



Meeting of the

# TOWER HAMLETS COUNCIL

---

Wednesday, 21<sup>st</sup> January 2015 at 7.30 p.m.

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## A G E N D A

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### VENUE

Council Chamber, 1<sup>st</sup> 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, 21<sup>ST</sup> JANUARY 2015**

Stephen Halsey  
**Head of Paid Service**

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### **Attendance at meetings.**

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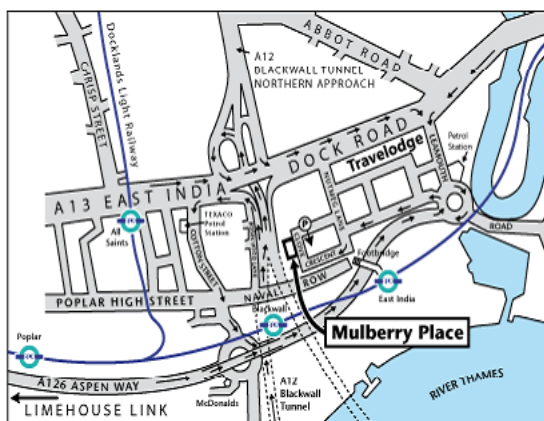
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# COUNCIL MEETING

WEDNESDAY, 21<sup>ST</sup> JANUARY 2015

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 - 38

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of the Council held on 26<sup>th</sup> November 2014. The draft minutes are attached.

**4. TO RECEIVE ANNOUNCEMENTS (IF ANY) FROM THE SPEAKER OF THE COUNCIL**

**5. TO RECEIVE PETITIONS**

39 - 42

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 14<sup>th</sup> January 2016. 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**

43 - 46

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** **47 - 52**

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 Report of the Overview and Scrutiny Committee on matters referred by the Council**

To receive a report back from the Overview and Scrutiny Committee on matters that were referred to that committee from previous meetings of the Council (report to follow).

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

**11. OTHER BUSINESS (IF ANY)**

**12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL** **53 - 68**

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

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# 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:-

Matthew Mannion, Committee Manager Democratic Services, 020 7364 4204

Melanie Clay, Monitoring Officer, 02073644800



## 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, 26 NOVEMBER 2014**

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

**Members Present:**

Mayor Lutfur Rahman	Councillor Shafiqul Haque
Councillor Khaless Uddin Ahmed	Councillor Clare Harrison
Councillor Rajib Ahmed	Councillor Danny Hassell
Councillor Suluk Ahmed	Councillor Sirajul Islam
Councillor Mahbub Alam	Councillor Denise Jones
Councillor Shah Alam	Councillor Aminur Khan
Councillor Amina Ali	Councillor Rabina Khan
Councillor Shahed Ali	Councillor Shiria Khatun
Councillor Abdul Asad	Councillor Abjol Miah
Councillor Craig Aston	Councillor Harun Miah
Councillor Asma Begum	Councillor Md. Maium Miah
Councillor Rachel Blake	Councillor Abdul Mukit MBE
Councillor Chris Chapman	Councillor Muhammad Ansar Mustaquim
Councillor Dave Chesterton	Councillor Joshua Peck
Councillor Gulam Kibria Choudhury	Councillor John Pierce
Councillor Alibor Choudhury	Councillor Gulam Robbani
Councillor Julia Dockerill	Councillor Candida Ronald
Councillor David Edgar	Councillor Rachael Saunders
Councillor Marc Francis	Councillor Helal Uddin
Councillor Amy Whitelock Gibbs	Councillor Andrew Wood
Councillor Peter Golds	

**The Speaker of the Council, Councillor M. A. Mukit, MBE in the Chair**

The meeting commenced at 7:32 p.m.

**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 the business was taken at the meeting was as follows:

- Item 1 – Apologies for absence
- Item 2 – Declarations of Disclosable Pecuniary Interests
- Item 3 – Minutes
- Item 4 – Announcements
- Item 5 – Petitions

- Item 13.1 – Urgent Motion regarding nursery closures
- Item 13.2 – Urgent Motion regarding OFSTED Inspections
- Item 6 – Public Questions
- Item 7 – Mayor’s Report
- Item 12.3 – Motion regarding the Best Value Inspection undertaken by PwC.
- Item 9 – Extension of Substance Misuse Strategy
- Item 11.1 – Mid-Year Review Report for Treasury Management and Investment Strategy 2014./15
- Item 11.2 – The Structure and Governance arrangements of the London Borough of Tower Hamlets Pension Fund

## 1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Ohid Ahmed
- Councillor Andrew Cregan
- Councillor Ayas Miah
- Councillor Mohammed Mufti Miah; and
- Councillor Oliur Rahman

## 2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of Disclosable Pecuniary Interests.

## 3. MINUTES

### RESOLVED

That the unrestricted minutes of the Council meeting held on 10 September 2014 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

The Speaker announced that his Charity Ball in aid of the Tower Hamlets Food Bank was to take place on Friday 28<sup>th</sup> November at Eastwinter Garden. He invited all Members to purchase tickets to attend this worthwhile event.

### Procedural Motion

At the conclusion of the Speaker’s announcements, Councillor Mahbub Alam **moved**, and Councillor Alibor Choudhury **seconded**, a procedural motion “that under Procedure Rule 14.1.3 the order of business be varied such that

Motion 12.4 'Motion regarding the NUT Manifesto for Education' be taken as the next item of business". The motion was put to the vote and was **defeated**.

## **5. TO RECEIVE PETITIONS**

### **5.1 Petition to reduce the speed limit on Longnor Estate**

Ms Joan Burton addressed the meeting on behalf of the petitioners and responded to questions from Members. Councillor Shahed Ali, Cabinet Member for Clean and Green then responded to the matters raised in the petition. He was pleased to report that a consultation had already taken place on a potential borough-wide 20mph zone and that he hoped a decision could be taken on that in 2015. He promised to keep the petitioners updated.

#### **RESOLVED**

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

### **5.2 Petition regarding services for children**

Ms Christine Trumper addressed the meeting on behalf of the petitioners and responded to questions from Members. Councillor Gulam Robbani, Cabinet Member for Education and Children's Services then responded to the matters raised in the petition. He reiterated that no decision had yet been taken and that all consultation feedback would be fully considered. However, he highlighted that the Council had to find significant savings following central government cuts.

#### **RESOLVED**

That the petition be referred to the Corporate Director, Education, Social Care and Wellbeing, for a written response on any outstanding matters within 28 days.

### **5.3 Petition against 'the witch-hunt on Tower Hamlets'**

Mr Nick Parkin and Mr Raihan Islam 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 matters raised in the petition. He highlighted what he referred to as the 'attack on democracy and self-determination' by the Secretary of State and reported that the Best Value investigation had uncovered no illegality or failures in front line services.

**RESOLVED**

That the petition be referred to Directorate of Law, Probity and Governance, for a written response on any outstanding matters within 28 days.

**Procedural Motion**

Councillor Khales Uddin Ahmed **moved**, and Councillor Danny Hassell **seconded**, a procedural motion “that Procedure Rule 19.2 be suspended to allow a further petition, on ‘Save our Nurseries in Tower Hamlets’, to be heard. The motion was put to the vote and was **agreed**.”

**5.4 Petition on ‘Save our Nurseries in Tower Hamlets’**

The petitioners addressed the meeting and responded to questions from Members. Councillor Gulam Robbani, Cabinet Member for Education and Children’s Services, then responded to the matters raised in the petition. He highlighted that a consultation exercise was underway and that feedback from users was important to the final decision. He also stated that visits would be made to the nurseries to help gather information for use when taking the decision.

**RESOLVED**

That the petition be referred to the Corporate Director, Education, Social Care and Wellbeing, for a written response on any outstanding matters within 28 days.

**Procedural Motions**

At this point Councillor Danny Hassell **moved**, and Councillor Asma Begum **seconded**, a procedural motion “that under Procedure Rule 14.1.5, Rule 13.1 be suspended to enable an urgent motion regarding nursery closures to be considered”. The Speaker adjourned the meeting for 3 minutes to enable Councillors to consider the procedural motion. When the meeting reconvened, the procedural motion was put to the vote and was **agreed**.”

Following the conclusion of the debate on the urgent motion, Councillor Rachael Saunders **moved**, and Councillor Shiria Khatun **seconded**, a procedural motion “that under Procedure Rule 14.1.5, Rule 13.1 be suspended to enable an urgent motion regarding motion regarding OFSTED Inspections to be considered”. The procedural motion was put to the vote and was **agreed**.”

**6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC**

The following questions and in each case a supplementary question were put and were responded to by the relevant Executive Member:-

**6.1 Question from Mr Terry McGreenera:**

Does the Council's Constitution or the legislative introducing the Executive Mayoral system permit an alternative way to elect a Chair of the Council, a Councillor, other than by Councillors?

**Response by Councillor Rabina Khan, Cabinet Member for Housing and Development**

[Note: Before responding to Mr. McGreenera, Councillor Khan stated that it was with sadness that she informed the Council of the death, earlier in the day, of a long-serving member of the authority's development control staff. Councillor Khan paid tribute to the officer's service and offered her condolences and those of the Council to his wife and family.]

Thank you Terry and apologies. The answer to your question is simply 'no'.

**Summary of supplementary question from Mr McGreenera**

I was expecting that response and I would like to explain the reason for my question. My question arises from the regrettable events that took place at the previous council meeting in September. At the September meeting there were two adjournments for legal advice, one walk-out and zero respect for the democratic process on occasions. That said, since the decision to have a directly elected mayor the position of Speaker has become inherently a more difficult one in no small part because of the circumstances surrounding the fallout from the decision to have a directly elected mayor in 2010.

In these circumstances is it not time to change the constitution regarding the way the speaker is chosen in order that they are equal to the changed conditions in which the council conducts council meetings. In my opinion it is no longer tenable that the position of Speaker is seen as a sinecure or used for symbolic purposes by whichever party has the greater number of councillors. Also under the present arrangements the speaker is chosen without appearing before any committee, for example, the Overview and Scrutiny committee, so that their suitability can be tested. In summary I am asking that the council's constitution is changed in order to help prevent any regrettable incidents taking place in the future?

**Summary of Councillor Rabina Khan's response to the supplementary question**

That was very interesting. It was the Blair administration that introduced the elected Mayoral system. People have to trigger a yes for Mayor vote and that happened in 2010. Most famously the Labour Party does have a track record

of imposing Mayoral candidates, sometimes Councillors and possibly MPs as well. But what they don't understand is that it is their own ideas which is in the democracy which is operating in this Borough. True democracy allows opposition to operate. You can see it in this Borough you can see it in Tower Hamlets that the opposition here enjoy democracy because they are able to operate, they are able to do the things that they care about such as put up motions and do the things they want outside the Council Chamber.

## **6.2 Question from Mr. Stuart Madewell:**

Has the Mayor estimated what the likely cost to Council Tax Payers in Tower Hamlets will be for the three Commissioners imposed by the DCLG and supported by the Labour Party?

### **Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

Thank you. In short, I think the Mayor is not in a position to negotiate with the commissioners on their salaries and fees. This is something that will be undertaken by the champion of transparency, the man who gave a £1M contact to Price Waterhouse Cooper in one night. It will be left to him to negotiate the terms with the commissioners. However, we have done a bit of a desk top assessment of how much it could cost. We have looked at other Authorities that have had commissioners. Obviously there are variations in commissioners for different things. But they have cost in excess of a £1000 a day. So if we have three commissioners that is £3000 a day. Five days, that is £15000 a week of your hard earned money which could be used more sensibly on dealing with some of these cuts and protecting savings. So the bottom line is we haven't got an accurate figure for you, but you can expect a hefty bill.

