

**LONDON BOROUGH OF TOWER HAMLETS****DECISIONS OF THE COUNCIL****HELD AT 7.30 P.M. ON WEDNESDAY, 22<sup>ND</sup> JULY 2015****THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5  
CLOVE CRESCENT, LONDON, E14 2BG**

Please note that the Council may have altered the order of business during the meeting but for ease of reference this decision sheet lists the business in the same order as the agenda. Urgent Motions, moved with the agreement of the Council without notice, are listed at Item 13.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of:

- Councillor Asma Begum
- Councillor Shahed Ali
- Councillor Mohammed Mufti Miah

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

**2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**

Councillor Candida Ronald declared a personal interest in Agenda Item 5.3, Petition entitled 'Stop the destruction of long standing communities on the Isle of Dogs'; and a Disclosable Pecuniary Interest in Agenda Item 13.1, urgent motion regarding One Housing; as she was a tenant of One Housing and was also Chair of the Samuda Estate Local Management Organisation. Councillor Ronald left the meeting during consideration of Agenda Item 13.1.

Councillor Mohammed Maium Miah declared a personal interest in Agenda Item 5.3, Petition entitled 'Stop the destruction of long standing communities on the Isle of Dogs'; and a Disclosable Pecuniary Interest in Agenda Item 13.1, urgent motion regarding One Housing; as he was an Area Board Member for Island Housing Group, part of the One Housing Group and a leaseholder of a One Housing property. Councillor Miah left the meeting during consideration of item Agenda Item 13.1

Councillor Oliur Rahman declared a personal interest in Agenda Item 5.3, Petition entitled 'Stop the destruction of long standing communities on the Isle of Dogs'; and a Disclosable Pecuniary Interest in Agenda Item 13.1, urgent motion regarding One Housing; as he was a tenant of One Housing. Councillor Rahman left the meeting during consideration of Agenda Item 13.1.

Councillor Ohid Ahmed declared a personal interest in Agenda Item 5.3 Petition entitled 'Stop the destruction of long standing communities on the Isle of Dogs' as he was a Board Member for a Registered Provider.

Councillor David Edgar declared a Disclosable Pecuniary Interest in Item 13.1, Urgent Motion regarding One Housing Group as his wife had a leasehold interest a One Housing property. Councillor Edgar left the meeting during consideration of this motion.

### **3. MINUTES**

#### **DECISION**

That the unrestricted minutes of the Annual Meeting of the Council held on 20<sup>th</sup> May 2015 and 24<sup>th</sup> June 2015 be confirmed as a correct record and the Speaker be authorised to sign them accordingly.

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

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

Please see the minutes.

### **5. TO RECEIVE PETITIONS**

#### **5.1 Petition regarding major works at Lister House and Treves House, E1**

Ms Khaleda Maleque addressed the meeting on behalf of the petitioners, and responded to questions from Members. Councillor Sirajul Islam, Statutory Deputy Mayor and Cabinet Member for Housing Management and Performance, then responded to the matters raised in the petition.

#### **DECISION**

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

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

#### **5.2 Petition regarding the Council's service to the local community**

Mr Muhammad Haque addressed the meeting on behalf of the petitioners, and responded to questions from Members. Mayor John Biggs then responded to the matters raised in the petition.

**DECISION**

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

**(Action by:** Directorate of Law Probity and Governance)

**5.3 Petition entitled ‘Stop the destruction of long standing communities on the Isle of Dogs’**

Mr Arthur Coppin addressed the meeting on behalf of the petitioners, and responded to questions from Members. Mayor John Biggs then responded to the matters raised in the petition.

**DECISION**

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

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

**5.4 Petition Debate - TUSH Housing Co-op, Bruce Road, E3.**

An updated report for this item including officers comments was tabled at the meeting.

Mr Andy Erlam addressed the meeting on behalf of the petitioners and the Council then debated the matters raised by the petition.

**Procedural Motion**

Councillor Sirajul Islam **moved**, and Councillor Khales Uddin Ahmed seconded, a procedural motion – “That under Procedure Rule 14.1.14, Rule 13.1 be suspended to allow an urgent motion regarding TUSH Housing Petition”

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

Councillor Sirajul Islam **moved**, and Councillor Khales Uddin Ahmed seconded, the urgent motion [text of motion as set out in the resolution below].

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

**DECISION**

This Council notes:

- That a petition was received containing 2,369 signatures on the subject of TUSH Housing Co-op in Bruce Road, E3.

This Council believes:

- That the petitioners have significant support and that therefore their case should be considered.

