those involved to implement the 54 recommendations or agree an alternative remedy;
- Over the next 18 months, just five of the 54 recommendations were implemented and in October 2012, THH sent leaseholders "actuals", which included significantly increased charges in most areas, particularly block/estate cleaning, a 17 per cent "Overhead" fee and new SLAs with LBTH. They were told these costs had been calculated on the B&S audit and had actually been "dampened" and so would increase further over the next two years;
- In spring 2013, the St Stephen's Estate Leaseholders Association published a damning scrutiny report, which exposed the failure to implement the recommendations in the original Beevers & Struthers audit;

- In response, the current Lead Member for Housing & Development, is now proposing an “review” of the original B&S audit.

This Council believes:

- The Mayor and THH have not implemented the recommendations contained in the independent audit in accordance with the agreed Statement of Intent and that the original aim of increasing transparency and accountability has been lost;
- Leaseholders should be fully recharged for the costs of the services they receive, but that the 2011/12 “actuals” are not based on the methodology set out in the recommendations in the B&S audit, but are instead opaque and represent very poor value for money;

This Council resolves to call on the Mayor to:

- Explain why only 5 out of 54 of the recommendations in the B&S audit have so far been implemented;
- Explain why an 17 per cent “Overhead” has been introduced across most Heads of Charge;
- Justify the Service Level Agreements between LBTH and THH and explain what action is being taken to ensure best value;
- Instruct THH to publish a report detailing how the actions it has taken since October 2010 to achieve “savings” have resulted in reduced costs to council leaseholders and tenants.

12.9 Motion regarding Transport for London fare rises

Proposer: Councillor Shahed Ali

Seconder: Councillor Aminur Khan

This Council notes:

- The recent decision to raise Transport for London fares by as much as an additional 4.8%
- That the rise is above that of inflation this year, despite Osborne's promises that that increases would be limited to the rate of inflation
- The total rise of some fares by more than twice their original amount since 2005
- That people in Britain will only receive a 1% pay rise on average this year, and will feel less in their pockets due to rising energy, food and rental bills
- The report commissioned by the Campaign for Better Transport, which has found
- The TUC's finding that typical London commuter now pays around 14% of their income on a monthly rail pass, compared to just 4% in Germany France and Spain
- That Europe's more unified publicly-owned railways cost less to run and provide cheaper fares
- That direct public expenditure on rail has more than doubled since privatisation and is currently running at £4 billion a year, despite fares which are higher than in other major European countries.
- The findings of the Centre for Research on Socio-Cultural Change (CRESC) that Rail privatisation is the 'great train robbery' which has artificially boosted profits of the privately owned Train Operating Companies through billions of hidden subsidies.

This Council believes:

- That rail privatisation is leading to ever higher fares and staff cuts and it is not in this country's interests to keep our railways privatised
- That it is not fair to continue raising travel fares in line with inflation when people's wages do not rise by the same amount
- That the privatisation of the railways is costing the taxpayer and has been a complete disaster since day one.

This Council resolves:

- To support Action for Rail; the TUC and rail union campaign that fights cuts to jobs and services and campaigns for a national, integrated railway under public ownership.
- To call on our local MP's to support Early Day Motion 419 on the public ownership of the rail and its demand 'that the interests of passengers, taxpayers, the economy and environment could be better served by a unified railway under public ownership, with fairer fares and proper staffing levels'

12.10 Motion regarding Local Authorities Mental Health Challenge

Proposer: Councillor Amy Whitelock Gibbs

Seconder: Councillor Rachael Saunders

This Council notes:

- 1 in 6 people will experience a mental health problem in any given year.
- The World Health Organisation predicts that depression will be the second most common health condition worldwide by 2020.
- Mental ill health costs some £105 billion each year in England alone.
- People with a severe mental illness die up to 20 years younger than their peers in the UK.
- There is often a circular relationship between mental health and issues such as housing, overcrowding, employment, family problems or debt.
- The local Mental Health Strategy notes that “Tower Hamlets has amongst the highest levels of mental health need in England.”
- The Overview and Scrutiny Committee has recently investigated the links between mental health and housing, such as how the lettings system does not always appropriately assess and respond to mental health problems as a priority need.