### **Summary of supplementary question from Mr Madewell**

Thank you. The Council is facing £100m-worth of cuts in the next financial year imposed by the Tory Government. Now we learn of the £1m from the cost of the Price Waterhouse Cooper report. And on top of this, Councillor Choudhury is now telling us that we do not know the costs of the commissioners but it could be in excess of £3000 per day. My question is does he agree with me that the Labour Party have now made their choice to loyally support Eric Pickles' commissioners. Councillor Rachael Saunders has made it clear that she thinks it would justify sending in the commissioners as Labour lost the election in May. Does he also agree with me that if you compare Tower Hamlets with a Borough like Rotherham where there was a child abuse scandal which the Labour Party did nothing about and no commissioners were sent in there. My question is this: Will the Overview and Scrutiny Committee make sure for the tax payers there is value for money from the commissioners that are sent in?



**Summary of Councillor Alibor Choudhury's response to the supplementary question**

You'll find that everyone on this side of the Council totally agrees with what you are saying. I want to make one extra point. We are talking about public monies here and we are talking about several hundred thousand of public money if not more which has to usually go through a process. It's our intention to ensure any money agreed in terms of salaries and fees goes through a very public process so the public can see exactly how much the Labour Party has cost you.

**6.3 Question from Mr. Stephen Beckett:**

Why did Communities Secretary, Eric Pickles, send auditors to the Council?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

Thank you Mr Beckett.

It is widely known why Price Waterhouse Cooper came to our Borough. But for those who don't know it was a politically motivated move on behalf of our colleagues opposite who felt that they could not win an election unless they smeared this Mayor, unless they cooked up lies which would confuse and cloud the minds of voters in the last election. The bottom line was that the Price Waterhouse Cooper report was the act of Mr Pickles. It came in and found nothing but cost you £1M.

**Summary of supplementary question from Mr Beckett**

Other Local Authorities have been shown to be corrupt, incompetent and callous, far beyond the allegations made against Tower Hamlets. Do you think that the media, the DCLG Secretary, aided and abetted by local politicians are fabricating a moral panic, a fake outrage that heavily relies on Islamophobia to divert attention from the failure of government policies and the deeper and more serious abuse, corruptions and cover ups at Westminster and elsewhere?

**Summary of Councillor Alibor Choudhury's response to the supplementary question**

Absolutely. I want to add that the Government, who shout about how they are clamping down on corrupt Councils have obviously overlooked their own Councils. I will give you some examples. If you look at Basingstoke and Deane, where their own internal audits found issues with their grants processes. There was no intervention at all from Mr Pickles. Furthermore, you can look at Tory Croydon. They forgot to collect £40M in Council Tax owed to them, again overlooked by Eric Pickles. There is another one:- Kensington and Chelsea, where there are claims, rife claims of corruption and also failings in their disability services. Again, another one where they decided to

overlook. They decided to pick on Tower Hamlets for exactly the reasons you set out.

#### **6.4 Question from Mr. Mickey Ambrose:**

What did the Police say about the allegations of fraud and corruption that PWC came in to find at the Council?

#### **Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

I see this as a waste of Police time. The Police, and I will quote verbatim, when they were handed the file after the politically motivated Panorama programme, they responded within a week by saying that there was no credible evidence of criminality within the files to provide reasonable grounds to suspect that fraud or any other offence has been committed.

#### **Summary of supplementary question from Mr Ambrose**

Should then an apology be made to the people of Tower Hamlets for running the Borough through the mud, because what's disappointing is next week I am attending an awards ceremony for a football club that has been in this Borough for over 30 years who have produced over 170 football players. Senrab Football Club have been nominated for the Pride of Sports Awards and it's very disappointing that every week we just hear about the smears and allegations which are ruining this Borough - the Borough I was a milk boy delivering for half a crown in Poplar High Street. It's disappointing tonight that people are not supporting what the Mayor is trying to do and so on. So I am just asking the question should people here apologise to the people of Tower Hamlets for the disgraceful way that our name has been run through the mud and I just like to say that if Senrab do win the Pride of Sports Awards we will have some good press. The Mayor has already spoken to Sharon and Tony Carroll at surgery and has sent his support to them.

#### **Summary of Councillor Alibor Choudhury's response to the supplementary question**

The short answer is yes but I want to make this point. They tried to smear the Mayor, they tried to lie about Tower Hamlets First to stop us winning at the ballot box and now they have decided to get Eric Pickles involved so that they can intervene in a Council which is functioning perfectly well and delivering some of the best services in the Country. The idea is to delay or even stop certain services from being provided to the community. I think the opposite benches did not think through what they were doing at the time. Now what they have ended up doing is punishing the community. Because the bottom line is that if they affect our delivery, it hurts out there in the community. That's exactly what they have done. For that, I think that they should apologise profusely.

**6.5 Question from Mr. John Allison:**

Residents are rightly concerned how the recent PwC report and Eric Pickles' comments have portrayed the borough. Can the Cabinet Member assure us that Council services aren't being affected by this?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

Thank you Mr Allison I would love to give you a guarantee that none of our front line services in future will be affected but for the time being none of our front line services have been impacted. We intend to keep it that way. Despite the report not finding any fraud or criminality they are going to send in Commissioners and Commissioners are here to do a job. They could help us or they could hamper us and I can't predict the future and I'm hoping they will help us despite some of the antics from the colleagues opposite.

We are a resilient Borough, we've always come back fighting, the cuts are going to bite soon if not already and we hope to continue with our provision of front line services at the levels that they are currently. Things will be tough in future but we hope that we have a steady ship and we deliver for the people of Tower Hamlets.

**Summary of supplementary question from Mr Allison**

I wondered if the Councillor would agree with me that I really find it astounding that a time of swingeing cuts like this and rising demand for Council services, Councillors have been spending so much time and energy on such negative campaigning in the Borough its astonishing.

This administration has been delivering amazing successes and instead of concentrating and focusing on trying to alleviate the distress caused to their constituents by these cutbacks they've been engaging in this negative campaign. It's definitely time to move on and work together for the benefit of all the residents in the Borough. That's the question. I wonder if Councillor Choudhury agrees with me.

**Summary of Councillor Alibor Choudhury's response to the supplementary question**

Sorry short answer as well. I totally agree Mr Allison but the point here is that we have people here in this Council who are very self-centred and are very ignorant of what is going on out there.

And I hope that they will be educated today and they will grow up, move on and do what is right for the public of Tower Hamlets.

**6.6 Question from Mr. Mohsin Uddin:**

There are reports that Eric Pickles has sent a "hit squad" to Tower Hamlets Council and has taken over the running of the Council. Can the Lead Member confirm if this is true?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

Thank you Mr Uddin I can confirm that these stories are absolute nonsense. They are unfounded and they usually form the part of the rhetoric that you'll get from the colleagues opposite and the colleagues in the far back who also thrive on misleading people. I can confirm we are talking to Commissioners. Their intention is not to come in and take over the Council or take over the running of the Executive. Their remit in so far as I understand it is to assist.

So their remit is to support the Council in continuing to deliver services of a high quality. Thank you.

**Summary of supplementary question from Mr Uddin**

My next question is if the inspectors are coming in and if they do attempt to intervene in our key services and undermine the Mayor and the Councillors, would the public be made aware of this?

**Summary of Councillor Alibor Choudhury's response to the supplementary question**

I think I can say for the record that this Council operates transparently so whenever the Council is delivering its services the public will be aware of how they are delivered and who they are delivered to, so I am sure that whatever we do or whether we work in tandem or they oversee, you will be aware of what is going on.

**6.7 Question from Ms. Kathy McTasney:**

Which Organisations received MSG funding from the Council? Was it just Bengali and Somali groups?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

The list of organisations that were awarded MSG funding is available on the Council's web site. One hundred and seventy five organisations were funded across a broad range of ethnicities within the borough.

Thank you Ms McTasney I will say very briefly that it was about where funding was required to serve a purpose. It was about need. It was about making sure that people across the whole borough got a service. The majority of grants went to organisations who served the whole Borough or a large part of

the Borough. I'll give you some examples so you are clear about what I'm saying. We are talking about Age Concern, the Tower Hamlets Law Centre, the Citizens Advice Bureau, Tower Project, Bromley-by-Bow Centre, City Gateway, The Royal Society for the Blind, Mudchute Farm. There are many more.

There are a mix of organisations who cater for all sorts of people that live in our borough and even the PWC report says that there was no bias when it came to awarding funding for these organisations.

### **Summary of supplementary question from Ms McTasney**

Why would the coalition of councillors, Tory and Labour suggest some community groups received more grants than others? Who are they that they believe are more deserving?

This has created a community tension within our community and many of our residents and I would hope the Mayor and the Council are doing all they can to set the record straight.

### **Summary of Councillor Alibor Choudhury's response to the supplementary question**

Tower Hamlets is renowned for serving its poor communities and it has been doing that from the time that history began. It's very clear that the coalition this unholy alliance between the red socialists or the blue socialists sorry they're not red they're blue and the red Tories were interested in just politicising the whole grants process. They weren't interested where people were suffering or where needs needed to be met.

It was more about dividing our community, pitting one community against another and they did a very good job using the media to divide us.

It is very clear and it was said earlier by a person where you're standing. It was about Islamophobia. There was a lot of race played and there were a lot of things that were very uncomfortable and I don't think I should be talking about right now but they weren't along the right lines so yes it was about a coalition that were here to cause trouble and not do anything and in fact they did a great disservice to the community by playing it that way.

Questions 6.8 to 6.10 were not put due to lack of time. The Service Head, Democratic Services stated that written responses would be provided. [Note: The written responses are included in Appendix A to these minutes.]

## **7. MAYOR'S REPORT**

The Mayor made his report to the Council meeting, extending a warm welcome to all present. During his presentation he reported on the Best Value Inspection that had been undertaken on the Council by

PricewaterhouseCoopers. He highlighted that the Council provided excellent services but that where process and governance issues were identified they would be corrected.

When he had completed his report, at the invitation of the Speaker the Leaders of the other political groups each then responded briefly to the Mayor's report.

### **Procedural Motion**

At the conclusion of her response to the Mayor's report, Councillor Rachael Saunders **moved**, and Councillor Shiria Khatun **seconded**, a procedural motion "that under Procedure Rule 14.1.3 the order of business be varied such that Motion 12.3 'Motion regarding the Best Value Inspection undertaken by PwC' be taken as the next item of business. The motion was put to the vote and was **agreed**."

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

The following questions and in each case a supplementary question were put and were responded to by the relevant Executive Member:-

### **8.1 Question from Councillor Clare Harrison**

Does the Mayor regret blocking Labour's attempt to recruit a new Chief Executive?

### **Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

My answer is very short as well. Let's look at it differently. Does Labour regret voting against the appointment of the first BME Chief Executive that this Borough would have had?

### **Summary of supplementary question from Councillor Clare Harrison**

That's not an answer to my question. I speak as a new Councillor, I was involved as the Chair of the Human Resources Committee. We started a process which you walked out of at our last meeting, refusing to partake in it because you object fundamentally to a Chief Executive. Considering the Price Waterhouse Cooper report specifies that some of the governance issues that you have admitted exist may be helped by having a Chief Executive with appropriate powers, moving forward will the Mayor support recruiting a new Chief Executive and devolving the appropriate powers to him?

**Summary of Councillor Alibor Choudhury's response to the supplementary question**

This administration will not take lessons from a Labour Party that colludes and works constantly with the Tories to stop us getting a first BME Chief Executive.

**8.2 Question from Councillor Abjol Miah**

After 6 months we've finally seen Eric Pickles' £1M Best Value Report. Are Tower Hamlets residents getting best value for money?

**Response by Councillor Councillor Alibor Choudhury, Cabinet Member for Resources**

You know from hearing us and from everything that's been said in the community that this inspection, this audit was a politically motivated one and has cost us over £1M. It's clearly not value for money for residents or for this Council.

**Summary of supplementary question from Councillor Abjol Miah**

I've seen a lot of politics happening in the Council Chamber here. Best Value for money - as a Londoner do you think that Londoners deserve best value for money and do you think other Councils should be investigated and that Eric Pickles is just picking on Tower Hamlets for a specific agenda?

**Summary of Councillor Alibor Choudhury's response to the supplementary question**

I think that this is a ruse, a ploy. I think what Eric Pickles did in coalition with the Tower Hamlets Labour Party was about politics and about removing our first BME elected Mayor. It is very clear that there are many Councils that Eric Pickles has deliberately overlooked and I won't give you the reasons why.