This Council resolves:

- To call on the Mayor to look closely at this situation and carefully consider the decision made by the previous Mayor.

**(Action by:** Aman Dalvi, Corporate Director, Development and Renewal;  
Tony Evans, Mayor's Office)

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

The following questions and in each case (except where indicated) a supplementary question were put and were responded to by the Mayor or relevant Executive Member:-

- 6.1 Question from Ms Kathy McTasney about personalised disabled parking bays.
- 6.2 Question from Mr Dean Morrison, (Leaseholders of Tower Hamlets (LTH)) requesting support for the group. (No supplementary question was asked).
- 6.3 Question from Mr Geoff Juden, (Chairman, The East London Garden Society) regarding tree felling along Mile End Road in connection with cycle superhighway works.
- 6.5 Question from Ms Shuily Akthar asking about the number of Free School dinners served since its introduction.
- 6.7 Question from Mr John Allison regarding regeneration schemes in the borough

Questions 6.4, 6.6 and 6.8 were not put due to the absence of the questioner. Written responses would be provided to these questions.

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

**7. MAYOR'S REPORT**

Please see minutes.

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

The following questions and in each case (except where indicated) a supplementary question were put and were responded to by the Mayor or relevant Executive Member or Committee Chair:-

- 8.1 Question from Councillor Danny Hassell to the Mayor regarding a monthly report on engagements. (No supplementary question was asked).
- 8.2 Question from Councillor Oliur Rahman to the Mayor and his Cabinet regarding the relocation of the Town Hall.
- 8.3 Question from Councillor Amina Ali regarding the Mayor's attendance at community events since taking office. (No supplementary question was asked).
- 8.4 Question from Councillor Andrew Wood regarding proposed new schools in the Borough and occupancy of the sites. (No supplementary question was asked).
- 8.5 Question from Councillor Rajib Ahmed regarding the Mayor's plans to build a culture of transparency within the Council.
- 8.6 Question from Councillor Abjol Miah seeking clarification of the Mayor's plans for the Community Burial Service.
- 8.7 Question from Councillor Sabina Akhtar to the Chair of the Overview and Scrutiny Committee regarding the committee's work programme for the year ahead.
- 8.8 Question from Councillor Rabina Khan to the Mayor and his Cabinet regarding East End Homes and Holland Estate.
- 8.9 Question from Councillor Denise Jones regarding proposals to reduce the size of the Mayoral Office. (No supplementary question was asked).
- 8.10 Question from Councillor Julia Dockerill regarding the provision of a Council run idea store for all residents in St Katherine's and Wapping.
- 8.11 Question from Councillor Helal Uddin regarding the Mayor's attendance at the Overview and Scrutiny Committee. (No supplementary question was asked).

8.12 Question from Councillor Ohid Ahmed regarding the availability of refreshments at the staff conference during Ramadan.

8.13 Question from Councillor Andrew Cregan regarding the priorities of Education and Children's Services for the year ahead.

The remaining questions 8.14 - 8.22 were not put due to a lack of time. Written responses would be provided to the questions.

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

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

### **9.1 Annual report of the Overview and Scrutiny Committee**

Councillor John Pierce, Chair of the Overview and Scrutiny Committee, presented the committee's Annual Report for 2014-15.

#### **DECISION**

That the Council note the contents of the Annual Report of the Overview and Scrutiny Committee for 2014-15.

(**Action by:** Louise Russell, Service Head, Corporate Strategy and Equality)

## **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 Amended Regulations: Dismissal Process for Statutory Officers**

The Council considered the report of the Interim Monitoring Officer and Service Head, Human Resources and Workforce Development, proposing amendments to the Council's Officer Employment Procedure Rules to provide a new process for the dismissal of Statutory Officers as required by legislation.

The recommendations set out in the report were put to the vote and were **agreed**.

#### **DECISION**

1. That the new process for dismissal of a statutory officer be noted.

2. That the Officer Employment Procedure Rules in Part 4 of the Constitution be amended as set out in Appendix 1 to the report of the Interim Monitoring Officer and Service Head, Human Resources and Workforce Development to reflect the change in process.
3. That a further report be considered by the Human Resources Committee that deals with the detail of the process and makes proposals on the outstanding issues as identified in the report.

**(Action by:** Interim Monitoring Officer and Simon Kilbey, Service Head, Human Resources and Workforce Development)

## **11.2 Review of proportionality and allocation of places on the committees and panels of the Council**

The Council considered the report of the Service Head, Democratic Services, setting out the position regarding proportionality and the allocation of Committee places following a change in the political composition of the Council.