This Council further notes:

- Despite signing up to the Time to Change pledge to tackle mental health discrimination, Executive Members continue to use stigmatizing mental health language in public meetings and press releases, which undermines the aims of Time to Change and perpetuates negative attitudes to those with mental health problems.

This Council believes:

- As a local authority we have a crucial role to play in improving the mental health of everyone in our community and tackling some of the widest and most entrenched inequalities in health.
- Mental health should be a priority across all the local authority’s functions, from public health, adult social care and children’s services to housing, planning and public realm.
- All Councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing mental health on an individual and strategic basis. This includes never using negative mental health language for political purposes, particularly directed as an insult.

This Council resolves:

To sign the Local Authorities' Mental Health Challenge run by Centre for Mental Health, Mental Health Foundation, Mind, Rethink Mental Illness, Royal College of Psychiatrists and YoungMinds.

We commit to:

1. Appoint an elected member as 'mental health champion' across the Council – this would be a Full Council appointee
2. Identify a 'lead officer' for mental health to link in with colleagues across the Council
3. Follow the implementation framework for the mental health strategy where it is relevant to the Council's work and local needs
4. Work to reduce inequalities in mental health in our community
5. Work with the NHS to integrate health and social care support
6. Promote wellbeing and initiate and support action on public mental health
7. Tackle discrimination on the grounds of mental health in our community
8. Encourage positive mental health in our schools, colleges and workplaces
9. Proactively engage and listen to people of all ages and backgrounds about what they need for better mental health
10. Restate the commitment to the Time to Change pledge and pledge to never use stigmatizing mental health language for political purposes
11. Introduce mental health awareness training for all elected members and promote the local authority challenge guide, to ensure we can support our constituents.
12. Introduce training for frontline staff, such as housing and lettings teams, so they can identify and support people with mental health needs appropriately.

12.11 Motion on Nelson Mandela

Proposer: Councillor Rabina Khan

Secunder: Councillor Rania Khan

The Council notes:

- On the 5th December 2013, South African anti-apartheid revolutionary Nelson Mandela passed away.
- Mandela served 27 years in prison after being convicted of attempting to overthrow the state while an international campaign lobbied for his release.
- After his release, Mandela joined negotiations with President FW de Klerk to abolish apartheid and establish multiracial elections, lead the ANC into victory where he became South Africa's first black president and won the Nobel Prize for Peace.

The Council believes:

- Despite Margaret Thatcher describing Nelson Mandela as a 'terrorist', and the refusal of the Tory government at the time to unite with the rest of Europe in imposing sanctions on South Africa, Nelson Mandela died perceived universally as a courage and principled politician whose example in resisting oppression and inequality inspires all those struggling for racial equality and social justice.
- In a borough where so many different races live side by side, Mandela's determination to create racial equality and unite the black and white people of South Africa holds a particular importance.

The Council resolves:

- To remember Nelson Mandela, in particular, to use every relevant occasion to remind the young of the borough of the importance of both fighting for their beliefs and reconciliation.
- To name a building on the Blackwall redevelopment after Mandela to ensure that his legacy will always be upheld and achievements be acknowledged in Tower Hamlets.

12.12 Motion regarding Protecting Community Pubs

Proposer: Councillor Denise Jones

Seconder: Councillor Amy Whitelock Gibbs

This Council notes:

- That in addition to the provision of its own services the Council should support through its policies and the exercise of its powers a network of well-run community facilities, including shops, pubs, advice centres, places of worship and other local forums and services which are valued by residents. As an example of these, community pubs provide a valuable community service for those who choose to use them.
- Twenty-six pubs close every week across the country. In Tower Hamlets many pubs have already been converted to flats or stand empty.
- Recently local pubs such as The Sun in Bethnal Green and the Britannia pub in Mile End have closed down, to the disappointment of local residents.
- Pubs inject an average of £80,000 into their local economy each year and support almost one million UK jobs, 46% of whom are 16 – 24 year olds.
- That whilst some pubs can have anti-social behaviour problems which the Council should challenge, the majority offer a positive contribution to our borough and are part of a balanced and inclusive community offering that helps to define the local quality of life.