**8.3 Question from Councillor Peter Golds**

Will the Mayor, in view of the confirmation in section 2.112 of the Best Value Inspection by Price Waterhouse that he has "reserved to himself substantially all of the decision making powers which it is legally possible for an Executive Mayor to exercise", answer the following question with regard to the disposal of 111-113 Mellish Street, E14.

Being aware of the comments in Section 5.182 which identify a close relationship between the group seeking to secure 111-113 Mellish Street and himself, will he explain his decision to promote this acquisition by this particular group in light of the flawed process identified in Sections 5.193 to 5.216 of the PWC report?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

Councillor Golds is talking about the lease that was offered to the Docklands Community Organisation. It is about the acquisition of the Mellish Street site. I want to say for the record that the community organisation with its partners acquired the building through a process which involved rigorous scrutiny. Our Asset Management Team had assessed all bids against the criteria which was very robust. They were awarded the site and have complied with all the requirements of this Council.

**Summary of supplementary question from Councillor Peter Golds**

May I refer the Mayor, as he does exercise all Executive power, to read 5.193 and 5.216 of the Price Waterhouse Cooper report that are exactly the opposite of that. They most certainly did not comply with all the required things. There is a relevant point that PWC do allude to but I will point it out, that the person running the Docklands Community Organisation was of course the Tower Hamlets First candidate for Blackwall and Cubitt Town.

**Summary of Councillor Alibor Choudhury's response to the supplementary question**

As usual Councillor Golds is making up stories and he cannot substantiate what he has just said. I will reconfirm that the organisation acquired the premises through a due process. There were due diligence checks done and to date they have complied with all of our requirements.

**8.6 Question from Councillor Chris Chapman**

Will the Mayor inform the Council as to why he was absent from the Remembrance Day Commemoration on Sunday November 9th?

**Response by Councillor Rabina Khan, Cabinet Member for Housing and Development**

Thank you for your question.

In his absence, the Mayor asked Mickey Ambrose, former footballer and Duke of Edinburgh Awards Ambassador to represent him and lay a wreath on his behalf. The Mayor did attend a remembrance service on Friday at City Hall with other Mayors and Council Leaders, and the Armistice Day event at the Town Hall. The Mayor also hosted a reception for war veterans after the event. The Mayor has continuously and consistently attended Remembrance Day but unfortunately on this occasion he was unable to do so.

**Summary of supplementary question from Councillor Chris Chapman**

Does he feel that his decision to send a replacement who did not sit in the prominently positioned empty chair at the front, his decision not to attend in



2010 at all, his decision in 2012 to try to hire out Trinity Gardens for Christmas and New Year parties, which received national condemnation, and finally his decision in 2013 to arrive late, leave his chair empty, stand at the side and barge ahead of other representatives to lay his wreath then leave? Does he feel that these decisions reflect poorly on him as a political leader of this Authority and what message does he feel that this sends to the war veterans as to the degree of respect he affords to the countless men and women who made the ultimate sacrifice in defence of this Country?

### **Summary of Councillor Rabina Khan's response to the supplementary question**

Thank you for your very emotional output. I am taking this seriously as it is the Tory government where we have seen ex-servicemen and ex-veterans homeless in London. That's what you've done.

Questions 8.7 to 8.22 were not put due to lack of time, Question 8.4 was not put as the questioner was not present. Question 8.5 was not put as the Council had earlier in the meeting resolved that the questioner be not further heard. The Service Head, Democratic Services stated that written responses would be provided. [Note: The written responses are included in Appendix A to these minutes.]

### **Guillotine Motion**

At this point the meeting had sat for three hours and, with no motion to extend the meeting proposed, the guillotine came into effect. As set out in Procedure Rule 9.3, all remaining reports on the agenda were deemed formally moved and seconded and were put to the vote with no further discussion.

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

### **9.1 Report from Cabinet meeting: Extension of Substance Misuse Strategy**

The Council considered the recommendations of the Executive on the extension of the Substance Misuse Strategy. The recommendation was put to the vote under the guillotine procedure at Council Procedure Rule 9.

### **RESOLVED**

To agree an extension of the current substance misuse strategy by one year to the end of March 2016.

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

There was no business to transact under this agenda item.

**11. OTHER BUSINESS****11.1 Mid-Year Review Report for Treasury Management and Investment Strategy 2014/15**

The Council considered the report of the Acting Corporate Director, Resources setting out the mid-year review of the Council's Treasury Management and Investment Strategy. The recommendations were put to the vote under the guillotine procedure at Council Procedure Rule 9.

**RESOLVED**

1. To note the report.
2. To approve the changes to the minimum credit rating criteria; that is the removal of viability or financial strength rating and support ratings as set out in section 10 and table 1 of Appendix 3 to the report.
3. To approve the updated investment instruments as set out in section 10:15 and tables 2 and 3 of Appendix 3 to the report.
4. To approve the proposed new prudential indicator limit for investments over one year but no more than three years to £50 million from £25 million.

**11.2 The Structure and Governance arrangements of the London Borough of Tower Hamlets Pension Fund**

The Council considered the report of the Acting Corporate Director, Resources regarding the structure and governance arrangements of the London Borough of Tower Hamlets' Pension Fund. The recommendations were put to the vote under the guillotine procedure at Council Procedure Rule 9.

**RESOLVED**

1. To note the proposed changes in the Governance Arrangements for LGPS Pension Funds with effect from 1 April 2015.
2. To delegate to the Pensions Committee the creation of the Pensions Board for the Tower Hamlets Pension Fund.

**12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL****12.3 Motion regarding the Best Value Inspection undertaken by PwC**

Councillor Peter Golds **moved**, and Councillor Chris Chapman **seconded**, the motion as printed on the agenda.

During debate Councillor Rachael Saunders **moved**, and Councillor Shiria Khatun **seconded**, an amendment. Following debate the amendment was put to the vote and was **agreed**. The substantive motion as amended was then put to the vote and was **agreed** as below.

**RESOLVED**

This Council believes:

1. That a wide range of local people and organisations have tenaciously fought long standing campaigns on unjust distribution of grants, improper decision making in the procurement of services and failures in the disposal of assets, including through rigorous scrutiny and debates at full council.
2. That public money is at stake, along with public trust and proper accountability. Every community in our country is entitled to the highest standards of probity and honesty in our democracy. No community should have to put up with lower standards of democracy and transparency.
3. That the Mayor and his administration can no longer avoid taking responsibility for their failures now that an audit report has set out multiple failures of the best value duty.
4. That in the debate in the House of Commons, Members of Parliament from across political parties were shocked by the failures of the administration and the Mayor.
5. That multiple failures of the best value duty – the statutory responsibility of local authorities to do the right thing with tax payer's money – are extremely serious, and that local people are deeply concerned about the leadership of this authority.

This Council further believes:

1. That the report sets out nine ongoing criminal investigations into alleged fraud relating to youth services.
2. That the report demonstrates that, through changes to grants recommendations, the Mayor chose to make cuts to vital services in the poorest parts of the borough, whilst giving money to organisations ruled ineligible.

3. That the view of the auditors is that “current governance arrangements do not appear to be capable of preventing or responding appropriately to failures of the best value duty”.
4. That Lutfur Rahman has brought shame to our great borough, and should consider his position.
5. That there are many important questions to which local people deserve answers.

This Council resolves:

1. To require from the Mayor and senior management team of the council a full response to the issues raised in the auditor’s report, including but not limited to answers to the following questions:
  - According to the audit report, there is evidence of nine incidents of alleged fraud in relation to the Youth and Community Service, and that “no discernible procurement process appears to have been followed”. Please provide the fullest possible information about these payments. Will the Mayor and corporate director cooperate fully to ensure that these police enquiries can be concluded as soon as possible? What action will the mayor take to reassure local people about the quality and integrity of their youth services?
  - The report has found that the Mayor’s decisions led to cuts in grants to the poorest parts of the borough. What is the mayor’s explanation for these cuts? What will he do to reinstate the services that were cut unjustly? Please provide full information about the monitoring that has been done of services funded through all grants awarded since May 2010.
  - There are multiple examples of buildings – Poplar Town Hall, Sutton St depot – sold to bidders who submitted their bids after those from their competitors had been opened. Why was a one year rent free period given, and why was £50,000 given for health and safety works? Why was £135,000 handed over to a private business? This incentive was not offered to other bidders. Does the Mayor regard this as acceptable practice? What will he do to prevent it happening again? Who does he regard as responsible for their failures of the Best Value Duty?
  - Over the course of this four year term the Mayor proposes to spend £1.4million on mayoral advisers. The audit report found that spending on his media advisers failed the best value duty. Will he cut his wasteful advisers instead of proposed cuts to nurseries for disabled children and proposed cuts to social services?
  - What was the 954 fund?

- Can the Mayor explain his role in the procurement of learning disability day services, as set out in the report? How did that decision relate to what was happening with the mainstream grants process?
2. This Council resolves that this should be sent to all Councillors by the 12<sup>th</sup> December 2014.
  3. That this response should also answer all issues and questions raised in the original motion 12.3, and should cover all other issues of public concern and each of the best value failures identified.
  4. That following receipt of this, and its consideration by political groups on the council, (or in any case if a response from the executive is not forthcoming) we mandate the Overview and Scrutiny committee to undertake further interrogation of issues raised in the report as it sees appropriate, and to report back to Full Council on its findings.

This Council further resolves:

1. That whilst it is a source of shame to this borough that we have reached the point of government intervention, this council resolves to work constructively with commissioners, assuming that they are appointed.
2. That it is vital that scrutiny arrangements are in place to provide democratic oversight of the work of the commissioners. To call on the head of paid service to ensure these arrangements are in place.
3. To call on the Head of Paid Service to convene the long awaited governance review, with councillor representation from all political groups and representatives from the LGA, as a matter of urgency, in the light of the governance failures set out in the report.
4. To reaffirm our position on the need for a Chief Executive with full authority, and permanent appointments to the other two statutory officer positions.
5. That, if Lutfur Rahman and his Cabinet increased the cost of the audit through delays, he should pay from his own pocket. Local people have already paid many times over for his failures.

Under Procedure Rule 17.6 all Councillors requested that their votes on the above resolution be recorded as follows:

In favour of the motion (24 Councillors):

Councillor Rajib Ahmed  
Councillor Khaled Uddin Ahmed  
Councillor Amina Ali  
Councillor Craig Aston

Councillor Asma Begum  
Councillor Rachel Blake  
Councillor Chris Chapman  
Councillor Dave Chesterton  
Councillor Denise Jones  
Councillor Julia Dockerill  
Councillor David Edgar  
Councillor Clare Harrison  
Councillor Danny Hassell  
Councillor Joshua Peck  
Councillor Marc Francis  
Councillor Peter Golds  
Councillor John Pierce  
Councillor Candida Ronald  
Councillor Rachael Saunders  
Councillor Shiria Khatun  
Councillor Sirajul Islam  
Councillor Helal Uddin  
Councillor Amy Whitelock Gibbs  
Councillor Andrew Wood

Against the Motion (15 Councillors):

Councillor Abdul Asad  
Councillor Suluk Ahmed  
Councillor Shahed Ali  
Councillor Mahbub Alam  
Councillor Shah Alam  
Councillor Alibor Choudhury  
Councillor Gulam Kibria Choudhury  
Councillor Shafiqul Haque  
Councillor Rabina Khan  
Councillor Aminur Khan  
Councillor Harun Miah  
Councillor Mohammed Maium Miah  
Councillor Abjol Miah  
Councillor Muhammad Ansar Mustaqim  
Councillor Gulam Robbani

### **Procedural Motion**

During the debate on the above motion, Councillor Rachael Saunders **moved**, and Councillor Khaled Uddin Ahmed **seconded**, a procedural motion “that under Procedure Rule 14.1.16 Councillor Mahbub Alam be not further heard” due to misconduct. The procedural motion was put to the vote and was **agreed**.