The recommendations set out in the report were put to the vote and were **agreed**.

### **DECISION**

1. That the review of proportionality as at section 3 of the report be noted and the allocation of seats on committees and panels be agreed for the remainder of the Municipal Year 2015/16 as set out at paragraph 4.1 of the report.
2. That Members and deputies be appointed to serve on those committees and panels in accordance with nominations from the political groups to be notified to the Service Head, Democratic Services.
3. That the single ungrouped Councillor be appointed to the vacant position on the Appeals Committee remaining after the allocation of places to the political groups.

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

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

### **12.1 Motion regarding the Constitutional Working Group**

Councillor Craig Aston **moved**, and Councillor Peter Golds **seconded** the motion as printed in the agenda.

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

**DECISION**

This council notes that:

1. Since October 2010 the council has operated under an Executive Mayoral model in which most functions of the council are in the hands of the Executive Mayor.
2. The size of the council was reduced from 51 to 45 in 2014, in part due to arguments about how the work of councillors and the structure of the council could be revised with fewer members.
3. Apart from necessary changes to the constitution to account for the transfer of executive powers, no thorough revision of the structures of the council was carried out, and no such revision has been carried out since.
4. Tower Hamlets is one of only 9 boroughs in London out of 32 with a single Overview and Scrutiny Committee as opposed to a number of scrutiny bodies.

This council notes further:

1. Although a formal scheme of delegation exists, executive powers have never been formally delegated. Responsibility for executive actions therefore rests exclusively with the Executive Mayor.
2. The outgoing Executive Mayor had not answered a single question at Full Council since 2012 and usually his only interaction with Full Council meetings was his 5-minute report, where he generally talked about matters irrelevant to his duties as Executive Mayor.
3. The outgoing Executive Mayor attended just 4 Overview & Scrutiny Committee meetings in a tenure of four and a half years.
4. The council further notes that the newly elected Mayor, attended and responded to a call in at the most recent Overview and Scrutiny Committee.

This council notes further:

1. The intervention of the Department for Communities and Local Government in sending the auditors, PricewaterhouseCoopers, to this council.
2. The subsequent report of PricewaterhouseCoopers, which made severe criticisms of the actions and lack of accountability of the outgoing administration.
3. The further intervention of DCLG in sending Commissioners into this borough to exercise certain executive powers.



This council believes that:

1. The structures left in place at the transfer to an Executive Mayoral model in 2010 are, and were, not sufficient to ensure genuine scrutiny and accountability of an Executive Mayoral administration.
2. Those structures have plainly failed, resulting in DCLG intervention.
3. A revision of those structures is both necessary and desirable.

The council resolves that:

1. The Constitutional Working Group be convened to consider revisions to the constitution which would strengthen scrutiny, oversight, and executive accountability.
2. The legal department provide all necessary assistance to the Constitutional Working Group.
3. That proposals for revisions to the constitution should be brought back to Full Council within six months of the date of this meeting.

**(Action by:** Meic Sullivan-Gould, Interim Monitoring Officer)

Motions 12.2–12.6 were not debated due to lack of time.

### **13. URGENT MOTION**

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

#### **13.1 Motion regarding One Housing Group**

Prior to the debate on this motion, the Interim Monitoring Officer advised the Council. He noted that a number of Members had declared a personal interest in Petition 5.3 arising from a connection of some kind with One Housing. He reminded Members of the provisions of the law and the Council's Code of Conduct regarding declarations of interest and stated that all Members would need to consider for themselves whether any interest they may have in the urgent motion to be debated represented a Disclosable Pecuniary Interest.

Councillors David Edgar, Mohammed Maium Miah, Candida Ronald and Oliur Rahman left the meeting during consideration of this urgent motion.

Councillor Dave Chesterton **moved**, and Councillor Andrew Cregan **seconded**, the motion as **tabled**.

Councillor Peter Golds **moved** and Councillor Chris Chapman **seconded** an amendment to include in the motion a resolution 'That a meeting should be

arranged with Brandon Lewis MP, Minister for Housing to brief him on this motion’.

Councillors Dave Chesterton and Andrew Cregan 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**.