This Council further notes:

- The recently adopted Managing Development Document policy DM8 specifies that social and community facilities, such as public houses, will be protected where they meet an identified local need and the buildings are suitable for their use.
- That while conversion of pubs to residential use would be resisted as contrary to planning policy, this does not automatically mean such applications would be rejected.
- Residents often feel they have no opportunity to prevent their local pubs from being sold off or converted to flats.
- The demolition of pubs is classed as “permitted development” means planning permission is not required. Between 2003 and 2012, 414 former pubs were demolished in London alone.

This Council believes:

- Local pubs are a hugely important community hub, bringing local people together and providing social inclusion opportunities.
- While pubs that cause antisocial behaviour should be subject to enforcement action, well managed community pubs should be protected by the council.

This Council resolves:

- To work with residents to list local pubs as Assets of Community Value under the Localism Act, giving greater protection against pubs being sold off to developers
- To support the Sustainable Communities Act proposal: “That the Secretary of State help protect community pubs in England by ensuring that planning permission and community consultation are required before community pubs are allowed to be converted to betting shops, supermarkets and pay-day loan stores or other uses, or are allowed to be demolished.”
- To work together with Local Works and the Campaign for Real Ale to gain support for the proposal from other councils in the region and across the country.

12.13 Motion regarding anti-social behaviour arising from illegal raves

Proposer: Councillor Ohid Ahmed

Seconder: Councillor Maium Miah

The Council notes:

- The stabbings that occurred in Wapping on 23rd December 2013 during an illegal rave at a property on Pennington Street.
- Seven people were injured during the tragic incident including one Police officer.
- The Police acted remarkably when dealing with the massive crowds in the illegal rave and prevented further casualties from occurring that night.
- The Mayor has supported the Police through:
 - Introducing enforcement officers (THEO's) in 2009 and funding an additional ten THEO's.
 - Investing £2 million to deploy 35 police officers alongside the £2.2 million funding for THEO's.
- Illegal raves created on the social media are a new phenomenon.

The Council believes:

- Illegal raves are disruptive and are a nuisance to the community.
- The issue is not with disused buildings but with illegal raves being created on social media forums which are a new phenomenon. The social media 'allows young people to spread ideas incredibly quickly and {this is} unregulated. These parties are a reflection of that culture, of the notion that in just a few hours an idea can reach millions in a way it never has before.'
- The assertion that the ASB occurred as a result of disused buildings is limited as the popular attendees of the parties are activists and anarchists who are prone to cause disruption. Furthermore, the disused building/space that was used during the illegal rave is a private property and liability lies with the owners. Hence, the Council has limited authority and jurisdiction over this property.

The Council resolves:

- To support the Mayor in tackling anti-social behaviour in the community.
- To support the Mayor, the Council and police officers in adopting measures to prevent and address the new phenomenon of illegal raves created on social media forums.

12.14 Motion regarding the Government's war on the poor

Proposer: Councillor Alibor Choudhury

Secunder: Councillor Rabina Khan

This Council notes:

- George Osborne's announcement of a further £25 billion of cuts, half to come from the welfare budget.
- According to DWP figures - produced before a range of welfare cuts including the bedroom tax and the abolition of council tax benefit were introduced - an additional 900,000 people were plunged into poverty during the first year of the coalition government, including 300,000 more children.
- This entire increase in children counted as in poverty came from working households. Children living below the poverty line were now twice as likely to come from working families than those without employment.
- More than 60% of those affected by the recent three-year benefit and tax credit cap are in work. These include 300,000 nurses, 150,000 teachers and 40,000 soldiers.
- The concerns of housing charities that plans to axe housing benefits for the under 25's will increase the homelessness.
- The findings of the Institute for Fiscal Studies that real wages in Britain have suffered their biggest drop in over one hundred years.
- Despite Government claims austerity would reduce the national debt borrowing is still expected to be at historically high levels of more than £100bn this year.

This Council believes:

- This Government want to blame others for an economic crisis created by bankers and made worse by austerity.
- Contrary to the Prime Minister's claim that 'we are all in it together' the impact of the cuts is falling overwhelmingly on the poorest in our society, increase inequality and help tip hundreds of thousands of children into poverty.
- Government measures puts at risk the real progress made in in Tower Hamlets to reduce child poverty.

This Council resolves:

- To support the Mayor's policies designed to try protect residents from the worst impact of Tory driven austerity.

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