Motions 12.1, 12.2 and 12.4 to 12.11 were not debated due to lack of time.

### 13. URGENT MOTIONS

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

#### 13.1 Motion regarding nursery closures

Councillor Danny Hassell **moved**, and Councillor Asma Begum **seconded**, the motion as **tabled**.

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

#### DECISION

This Council notes:

1. The proposal submitted by the Mayor and Cabinet for public consultation on the closure of the four council run nurseries in the borough - Mary Sambrook, Queen Mary, Overland and John Smith.
2. The excellent campaign run by local parents of children attending the nurseries to prevent the closure and the significant local support their campaign has attracted.
3. The concern of many parents about provision for disabled children in particular as a result of these proposals.
4. The statement of the Mayor at the November cabinet meeting that the savings proposals would be reviewed, which appeared to contrast to other proposals which were clearly withdraw at the meeting.
5. The letter sent by Cllr Danny Hassell to the Mayor on 7th November asking for further clarity on the remarks by the Mayor and calling for clearer information on the future of all four nurseries.
6. That Tower Hamlets has the highest levels of child poverty in the country.
7. Publicly run early years provision is generally of a much higher quality than that in the private, voluntary and independent sector.

This Council believes:

1. The early years are crucial to improving life chances and that the quality of provision has a significant impact on effectiveness.
2. The services provided by these nurseries to disabled children and their families are especially valuable and unlikely to be provided in the same way by alternative provision.

3. Council-run nurseries in Tower Hamlets provide important opportunities for young people and their families, and their continued operation should be a priority for this council.

This Council resolves:

To call on the Mayor to withdraw entirely the proposal to close all four council-run nurseries: Mary Sambrook; Queen Mary; Overland; and John Smith.

### **13.2 Motion regarding OFSTED Inspections**

Councillor Rachael Saunders **moved**, and Councillor Shiria Khatun **seconded**, the motion as **tabled**.

Councillor Alibor Choudhury **moved** an amendment to include in the motion the names of the 6 independent schools. Councillors Rachael Saunders and Shiria Khatun indicated that they accepted the amendment and altered their motion accordingly.

Councillor Rabina Khan **moved** an amendment to add a bullet point under This Council notes 'To note that there is no evidence or suggestion whatsoever of an attempted takeover, as allegedly occurred in Birmingham under the so-called Trojan Horse scandal, at Sir John Cass School or any other school in Tower Hamlets.' Councillors Rachael Saunders and Shiria Khatun indicated that they accepted the amendment and altered their motion accordingly.

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

### **RESOLVED**

This Council notes:

1. The outcome of the Ofsted inspections of six independent schools (namely; Al Mizan Primary, East London Islamic School, Ebrahim Academy, Jamaitul Ummah School, London East Academy and Mazahirul School), and Sir John Cass School published last week.
2. Concerns raised over safeguarding responsibilities within all of these schools; and concerns about the breadth and balance of the curriculum and experiences offered to children in some of the six independent schools.
3. That the council has no powers or responsibilities over the teaching and learning within the independent sector within the borough.
4. That there is no evidence or suggestion whatsoever of an attempted takeover, as allegedly occurred in Birmingham under the so-called



Trojan Horse scandal, at Sir John Cass School or any other school in Tower Hamlets.

This Council believes:

1. That the Government has diluted the powers of local authority over schools through the promotion and proliferation of academies and free schools who are not accountable to the local communities that they serve.
2. Council's responsibilities for safeguarding children in independent schools within their authority require the appropriate powers to carry this out.
3. That improvement in schools in the borough previously has taken place by a range of partners working in collaboration; the council, government, parents, teachers, school leaders and governors and wider community groups.

This Council resolves:

1. That Council officers should work proactively with parents, governors, teachers and pupils at Sir John Cass to address the issues raised by Ofsted.
2. To call on the Government to ensure that council are equipped with the appropriate powers to fulfil their safeguarding responsibilities within in schools, including those in the private and independent sector.
3. For a full report on work in addressing the safeguarding concerns in independent schools in the borough to be presented to the Local Safeguarding Children's Board (LSCB).

The meeting ended at 10.35 p.m.

Speaker of the Council

**APPENDIX 'A' – WRITTEN RESPONSES TO PUBLIC AND MEMBERS'**  
**QUESTIONS THAT WERE NOT PUT AT THE MEETING**

**6.8 Question from Mr. Gilbert Lindsell:**

How much has it cost for the PwC report and where is the funds coming from?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

Over £1M but the question is how did Pickles decide that Tower Hamlets residents should pay?

Pickles has very good timing. He ordered the audit just one day after legislation came into effect that forced local authorities to pick up the tab for this stuff.

Let me make that very clear- Pickles timed his announcement deliberately so that you- the residents of a borough where one in two children are in poverty- had to pick up the tab for the Tories' vendetta.

We don't expect Pickles to pay for the audit out of his own pocket. But if he cut his £500k limo budget for a few years he could probably afford to.

But somehow I doubt whether that will happen.

**6.9 Question from Mr. Khalik Miah:**

Why has the One Stop Community Centre been given a notice to quit?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

I am sorry about this, the property is owned by Tower Hamlets Community Housing (THCH) and the freeholder is Network Rail.

However, Councillor Mahbub, myself and others have made several representations to Network Rail, but they have not attended meetings and have not been co-operative.

**6.10 Question from Mr. Will Nutland**

Could the Mayor tell us why the Council is still spending public money on external lawyers to take Rich Mix, a successful and well-loved charity, through proceedings in the High Court when Rich Mix have made a public offer to settle the case with the Council which would ensure that the Council receives the entire £850k it is claiming was paid to Rich Mix, even in the absence of any loan agreement being put in place at the time any money was advanced or any executed agreement being provided to the High Court?

**Response by Councillor Shafiqul Haque, Cabinet Member for Culture**

The Council is currently in litigation with the Rich Mix in an attempt to recover £850,000 owing as a result of an unpaid loan.

It would not be appropriate to comment further on the nature of discussions specific to this litigation

**8.4 Question from Councillor Ayas Miah**

What measures will the Mayor take to ensure that when a transfer of property takes place there is a proper process set up in order to meet the Council's best value duty?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

PWC raised concerns in 3 out of 185 property transactions conducted in the period of inspection.

Officers are implementing improvements indicated by the PWC report.

**8.5 Question from Councillor Mahbub Alam**

Can the Lead Member list the number of awards achieved by the Council since the arrival of PwC Auditors in April 2014?

**Response by Councillor Oliur Rahman, Deputy Mayor and Cabinet Member for Economic Development**

Thank you for your question.

I am proud that we as a Council have won a significant number of awards since the arrival of the Auditors.

Amongst the many awards, our school meals service has been named the best in Britain at the *Lead Association for Education Catering (LACA) Awards*. Tower Hamlets is the first Council to have won this award twice.

We were identified as the best performing borough in London for achieving the *Healthy Schools Award* in July this year.

The Greater London Authority awarded seven *Tower Hamlets schools have been awarded Gold Club status* last month.

Once again Victoria Park has been crowned the nation's favourite park at the people's choice Awards 2014. Victoria Park gained more than 13,000 votes to be crowned the best park in the country. More than 32,000 votes were cast in the competition organised by Keep Britain Tidy.

**8.7 Question from Councillor Rachel Blake**

What has the Mayor done to secure a tenant for the vacant supermarket unit on Roman Road in the former Morrison's site?

**Response by Councillor Rabina Khan, Cabinet Member for Housing and Development**

This is part of the Roman Road's Working Group Action Plan.

There is a plan for a new Tesco's to be built, which is planned to be open in Spring 2015.

**8.8 Question from Councillor Mohammed Mufti Miah**

Residents of Bow will be delighted with the new secondary school on the banks of the River Lea. Can the Lead Member for Education and Children's Services update us on the progress with the rest of our secondary school buildings programme?

**Response by Councillor Gulam Robbani, Cabinet Member for Education and Children's Services**

The completion of the new Bow School is a significant achievement for Tower Hamlets.

The Building Schools for the Future programme is now almost complete with the final project completion due at Central Foundation School by the end of the year. The programme overall has invested in excess of £300m in 18 schools bringing significant improvements to the education opportunities for young people in Tower Hamlets.

The new Bow School has also helped to create hundreds of extra school places to meet the growing need for more school places.

Seeing as our schools are so popular, I am sure this is news that all our residents will be pleased about!

**8.9 Question from Councillor Andrew Wood**

Please explain how you the Mayor managed to keep clear from the detail of grant awards whilst also admitting to intervening in 32 cases (PwC report para 2.36)?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

The Mayor did not get involved in the detail of any of the grant awards. There was an appeal process and all applicants were able to use that process.

**8.10 Question from Councillor Shiria Khatun**

Will the Mayor take this opportunity to respond to the suggestion of the Secretary of State for Communities and Local Government that he "make a substantial contribution out of his own pocket to the (PwC) report" - surely he would not impose on the people of Tower Hamlets the heavy financial costs of his decision "not to cooperate and to obfuscate and delay" that damning report?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

Will Mr Pickles take this opportunity to pay back the £500k he has spent on limousines or the £70k he has spent on tea and biscuits!

**8.11 Question from Councillor Shah Alam**

Residents of Mile End Ward were pleased to see this Administration opening a new children's centre on the Bede Estate. Can the Lead Member outline what additional activities the centre will offer to local families?

**Response by Councillor Gulam Robbani, Cabinet Member for Education and Children's Services**

Thank you for your question Councillor Alam. I am incredibly excited about the Children's Centre. It brings new opportunities that will benefit a range of people in borough, and is also much more accessible. It's got a great range of facilities for new parents, such as health review and post-natal and antenatal clinics. For parents with slightly older children, there is space to offer sessional day-care and plans for cook-and-eat sessions in the brand new kitchen space.

There's lots of space for children to play: the centre has increased capacity for crèches, a range of stay and play activities and a large garden that can be used for outdoor play. The centre will also provide a new home for the North East Locality Young Parents Group, and individual counselling and group work with the Women and Girls Network.

Finally, East End Homes are now developing a programme of community provision including a youth service that will complement the opening hours of the children's centre. So it truly does provide something for all parts of the community!

**8.12 Question from Councillor Craig Aston**

Will the Mayor explain para 2.33 of the PwC report where 81% of officer recommendations were revised or rejected and 33 applicants were recommended for grants despite not making the minimum criteria?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

The Council will work with Mr Pickles on this aspect of the process for future grants.

**8.13 Question from Councillor Khales Uddin Ahmed**

The Mayor is used to expensive media advice – however does he agree with the now readily available and free advice that he should consider his position?

**Response by Councillor Oliur Rahman, Deputy Mayor and Cabinet Member for Economic Development**

No.

**8.14 Question from Councillor Gulam Kibriya**

Crime and tackling anti-social behaviour has been a key concern for our residents. Will the Lead Member for Community Safety highlight the impact of the new mobile Police Station introduced by the Mayor?

**Response by Councillor Ohid Ahmed, Cabinet Member for Community Safety**

The new Mobile Police Centre has been really popular with residents and has been helping us to prevent crime and ASB in the borough.

So far it has attracted residents and passers-by to stop and make reports, to share their ASB concerns and been reassured of the work being undertaken at the ward walkabouts. It has been deployed across the borough and is being received very well.

It has been really important in ensuring that residents feel safe and have face-to-face contact – replacing the police stations that are being scrapped because of Tory cuts. We want to use it in areas where crime is high but reporting low, to make sure that residents feel confident and able to report crime.

It will also be used to support officers in busy areas such as Brick Lane on weekend evenings, and be in attendance at safer transport police, community safety and London Fire Brigade awareness open days and events.

**8.15 Question from Councillor Julia Dockerill**

Will the £407,700 paid to bodies highlighted in the PwC report as failing to meet the minimum criteria now be re-claimed so that it can be granted to organisations that do meet the criteria and do represent all of our local communities?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

No.

**8.16 Question from Councillor Marc Francis**

Will the Lead Member provide an update on the action taken to address council leaseholders' concerns about service charges since the motion agreed by Full Council in January?