## **DECISION**

This Council notes that:

- Following a stock transfer ballot in 2005, Toynbee Island Homes (a subsidiary of Toynbee Housing Association) took over four local authority estates on the Isle of Dogs: Samuda, St Johns, Barkantine and Kingsbridge. These four estates comprise 2,027 homes;
- In their offer document, Toynbee Island Homes promised that the transferred homes would be run by a board with residents in the majority: 15 members of which eight would be elected residents.
- In 2007 Toynbee Housing Association merged with Community Housing Association. The merged organisation, One Housing Group (OHG), took control of the four Island estates;
- In 2012 OHG wound up Island Homes and introduced area resident boards, with no decision-making powers;
- Residents on the four estates found their homes being owned by a very different landlord from the one which they had been promised and they still feel quite aggrieved;
- OHG has consistently performed poorly in terms of repairs, refurbishments, improvements and accounting. Leaseholders are particularly concerned that OHG is deliberately running down the estates in order to reduce property values;
- In 2014 OHG produced a 52 page report ‘Project Stone’ setting out proposals to replace all 2,027 homes with up to 10,000 properties, the majority for private sale. OHG still hasn’t adequately informed residents of these proposals;
- Following the 2014 council election the repairs and maintenance problems raised by residents were so bad that Island councillors agreed to work on a cross-party basis to tackle OHG;
- In January 2015 OHG embarked on a ‘Cross Island Conversation’ asking residents what they thought of their homes, estates and living on the Island. No mention was made of their proposals to redevelop the four estates; they wrote to residents saying “As yet – and despite the many rumours you may have heard – One Housing Group does not have a plan in place”;
- In spite of OHG’s persistent denials, it has held meetings with planners in both the GLA and Tower Hamlets to discuss Project Stone & the submission of a planning application, possibly by the end of 2015;
- A recent interim report of the ‘Cross Island Conversation’ revealed:

- Residents have no trust or confidence in their landlord;
  - Inflexibility and lack of respect on the part of OHG – residents do not feel supported or cared for;
  - Problems with repairs, and the high cost and poor management of major capital works;
  - Poor, inconsistent, inaccurate unfriendly communications;
- In 2012 OHG agreed to purchase 123 S106 units at Indecon Court on the Island from the developer. The original S106 agreement in 2008 had assumed that these units would be available at social rent. OHG negotiated with the developer on the basis that higher affordable rents could be charged. These rents range from £977.99pcm for a 1 bed to £1126.92pcm for a 4 bed. The Council has made it clear to OHG that rents at this level are against the spirit of the original S106 agreement;
  - Under current legislation, tenants of stock transferred properties have no right to a re-ballot and choose an alternative Registered Provider.

This Council believes that:

- OHG has failed to deliver on the promises made in the stock transfer offer document by its predecessor Toynbee Island Homes;
- OHG has a poor record of managing its major works programme as well as its maintenance and repairs services;
- OHG has developed proposals to redevelop the 2,027 homes that make up its four Island estates, but has steadfastly refused to inform its residents about these proposals;
- OHG's own consultation exercise shows residents have little trust or confidence in their landlord;
- OHG's proposed rents at Indecon Court have the potential to increase profit (possibly substantially) for the developers, at the expense of social housing tenants paying much more than was envisaged when the scheme was consented. This is not the behaviour expected of a Preferred Partner;
- Tenants should have a choice and where Registered Providers are performing poorly should have the right to demand a re-ballot and chose an alternative landlord.

This Council resolves:

- To request the Mayor to write to the Homes & Communities Agency, calling for the regulator to investigate whether:
  - OHG residents have suffered serious detriment as a result of the failings of the Repairs & Maintenance service;
  - OHG has been dishonest with residents over its plans to redevelop the Island estates;
  - The 'no confidence or trust in OHG expressed by residents through OHG's own 'Cross Island Conversation' places the organisation in a position where it is no longer fit to carry out its functions as a landlord;

- To support OHG residents in preparing their own submission to the Homes and Communities Agency;
- To request the Mayor to suspend OHG as a Preferred Partner in Tower Hamlets with immediate effect. The council will not support them as a S106 partner with any developer and will not support them for any grant bids to the GLA;
- To request the Mayor to instruct officers to explore options for legal proceedings against OHG for breach of the Transfer Agreement and to report back to Full Council on the possibility of such proceedings by 16<sup>th</sup> September;
- To support Jim Fitzpatrick MP in his efforts to change legislation, to enable tenants whose homes have been subject to stock transfer the right to a re-ballot where their Registered Provider is performing poorly;
- To request the Mayor to seek a meeting with Sir Anthony Meyer, Chair of OHG, to address the failures of leadership within his organisation.
- That a meeting should be arranged with Brandon Lewis MP Minister for Housing to brief him on this motion.

**(Action by:** Aman Dalvi, Corporate Director, Development and Renewal  
Tony Evans, Mayor's Office)

The meeting ended at 10.39 p.m.