**Response by Councillor Rabina Khan, Cabinet Member for Housing and Development**

Thank you for your question. There are several strands of work that I am undertaking with the Project Steering Group of Leaseholders, including a review of the ALMO's progress in implementing the 54 Beevers & Struthers recommendations was commissioned. The review is underway and leaseholders who are members of the Project Steering Group have been involved with the management and appointment of the independent auditors. A draft report is expected soon.

Additionally, a further audit was commissioned to ensure that the costs charged to leaseholders and the underpinning methodology, is statute and lease compliant, transparent, and represents good value. Again the leaseholder members of the Project Steering Group were given the opportunity to submit evidence to the auditors. The report has now been completed.

Both the review and audit are due to be reported to the Project Steering Group and the recommendations will then be finalised and form the basis of service improvements.

**8.17 Question from Councillor Maium Miah**

Will the Lead Member for Economic Development update us on the progress this Council is making with supporting our young people on the apprenticeship programme?

**Response by Councillor Oliur Rahman, Deputy Mayor and Cabinet Member for Economic Development**

We have made great progress supporting our young people to get on apprenticeships.

Our work on apprenticeships through procurement is leading the field in London and is cited as a model for other boroughs, we are proud that we now have the highest ever recorded employment rates at 64.9%.

I am even more proud that we won the prestigious:  
“Best work in generating Apprenticeships through local procurement” at the London Councils Apprenticeship Awards 2014.

We already have 669 apprenticeships this year and will be opening the latest Council apprenticeship recruitment programme soon to support even more local young people to train while they earn London living wage.

Start year	No of apprentices	16-24 year olds	24+
2011 -	64 Apprentices	58	6
2012 -	131 Apprentices	116	15
2013 -	148 Apprentices	135	13
2014 -	669 Apprentices	657	12

**8.18 Question from Councillor Danny Hassell**

Can the Mayor please explain why, despite some of the highest levels of child poverty in both the country and the borough, grant funding for Bromley by Bow is some of the lowest in the borough and why there were significant reductions in grant funding by this administration compared to the recommendations by officers?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

This is not true. All our residents particularly those in poverty continue to be fully supported by this Council particularly under the Mayor who has introduced many child poverty initiatives including:

- Free School Meals for all children
- Mayor’s Education Allowance for college students
- Mayor’s University Grant



**8.19 Question from Councillor Ansar Mustaqim**

Can the Lead Member update us on progress with implementing the recommendations from the Tower Hamlets Fairness Commission?

**Response by Councillor Aminur Khan, Cabinet Member for Policy, Strategy and Performance**

Thank you for your question. We have made really positive progress towards implementing the recommendations of the Fairness Commission. This was recognised at November Cabinet where the Fairness Commission '1 year on' report was agreed.

This provided an update on all the Fairness Commission recommendations and the action plan adopted by the Council in April. Several Commissioners also attended and praised the work towards:

- Recommendation 2: "Tower Hamlets becomes an online borough", towards which the Council and Partners are delivering events for UK Go Online week for the first time, alongside the creation of a Partnership Strategy and Action Plan.
- Recommendation 8: "Reimagine local employment services so they work better for local people and businesses", towards which the Council has reached agreement with Job Centre Plus on a Memorandum of Understanding and is developing a shared system for supporting residents into employment and monitoring their progress.
- Recommendation 16: "That the standard of private rented accommodation is improved, and tenants better protected, through a landlord licensing scheme for Tower Hamlets", towards which Cabinet agreed in September to develop the evidence base required to implement the scheme.

Not only has the report influenced local policies but the report also highlighted that many of the themes and recommendations in the Fairness Commission report have been picked up nationally, including an emphasis on clamping down on payday lenders and providing access to affordable credit; making private sector housing more affordable and better regulated and campaigns around the cost of living.

**8.20 Question from Councillor Candida Ronald**

The PWC Inspectors have found severe failures of governance.

*"... current governance arrangements do not appear to be capable of preventing or responding appropriately to failures of the best value duty ..."*  
[2.23]

Their report also details the extraordinary power of the Mayor:

*"The Mayor has reserved to himself substantially all of the decision making powers which it is legally possible for an executive mayor to exercise"* [2.112]

Does the Mayor accept he is personally responsible for these failures?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

Paragraph 2.21 of the report says:

"We do not ascribe any particular failure to any particular individual"

**8.21 Question from Councillor Harun Miah**

Like much of the country, during these tough economic times, many of our businesses and traders are struggling. Can the Lead Member set out how this Administration is supporting our small businesses and high streets?

**Response by Councillor Alibor Choudhury, Cabinet Member for Resources**

Thank you for your question. We are implementing a range of initiatives and developing more to support small businesses and high streets. These include:

- The development of a "Healthy High Streets" policy which will promote the success and prosperity of high streets in the borough and support the businesses based there.
- Investment and regeneration in town centres across the borough, including Whitechapel, Roman Road, Bethnal Green, Brick Lane, Burdett Road, Watney Market and Chrisp Street - all with the objective of increasing trade for the businesses based there.
- A programme of events and publicity to celebrate and promote small local businesses in the borough, linked to Small Business Saturday on 6 December.
- The Tower Hamlets Business Forum, launched in 2013, providing networking and communication opportunities between borough businesses as well between businesses and the Council
- The Council's Business Enquiries Desk, which provides advice and referrals to appropriate sources of training, support and finance for local businesses.
- A review of the Council's procurement procedures to maximise the opportunities that our own spending creates for local enterprise.
- Developing Wi-Fi zones in town centres to support businesses and attract more visitors.
- Exploring opportunities to create low cost workspace for local businesses.

**8.22 Question from Councillor Suluk Ahmed**

Can the Lead Member for Housing and Development update us on the progress with the Whitechapel Vision Regeneration and the new Town Hall development?

**Response by Councillor Rabina Khan, Cabinet Member for Housing and Development**

Thank you for your question.

The Council is progressing the delivery of the Whitechapel Vision master plan at pace and on the 27<sup>th</sup> October 2014 held the first Strategic Partnership Board meeting to take forward the implementation of the regeneration project.

This meeting was attended by key stakeholder partners from the GLA, TFL, Queen Mary University, NHS Barts, Sainsbury and London & Quadrant Housing Group.

In tandem the Council has set up new regeneration Delivery team and is having a number of pre-application planning discussions with landowners on five major development sites across the area, which are collectively estimated to deliver some 2,500 new homes, affordable workspace, community facilities and open spaces.

Furthermore, the new Delivery team is currently progressing a number of regeneration initiatives in Whitechapel including 'quick win' projects to visually improve the appearance of the area, engage the local community, while creating opportunities for further investment, employment, training and bids to external public funding sources to regenerate the area as a whole.

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**LONDON BOROUGH OF TOWER HAMLETS**

**COUNCIL MEETING**

**WEDNESDAY 21<sup>st</sup> JANUARY 2015**

**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 21<sup>st</sup> January 2015.
2. The deadline for receipt of petitions for this meeting is noon on Thursday 15<sup>th</sup> January 2014. 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 regarding a premises license at 121-123 Poplar High Street, E14 (Petition from Mr Dulal Uddin and others)**

We oppose the permission (granted by the Licensing Sub-Committee on 18<sup>th</sup> November 2014) for a premises license under the Licensing Act 2003 for the Lions Express at 121-123 Poplar High Street, E14 OAE.

Our reasons are as follows:-

- There is an off license and a Tesco express already selling alcohol just down the road.
- We feel with another licensed premises will just increase the anti-social behaviour within the area.
- Since the stopping of the alcohol sales at the newsagent on 51 Poplar High Street, we have seen the anti-social behaviour reduced and the whole area is a safer environment for the local community, especially the elders who feel safer to come out of their homes more often.
- There is a college nearby which we feel will be destructive to the students by the selling of alcohol as we have seen previously many alcohol related fights between the students.

### **5.2 Petition entitled 'Stop G4S Bidding for Contracts in Tower Hamlets' (Petition from Ms Tahsin Ahmed and others)**

We the undersigned residents of Tower Hamlets demand the Council adopt an ethical procurement policy to prohibit contracts with G4S until they end their complicity in human rights abuse.

Until G4S can prove to the satisfaction of the Council that all such abuse has ended, and the company has withdrawn from any involvement in the Occupied Palestinian Territories or Israeli prisons, we call on Tower Hamlets to disqualify G4S from bidding for contracts.

### **5.3 Petition entitled 'Count Tower Hamlets' Votes in Tower Hamlets!' (Petition from Mr Mohsin Uddin and others)**

We, the undersigned, are concerned about the proposal to move counting venues from Tower Hamlets for the General Election in May 2015.

We have a thriving multi-party democracy and an award-winning Council providing excellent services to its residents. We believe there are a range of venues in the borough that are suitable for these counts which have been used before; there seems to be no real reason for this proposal.

We believe our counting staff have done incredibly well under very difficult circumstances during the Mayoral and Council elections last May.

Moving the count venue to another borough would misleadingly imply that Tower Hamlets is incapable of managing its own business.

We are urging councillors from all parties to rise above party politics and to do everything possible to keep counting venues for Tower Hamlets' votes in Tower Hamlets.

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**LONDON BOROUGH OF TOWER HAMLETS**

**COUNCIL MEETING**

**WEDNESDAY 21<sup>st</sup> JANUARY 2015**

**AGENDA ITEM 5**

**PETITION – UPDATED TEXT**

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

**SUMMARY**

1. The agenda for the Council meeting on Wednesday 21<sup>st</sup> January 2015 includes at agenda item 5, three petitions to be presented to the meeting.
2. In relation to Petition 5.1 (regarding a licensing matter in Poplar High Street E14), the petitioners have provided a revised text for their petition, reflecting the fact that the license application referred to in their first petition has been determined.
3. The revised text of the petition, which was received with supporting signatures prior to the deadline for petitions for this meeting, is set out below:-

**5.1 Petition regarding a premises license at 121-123 Poplar High Street, E14  
(Petition from Mr Dulal Uddin and others)**

“We the residents of Poplar High Street and surrounding areas are extremely concerned about the opening of the new off license in the area. With the growing amount of social disturbances and anti-social behaviour on the increase, we coherently feel that the granting of the license to the new premise will only make things worse and out of control.”

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**LONDON BOROUGH OF TOWER HAMLETS**  
**COUNCIL MEETING**  
**WEDNESDAY 21<sup>st</sup> JANUARY 2015**  
**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 21<sup>st</sup> January 2015.
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 Margaret Bradley:**

Why are the leaseholder services provided by Tower Hamlets Homes so dreadful?

### **6.2 Question from Mr P.B. Prasad:**

We believe that the East End Homes (EEH) have not met their responsibilities under the terms and spirit of the transfer of stock agreement as outlined in the 34 clauses of the main documents which they signed back in 2006. They seem to have flouted the promise to make improvements to the Holland Estate. Despite this blatant disregard, the company – EEH – wishes to now demolish our homes to make a profit which we fully oppose and will fight against. We know that the Mayor Rahman and Tower Hamlets First is a listening administration and have a strong track record on housing related matters nationally. With this in mind, could the Executive Member shed some light on the conduct of EEH and their plans and whether the Council think that it is the right approach by East End Homes to deal with our housing stock and the local residents in such an irresponsible way?

### **6.3 Question from Ms Ghulshana Begum:**

In November 2014, women in Tower Hamlets and up and down the country, proudly celebrated White Ribbon Day to eliminate violence against women and to hope for a world where women and girls can live free from the fear of violence. Could the Executive Member please provide an update about what Tower Hamlets Council is doing to promote this important initiative in the Borough?

### **6.4 Question from Mr Mark Taylor:**

Forced evictions when reporting or asking for repairs, unacceptable standards and rogue landlords continue to pose serious problems for tenants and renters and are negatively affecting many lives. The Coalition Government's welfare reform has exacerbated the situation. A great majority has experienced problems in their homes of damp, mould, leaking roofs or windows, electrical hazards, animal infestations and gas leaks. In its current state, the private rental market does not function to ensure that homes are let in a decent condition.

Could the Executive Members provide an update in relation to Tower Hamlets and the Council's Licensing Scheme to ensure such issues are being looked at and addressed in Tower Hamlets on a priority basis?

**6.5 Question from Mr Azizur Rahaman:**

How are the Government cuts affecting the people and Tower Hamlets Council?  
Could you give a full breakdown of cuts since 2010 by the Government and other funding bodies for the Council?

**6.6 Question from Ms Eileen Short:**

On January 31<sup>st</sup> tenant organisations, trade unions and housing campaigners from all over London will come together on the March for Homes. As the general election approaches, we want to make sure politicians don't forget the millions of people - many of them in Tower Hamlets - who are in housing need. Everyone deserves a decent home. We demand investment in council housing, rent control and security of tenure. Can the Lead Member for Housing please state if the Council will support the March for Homes and welcome it to the borough if it passes through Tower Hamlets?

**6.7 Question from Mr Lukman Miah:**

Could you tell us what powers actually the so-called Pickles' Commissioners have and how does it affect service delivery by the Council. Can they stop the Mayor or Executive Members from their duty of serving the residents?

**6.8 Question from Mr Khairul Alam:**

Considering the fact that St Dunstan's has the most new houses built, what is the Council doing to fulfil the promise made in the increased parking manifesto?

**6.9 Question from Ms Momina Begum:**

As a result of budgetary pressure and Government cuts, the Council was considering closing some nurseries in the Borough. Some residents, especially mothers of those affected, were not happy with that option and rightly so.

Have you taken the time to listen to these concerns of the effected residents or not?  
And could you provide an update please?

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**LONDON BOROUGH OF TOWER HAMLETS**

**COUNCIL MEETING**

**WEDNESDAY 21<sup>st</sup> JANUARY 2015**

**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 Speaker, the Mayor or the relevant Committee/Sub-Committee Chair at the Council meeting on Wednesday 21<sup>st</sup> January 2015
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**

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

### **8.1 Question from Councillor Asma Begum**

As Chair of the Health and Wellbeing Board, how many of the meetings did the Mayor attend in 2014? Does this reflect his commitment to the important issue of Health in the borough?

### **8.2 Question from Councillor Abjol Miah**

Could the Mayor highlight any steps, policies or initiatives that he has taken to put money in people's pockets in this Borough despite huge Tory cuts?

### **8.3 Question from Councillor Craig Aston**

Will the Mayor inform the Council as to how much money the Council wasted on failed judicial reviews and other failed legal cases in 2014?

### **8.4 Question from Councillor John Pierce**

Can the Mayor tell me how many times he has visited the Rich Mix Arts Centre in the previous year?

### **8.5 Question from Councillor Muhammad Ansar Mustaqim**

Since the beginning of the year the national Labour Party has been ensuring that the electorate are given a proper choice at the general election. Will the Mayor join me in calling the local Labour Party to stop acting in coalition with the local Tory Party against the Mayor - and his left wing policies - that any Labour Council will be proud of?

### **8.6 Question from Councillor Julia Dockerill**

On 8 December a motorcyclist tragically died after a collision with a lorry at the junction of Dock Street and the Highway. This junction has become of increasing concern to residents in Wapping, many of whom cross it to take their children to school in Aldgate. Will the Mayor inform the council as to what, if any, discussions he has had with Transport for London regarding safety improvements here, particularly in view of the proposed construction of a new school next to this junction associated with the London Docks Development?



### **8.7 Question from Councillor Ayas Miah**

In St Dunstan's ward, particularly in the new development area, residents are having difficulties getting a new parking permit or renewing their existing permit because of the car free zone. According to PTS (2011) parking transfer scheme - if some families move to 3 bedroom or larger social rented car free homes they will get at least one permit but the reality is that they do not get a permit even if they have a 3 or more bedroom house. Can the Mayor explain this please?

### **8.8 Question from Councillor Mohammed Maium Miah**

Recently, Sir Michael Wilshaw raised concerns about the educational attainment of White British Free School Meals Pupils. Does the Mayor have any plan to tackle this issue in Tower Hamlets?

### **8.9 Question from Councillor Chris Chapman**

Will the Mayor comment on the two separate and independent reports from Thames Water and the external consultants LUC which confirm that the that the Isle of Dogs will suffer from low water pressure and possibly run out of drinking water in the summer as well as suffer from 'more frequent and severe back surging of the sewage' network because of overdevelopment overwhelming the existing capacity of the water network on the island?

### **8.10 Question from Councillor Helal Uddin**

Does the Mayor have any plan to improve community cohesion in the borough further?

### **8.11 Question from Councillor Gulam Kibriya Choudhury**

Can the Mayor highlight how he plans to fight the unprecedented and ideologically driven Tory cuts?

### **8.12 Question from Councillor Andrew Wood**

Will the Mayor inform the Council what work has been undertaken following the 2014 disclosure of a decline in the percentage of primary school pupils attending local authority schools rated by OFSTED as Outstanding in Tower Hamlets, which according to the most recent OFSTED inspection has shown has continued.

### **8.13 Question from Councillor Candida Ronald**

Does the Mayor have any plans to tackle the growing problem of buy-to-leave properties in the borough?

### **8.14 Question from Councillor Mahbub Alam**

Could the Lead Member please provide an update about residents' satisfaction levels overall and which areas do we need to focus more on, especially as result of recent politically motivated campaign by Eric Pickles against the people of Tower Hamlets who had the audacity to falsely accuse us of funding bias whilst saving the most affluent Tory-run authorities from the impact of cuts?

### **8.15 Question from Councillor Peter Golds**

Will the Mayor inform the council and local residents as to why he is removing the ancient rights of English citizens enshrined in law since 1832 to protect the amount of light entering their home in order to deliver more profit to the private sector developer of the City Pride development?

### **8.16 Question from Councillor Danny Hassell**

How many children are on the borough's missing children register and what actions are being taken to ensure the safety of these children?

### **8.17 Question from Councillor Suluk Ahmed**

Leading up to Christmas and New year when many were busy buying presents and celebrating with their family and friends, it was appalling to see many vulnerable people sleeping rough. Can the Mayor shed some light on what the Council is doing to reduce rough sleeping in the Borough and is there scope to work with other stakeholders and partners in this area?

### **8.18 Question from Councillor Rachael Saunders**

Does the Mayor intend to improve the cleanliness of the borough's streets in his new waste strategy?

### **8.19 Question from Councillor Shah Alam**

Given that nationally there has been reductions and severe pressure on library services as a result of coalition cuts, will the Lead Member join me in celebrating our local success of idea stores in Tower Hamlets and how this helps local residents?

### **8.20 Question from Councillor Dave Chesterton**

The Mayor will recognise that, as a result of regular CITRIX failures, it is a possibility that some councillors might resort to using alternative providers such as AOL, hotmail and gmail when working from home. Is the Mayor aware that if alternative providers are used, electronic correspondence would be sent outside the council's data protection systems and will he please resolve the contractual issues with Agilisys and ensure councillors are provided with a reliable and secure e-mail system that can be easily accessed from home?

### **8.21 Question from Councillor Mohammed Mufti Miah**

The London Ambulance Service has been receiving very high numbers of calls in recent weeks and came under severe pressure over the Christmas and New Year period. The air ambulance for the Capital is reported to be shut down for a few weeks because they cannot afford a second helicopter. The A&E waiting times are at a 10 year high. Can the Lead Member inform us how the Conservative-led Government cuts are affecting the key public services Londoners and people in Tower Hamlets rely on, especially when it comes to A&E waiting times at local hospitals and ambulance services?

### **8.22 Question from Councillor Harun Miah**

Could the Cabinet Member tell us what the Council is doing to improve the child protection in Tower Hamlets and how can we ensure that officers are doing whatever to support so that no vulnerable child slips through the net and is safe?

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## LONDON BOROUGH OF TOWER HAMLETS

### COUNCIL MEETING

WEDNESDAY 21<sup>st</sup> JANUARY 2015

### AGENDA ITEM 9.1

#### REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMITTEE - JUDICIAL REVIEW ON THE BEST VALUE INSPECTION

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

#### 1. SUMMARY

- 1.1 This report sets out the response of the Overview and Scrutiny Committee to a motion passed at Council in September 2014 (the details of which are included below).

#### 2. RECOMMENDATIONS

- 2.1 The Council is asked to note the Overview and Scrutiny Committee's findings that the decision to proceed with the Judicial Review was a reasonable one, having had regard to the advice received from Counsel that there was a substantial chance of success. However it also resolved to express its concerns regarding:
- how the authority's relationship with both the Department for Communities and Local Government and PricewaterhouseCoopers were managed
  - the extent of the consideration given to the impact of seeking Judicial Review, and
  - the use of delegated authority to take a decision of this significance,

#### 3. BACKGROUND

- 3.1 On the 4th April 2014, the Secretary of State for Communities and Local Government appointed PwC to undertake a best value inspection of the London Borough of Tower Hamlets pursuant to section 10 of the Local Government Act 1999 (as amended by the Local Audit and Accountability Act 2014).

3.2 On 30<sup>th</sup> June 2014, the Council sought permission from the High Court to bring Judicial Review proceedings in respect of the above decision. On 13<sup>th</sup> November 2014, permission was refused.

3.3 On 10<sup>th</sup> September 2014, a motion was put to the Council meeting by Councillors Golds and Aston and it was resolved:

That this Council instructs:-

- The Overview and Scrutiny Committee to review the process whereby the decision to seek a Judicial Review was implemented.
- The Overview and Scrutiny Committee, in conjunction with the Head of Paid Service, engage a completely Independent legal advisor to provide assistance to the Committee when this is considered
- That a report by Overview and Scrutiny be prepared and presented to the full Council for consideration.

3.4 On 4<sup>th</sup> November 2014, the Overview and Scrutiny Committee received a report from the Service Head, Democratic Services concerning the above resolution and accepted the reference.

3.5 At its meeting on 6<sup>th</sup> January, 2015, the Overview and Scrutiny Committee considered a report by the Interim Monitoring Officer that set the process whereby the decision had been taken to seek a Judicial Review of the Secretary of State for Communities and Local Government's appointment of PwC to undertake a best value inspection of certain council functions.

3.6 In his report and discussion with the Committee, the Interim Monitoring Officer explained that, following the announcement of the inspection by Secretary of State in April 2014, officers sought to engage in a dialogue with the DCLG as to the specific issues that were of concern but to no avail. Thus, the view was reached that the only way to ensure that there was proper scrutiny of the Secretary of State's decision-making and to limit the Council's liability for the then unquantified costs of the inspection was to seek permission for a Judicial Review of that decision. Counsel was engaged to advise on the approach of the Council to the decision. Jonathan Swift QC had been selected as he had great experience (as Senior Treasury Counsel) of advising Government Ministers and Departments on Judicial Review matters.

3.7 It was noted that Judicial Review Proceedings had to be commenced within three months of the decision being challenged. It was considered that during the Pre-Election Period there should be no decision as to what action should be taken but to allow any new Administration to have the opportunity to review the position before litigation was commenced. At a Conference with Counsel on 23<sup>rd</sup> June, having received advice from Counsel that the authority had a 60% chance of success in seeking Judicial Review, the Mayor approved the commencement of the proceedings. The

Committee noted that Counsel's assessment was maintained throughout the process.

- 3.8 The action was commissioned by the Interim Monitoring Officer on 26<sup>th</sup> June 2014 and was undertaken in accordance with the Council's agreed scheme of delegation. The Interim Monitoring Officer stated that the reason for doing so was that the deadline for bringing proceedings was too close to allow for either an Individual Mayoral Decision or at a meeting of the Cabinet, either of which would require the development of a report. The renewal of the application was undertaken by the Service Head, Legal Services on 5<sup>th</sup> September 2014 following consultation with the Mayor and Head of Paid Service and endorsed at Conference with Counsel on 11<sup>th</sup> September 2014.
- 3.9 Overall, having considered the process leading to the decision to seek Judicial Review, including evidence of the advice received from Counsel on the likelihood of success, the Committee has concluded that this was a reasonable course of action to undertake. However, the Committee had concerns with how the council had managed its relationship with both the DCLG and PwC and, the impact of seeking Judicial Review. It also questioned the use of delegated powers to take the decision to seek Judicial Review, on the basis that its significance marked it out as deserving member input, despite not meeting the criteria for a Key Decision.

#### **4. LEGAL COMMENTS**

- 4.1 The Council is empowered (under section 222 of the Local Government Act 1972) to institute proceedings where it is considered expedient for the promotion or protection of the interests of the inhabitants of its area. Under the Local Government Act 2000, this is an executive function exercisable by the Mayor or under his delegation. Article 14 of the Council's Constitution authorises the Director of Law, Probity and Governance (currently exercisable by the Head of Paid Service and the Interim Monitoring Officer) to make such decisions and under Part 3 of the Constitution Corporate Delegation A.13 enables any Director or Service Head to authorise proceedings.

#### **5. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 5.1 Costs for the Judicial Review were estimated at £40,000. Actual costs are set out in para 5.2. These will be funded from corporate contingencies. Other costs are primarily the opportunity cost of officer time.
- 5.2 The prospective cost of a judicial review action had been estimated at around £40,000 while the potential liability of the best value inspection was unlimited, but estimated at £1,000,000. If the process found that the Secretary of State had been misadvised to proceed with the inspection, then that liability would not have occurred. Assessing the risk of cost against the reward of eliminating the liability, the action was justified. In

the event, permission was not granted and the Council's costs are substantially less than originally estimated. The Council's costs were £29,745 for Counsel's fees; the Council will also pay £8,500 to Treasury Solicitors for the Secretary of State's costs and has paid £490 on Court fees. The total spend on the Judicial Review proceedings is therefore expected to be £38,735.

**6. ONE TOWER HAMLETS CONSIDERATIONS**

6.1 None directly related to this report.

**7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

7.1 None directly related to this report.

**8. RISK MANAGEMENT IMPLICATIONS**

8.1 None directly related to this report.

**9. CRIME AND DISORDER REDUCTION IMPLICATIONS**

9.1 None directly related to this report.

**10. EFFICIENCY STATEMENT**

10.1 None directly related to this report.

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**LOCAL GOVERNMENT ACT, 1972, AS AMENDED SECTION 100D  
LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT**

Brief description of "background paper"	Name and telephone number of holder and address where open to inspection
None	n/a



**LONDON BOROUGH OF TOWER HAMLETS**

**COUNCIL MEETING**

**WEDNESDAY 21<sup>st</sup> JANUARY 2015**

**MOTIONS SUBMITTED BY  
MEMBERS OF THE COUNCIL**

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

## **SUMMARY**

1. Thirteen motions have been submitted by Members of the Council under Council Procedure Rule 13 for debate at the Council meeting on Wednesday 21<sup>st</sup> January 2015.
2. The motions submitted are listed overleaf. In accordance with the protocol agreed by the Council on 21<sup>st</sup> 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 March for Homes**

**Proposer: Councillor Abjol Miah**

**Seconder: Councillor Muhammad Ansar Mustaquim**

This Council notes

- That the March for Homes will take place on Saturday January 31<sup>st</sup>, to campaign for genuinely affordable, secure housing for Londoners
- That the march will have an east London wing supported by campaign groups in Tower Hamlets
- The work of the Mayor and Council leadership in creating new social and affordable housing, resulting in our securing of a £25m New Homes Bonus, including Mayoral commitment to build thousands of new homes
- The work of the Tower Hamlets Fairness Commission in helping set our agenda on the cost of living, for both policy-making and lobbying
- That a majority of both Londoners and Britons now support controlling rents

This Council believes

- That the March for Homes should be supported as a grassroots initiative involving resident-led campaigns and the labour movement
- That the scale of London's housing crisis is shameful, and being contributed to by the divisive and ill-considered policies of the current government

This Council resolves

- To encourage councillors to sign the March for Homes open letter, and attend the demonstration if they are able
- To lend our official support to the March for Homes
- To reaffirm our belief in the principle of genuinely affordable, secure and socialised housing for all, and to continue to campaign for this.

## **12.2 Motion regarding Docklands Sailing Centre**

**Proposer: Councillor Dave Chesterton**

**Seconder: Councillor Andrew Wood**

This Council Notes:

1. The developers of the Westferry Printers site are currently going through pre-application public consultations.
2. The Sailing Centre is concerned about the potential effect development alongside the Millwall Dock may have on the wind and the detrimental impact this may have on sailing and other watersports.
3. The Sailing Centre has made a number of representations to the developers; so far the Sailing Centre's concerns have been largely ignored.
4. The Sailing Centre is the borough's premier watersports centre and among the largest public open space in Tower Hamlets. Pressures on public infrastructure as a result of population increases arising from new developments are well understood. The Council must protect its public open spaces for use by current and future generations.

This Council Believes:

1. Pressures on public infrastructure as a result of population increases arising from new developments are well understood.
2. The Council must protect its public open spaces for use by current and future generations.
3. Council should continue to recognise the importance of the Docklands Sailing Centre in enabling use of one of the largest areas of open space in Tower Hamlets by the whole community for sport and recreation, with unique opportunities for education and employment.

This Council resolves:

1. To protect the Docklands Sailing Centre from the consequences of property development which may prevent the continued use of the Millwall Docks for those uses and the charitable purposes of the Docklands Sailing Centre Trust.
2. To exercise its powers as local planning authority, to ensure any development on the West Ferry Printers site does not cause any detriment to sailing and use of the Millwall Docks from Docklands Sailing Centre.

### **12.3 Motion regarding solidarity with French citizens**

**Proposer: Councillor Chris Chapman**

**Secunder: Councillor Julia Dockerill**

In this year of Magna Carta, original copies of which were circulated throughout the Country in Anglo Norman French, The Council of the London Borough of Tower Hamlets reaffirms the principles of freedom of speech, which have been hard won over successive centuries and condemns the atrocities in France this month.

This Council notes that London is the sixth largest French City in the world and that we support the loss shared by our French neighbours in this Borough, City and those just twenty one miles across the Channel.

The wickedness of those who brutally murdered journalists and police officers will not divide the people of Europe, who have fought for the basic freedoms of speech and assembly, regardless of our different nationalities.

This Council resolves that the Speaker of Tower Hamlets writes to Her Excellency Madame Sylvie Bermann, Ambassador of the Republic of France to show our solidarity with our French fellow citizens over this tragedy.

## 12.4 Motion regarding Tory Cuts and Tower Hamlets

**Proposer:** Councillor Mahbub Alam

**Secunder:** Councillor Mohammed Mufti Miah

This Council notes

- That local government as a whole has been hit with a further average 1.8% budget cut, and that council leaders (notably Newcastle's) fear being unable to provide statutory services under the current climate
- That the poorest boroughs have been targeted by Eric Pickles and the DCLG - Tower Hamlets has to deal with a cut of over 5%, far higher than the average, in spite of having severe levels of deprivation
- That in spite of £10bn having already been cut from local authority budgets in the last three years and a further £10bn worth of cuts having been announced.
- Tower Hamlets, Hackney, Newham, Manchester, Rochdale, Knowsley, Liverpool, St Helens, Doncaster and South Tyneside are among the 36 local authorities that take the maximum cut of 8.9%. Meanwhile Dorset gets a 0.25% increase in funding and Windsor and Maidenhead, Poole, West Sussex, Wokingham, Richmond upon Thames and Buckinghamshire all get cuts of 1% or below. (see Local Authority Budget cuts graph below for details)

This Council believes

- That the wanton slashing of public services is dangerous, damaging and indefensible. In a time of heavy underemployment, unemployment and soaring living costs, council services are a vital lifeline for vulnerable residents.
- That funding public services is economically and socially beneficial as well as ethically just; as councillors we have seen the immeasurable contribution made by council-funded projects and community organisations have made to the lives of our residents.
- That the Conservative-Liberal Democrat coalition deserve condemnation for their attacks on local government budgets, and Labour deserve to be taken to task for their often lacklustre performance on opposing austerity.

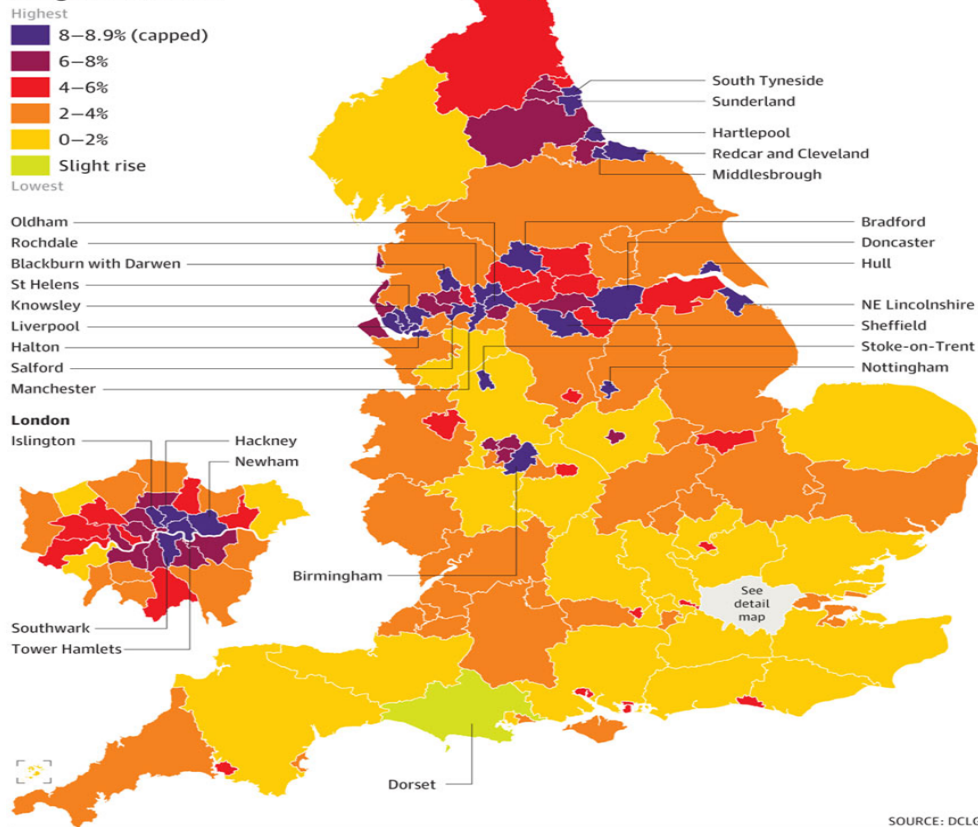
This Council resolves

- To write letters to Secretary of State Eric Pickles, Local Government Minister Kris Hopkins and Shadow Secretary of State Hilary Benn expressing our grave concern at the scale of local government cuts and advocating a strategy of investing in local public services.
- To support the People's Assembly Against Austerity in its call to connect and mobilise councils that want to fight as part of a grassroots movement.

- To oppose all cuts to our communities, and when faced with cuts make our opposition clear whilst implementing them in a way that safeguard residents to the greatest possible extent.

## Local authority budget cuts

### Reductions in local authority budgets for 2011-12



## 12.5 Motion regarding Officer Response to PwC Council Motion

**Proposer:** Councillor Rachael Saunders

**Seconder:** Councillor Shiria Khatun

This Council Notes:

1. The response from Officers to the Labour Group's Full Council motion (26<sup>th</sup> November 2014)
2. The lack of response from the Mayor to the Labour Group motion.

This Council Resolves:

To refer the PwC report to the Standards Advisory Committee and to the Human Resources Committee.

## **12.6 Motion regarding Record Awards for Tower Hamlets Council**

**Proposer: Councillor Peter Golds**

**Seconder: Councillor Craig Aston**

This Council notes that following on from the question at the last meeting by Cllr Mahbub Alam, regarding awards won by the Council, the Tower Hamlets First administration has secured a record four awards in the Private Eye Rotten Boroughs Awards for 2014.

These are:

- The Environment award to Cllr Ohid Ahmed; for ensuring that his own street is visited twice a day by the borough's poop-scooper
- The Bigot of the Year award to Cllr Alibor Choudhury
- The Quote of the Year award to Mayor Lutfur Rahman himself for misunderstanding the PwC report
- The Heroic Failure Award to Tower Hamlets First's Aktaruz Zahman who in the space of six weeks contested two wards in Tower Hamlets, using two names and providing two different addresses whilst dropping from fourth place in St Peter's ward to ninth place in Blackwall and Cubitt Town ward.

The Council resolves to note these awards as a symbol of the failure of the Tower Hamlets First administration and the hope of a improvements in the future.

## **12.7 Motion regarding Bus Strike in Tower Hamlets**

**Proposer: Councillor Suluk Ahmed**

**Seconder: Councillor Gulam Kibriya Choudhury**

This Council notes

- The strike by Tower Transit bus workers at an East London depot at the end of December
- The planned 13 January strike by up to 27000 London bus workers
- The ongoing discussions relating to Londonwide bus strikes on part of the unions representing our drivers
- The disparity in pay rates between TfL bus drivers, ranging from £9.30 to £12.34 per hour

This Council believes

- That bus drivers should be paid equally and well for the vital job they do
- That whilst fare hikes are passed on to consumers, transport staff seem to see none of the benefits
- That industrial action in defence of fair pay is just and necessary
- That whilst disruption to public services is regrettable, in light of the intransigence of Tower Transit and subsequent breakdown in negotiations, workers have every right to take industrial action

This Council resolves

- To commend the Tower Transit workers for their stand at the end of 2014
- To support the industrial action on 13 January
- To support the efforts of Unite and other bus unions to secure a fair deal
- To support equal and decent pay for London bus workers



## **12.8 Motion regarding public access to information**

**Proposer: Councillor Joshua Peck**

**Seconder: Councillor Rachel Blake**

This Council notes:

1. That unlike planning applications, licensing applications are not put on the council's website and that residents have to go into a council office to see applications
2. That even when Councillors ask to see licensing applications it can be several days before they sent, reducing the time available for objections

This Council believes:

That all licensing applications should be fully available on the Council website as soon as they are advertised

This Council further notes:

That when a resident reports a potential planning breach they will receive a letter confirming that a planning enforcement case has been opened but that they won't then receive any other communication from the Council until the case is closed, which may be many months later, leaving the resident with no information about the progress of their case until then.

This Council further believes:

1. That residents have a justifiable expectation of being kept better informed by the Council about planning enforcement cases they have raised.
2. That a letter at key points in the enforcement process (i.e. after the initial visit of planning officers, after the expiry of any date given to allow resolution of the breach, after any deadline for enforcement action etc) would enable residents to know what was happening.

This Council resolves:

1. To call on the Mayor to ensure that, within three months of this motion being passed, all licensing applications are published on the Council website at the same time they are put out to consultation
2. To call on the Mayor to ensure that, within three months of this motion being passed, planning enforcement start to update residents at key points in planning enforcement cases
3. That the relevant Corporate Directors bring reports on these issues to the next Council meeting.

## **12.9 Motion regarding Education spending**

**Proposer: Councillor Andrew Wood**

**Secunder: Councillor Peter Golds**

This Council condemns Labour's proposed reduction in education spending in Tower Hamlets if Labour were to form the next government, as outlined by Labour's Shadow Secretary of State for Education, Dr The Hon Tristram Julian William Hunt and reported in the January 9<sup>th</sup> edition of the *Norwich Evening News*.

This Council further notes the comments of Dr The Hon Tristram Julian William Hunt, specially targeting Tower Hamlets pupils, as he stated, "It is no longer equitable that a child in Tower Hamlets will be getting roughly double the funding of a child in Hastings and yet the results in Tower Hamlets may be better in Hastings".

This Council believes that were a policy like this to be enacted it would have extremely detrimental effects on the standards of education in our borough and damage the future prospects for our young people, for which the Labour party should be condemned.

This Council further notes that under the coalition government education spending has been protected, standards have risen and £18 billion has been invested in a new schools building programme, delivering state of the art facilities to young people. In government Labour let standards slip, and owing to this disastrous policy Dr The Hon Tristram Julian William Hunt, has let the cat out of the bag by proposing to cut the amount of money spent on young people in this borough, as well as residents in Tower Hamlets and London having to pay for Labour's panic stricken attempts to buy off the Scottish National Party voters with their proposed London Tax.

## **12.10 Motion regarding the NHS**

**Proposer: Councillor Mohammed Maium Miah**

**Seconder: Councillor Shah Alam**

This Council notes

- That in the week prior to Christmas NHS A&E units recorded their worst performance ever
- That Unison has claimed the NHS is 'on the brink of a disaster'
- That the Government's NHS 'reforms' have been slammed not only by opposition parties but a range of independent groups and the majority of healthcare staff

This Council believes

- That cuts and stealth privatisation are having an immediate and lethal effect upon the capacity of our NHS
- Rising demand and reducing budgets are creating impacts across the health system
- That the Government with its closure of surgeries, slashing of staff pay and relentless marketisation have thoroughly broken its promise to 'cut the deficit, not the NHS'
- That effective, well-funded healthcare free at the point of use is a human right

This Council resolves

- To support community campaigns for the NHS, such as Keep Our NHS Public, the National Health Action party and 999 Call for the NHS
- To reiterate our call for a reversal of both Tory cuts and privatisation and Labour development of the internal market and profit motive in public health
- To commend Unison in their work for a better health service and fair pay and conditions for healthcare workers

## **12.11 Motion regarding New Schools**

**Proposer: Councillor Danny Hassell**

**Seconder: Councillor Amy Whitelock Gibbs**

This Council notes:

1. The increasing number of school providers in the borough, with increasing number of free schools and academies.
2. A recent survey by London Councils which showed 68% of parents believe local authorities should have powers to intervene in Free Schools and that 81% support council influence over school places.
3. The urgent need for additional primary and secondary schools places within the borough, especially in the East of the borough.
4. A number of site allocations have been identified across the borough for additional primary and secondary school provision.

This Council believes:

1. The decision of the Conservative-led Government to restrict the opening of new community schools by local authorities is an example of wider attacks on the role of local councils, who are often best place to make decisions about services for their local communities.
2. That this policy has made it more difficult to address issues such as a shortage of school places both nationally and locally.
3. Academies and Free Schools often lack local accountability, particularly in comparison to community schools and that parents support a role for councils in relation to performance of Free Schools and Academies.
4. Schools should reflect the communities that they serve and that schools with diverse and representative student populations will offer greater opportunities for young people.
5. Collaboration rather than competition should be at the heart of a local education system. All new schools in the borough should be part of the wider family of schools, committed to improving education in the borough as well as the wider wellbeing of the local community.
6. Any free schools must therefore demonstrate that they benefit all local children, regardless of income, background or ability, and have a positive impact on the wider local community.

This Council resolves:

1. To work with parents, teachers and other non-profit groups to ensure any Government approved free schools in Tower Hamlets are part of the family of

schools, promote inclusive, non-selective, comprehensive and high quality education for all children, and abide by the local authority admissions code.

2. To call on officers to work with developers bringing forward schemes which include education floor space at an early stage to ensure that the provision is for a local authority school where possible (for example through the use of satellite schools where appropriate).
3. To request officers investigate the admissions policies and processes of all schools in the borough and report on the profiles of the student populations at different schools.
4. To establish a standing scrutiny committee for education and schools standards, similar to the Health Scrutiny Panel.

## **12.12 Motion regarding homelessness in Tower Hamlets**

**Proposer: Councillor Marc Francis**

**Seconder: Councillor Sirajul Islam**

This Council notes:

1. Under Labour's Leadership after 1994, the London borough of Tower Hamlets had a strong track record of supporting homeless households, from bringing those placed outside the borough by the Lib Dem administration to back into Tower Hamlets to ending the long-term use of Bed and Breakfast accommodation for families with children ahead of schedule and halving the numbers in temporary accommodation by 2010;
2. From 2002 onwards, LBTH in common with many other London boroughs increasingly offered homeless households a move into a home in the private rented sector on a voluntary basis to prevent their homelessness;
3. Since 2010, the Coalition Government's reduction in the subsidy levels for temporary accommodation and caps on Local Housing Allowance have seriously affected LBTH's ability to source such accommodation from private landlords in Tower Hamlets;
4. As a consequence, dozens of homeless families have been forced to stay in B&B longer than the six week legal limit, which is totally unsuitable for children, and others are now being placed in B&B "annexes", which while legal, are almost as bad;
5. More recently, the Mayor has allowed council officers to discharge the authority's duty to homeless households through the offer of an Assured Shorthold Tenancy in the private rented sector, and that as of 30<sup>th</sup> June, this had happened to 50 households
6. The Homelessness Statement 2013-17 agreed by the Mayor and Cabinet notes that the Government had changed the law to allow such a discharge of duty, but does not make clear either that this is a power, not a duty, or that LBTH would be adopting such a policy
7. LBTH has published no criteria explaining the circumstances in which a homeless household will be made such an offer
8. LBTH's bid for additional funding of £270,000 from the Government's "Gold Standard" initiative to tackle the growing use of B&Bs was rejected by ministers, while other Conservative-led authorities facing much less housing pressure were awarded funding.

This Council believes:

1. Homeless families are potentially vulnerable and should not be forced to accept the offer of a tenancy in the private rented sector, which lacks security of tenure and which is often at rent levels that can only be afforded with Housing Benefit, creating a "poverty trap";

2. This policy was introduced by the Conservative Secretary of State for Communities & Local Government and Housing Minister in response to lobbying by Conservative-led Westminster City Council and other Tory boroughs, who have long argued against the legal safety net for homeless people;
3. Statutorily homeless families in Tower Hamlets should not have their rights eroded
4. The Coalition Government's reasons for denying LBTH funding from the "Gold Standard" scheme to help reduce the use of B&B were spurious.

This Council resolves:

1. To call on the Mayor to revoke the authorisation for council officers to discharge this authority's duty to homeless households through the offer of a private sector tenancy;
2. To call on the Mayor and our local Members of Parliament to make representations to the Department for Communities & Local Government for an investigation into the process by which local authorities were awarded "Gold Standard" funding;
3. To call on the Mayor to participate actively in London Councils' efforts to persuade this and any future Government to restore full Housing Benefit subsidy for homeless households in temporary accommodation and to agree a protocol for co-operation rather than competition between authorities over the lease of such accommodation;
4. To call on the Mayor to take further steps to comply with the legal requirement that for homeless families are not forced to stay in B&Bs longer than six week and also reduced the use of B&B "annexes", and to report back to Full Council on progress by April 2015.

### **12.13 Motion regarding tax dodging**

**Proposer: Councillor Clare Harrisson**

**Seconder: Councillor John Pierce**

The Council notes:

1. It has been estimated that the UK Treasury loses as much as £12 billion to tax dodging by multinational companies every year. Developing countries lose three times more to tax dodging than they receive in aid each year – enough to give a basic education to the 57 million children currently missing out.
2. The UK has a particular responsibility to end tax dodging, as it is responsible for 1 in 5 of the world's tax havens in the British Overseas Territories and Crown Dependencies.
3. The use of tax havens by UK companies is rife, with 98 of the FTSE 100 companies routinely using tax havens.
4. Large multinational companies pay as little as 5% in corporate taxes globally while smaller businesses pay up to 30%.

This Council believes:

1. As a local authority we have a duty to provide the best possible public services
2. Our ability to provide quality local services would be significantly enhanced by the increased revenues from the Government tackling tax dodging.
3. All who benefit from public spending should contribute their fair share.
4. The UK must take a lead role in creating a fairer tax system and combating tax dodging.

This Council resolves:

1. To support the campaign for tax justice alongside organisations like Action Aid
2. To ask our MPs, Jim Fitzpatrick and Rushanara Ali to put pressure on the national Government and the treasury to take steps to end tax avoidance loopholes.