



Meeting of the

TOWER HAMLETS COUNCIL

Wednesday, 22nd July 2015 at 7.30 p.m.

A G E N D A

VENUE

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

Democratic Services Contact:

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

You are summoned to attend a meeting of the Council of the London Borough of Tower Hamlets to be held in **THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT, LONDON, E14 2BG** at 7.30 p.m. on **WEDNESDAY, 22ND JULY 2015**

Stephen Halsey
Head of Paid Service

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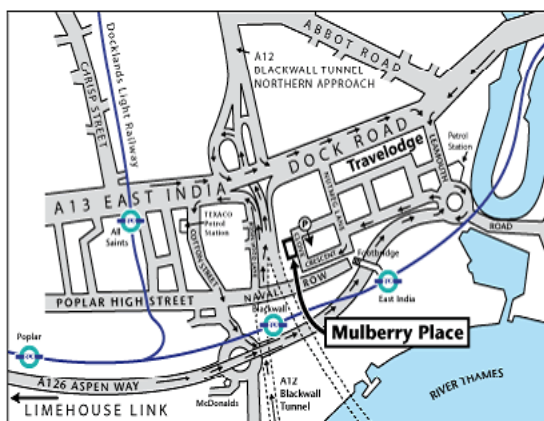
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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY, 22ND JULY 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. Please see the attached note from the Monitoring Officer.

3. **MINUTES**

5 - 38

To confirm as a correct record of the proceedings the unrestricted minutes of the Annual Meeting of the Council held on 20th May 2015 and 24th June 2015. The draft minutes are attached.

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

5. **TO RECEIVE PETITIONS**

39 – 42

Items 5.1 to 5.3 – Petitions for presentation

The Council Procedure Rules provide for up to three petitions to be presented at an Ordinary Meeting of the Council. The deadline for receipt of petitions for this Council meeting is noon on Thursday 16th July. However, as at the date of agenda despatch the maximum number of three petitions had already been received.

The petitions received for presentation at this meeting are set out in the attached report.

Item 5.4 – Petition for debate

43 - 48

In addition to the above, the Council's Petition Scheme, adopted in July 2010 in accordance with the then provisions of the Local Democracy, Economic Development and Construction Act 2009, provides that where a petition includes at least 2,000 signatures, the petitioners may request that a debate is held about the petition at the next available Council meeting.

A petition containing 2,369 signatures has been received on the subject of the **TUSH Housing Co-op, Bruce Road, E3**.

The text of the petition and guidance on the format for the debate on this matter are set out in the attached report. A maximum total of 18 minutes is allocated for this agenda item.

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

49 - 52

The questions which have been received from members of the public for this Council meeting are set out in the attached report. A maximum period of 20 minutes is allocated to this agenda item.

7. MAYOR'S REPORT

53 - 60

The Council's Constitution provides for the Elected Mayor to give a report at each Ordinary Council Meeting. The report of Mayor Biggs is attached.

A maximum of five minutes is allowed for the Elected Mayor to speak to his 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

61 - 66

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 Annual report of the Overview and Scrutiny Committee

67 - 82

To receive the annual report of the Overview and Scrutiny Committee for the municipal year 2014/15. The committee's report is attached.

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

11. OTHER BUSINESS

11 .1 Amended Regulations: Dismissal Process for Statutory Officers 83 - 98

To agree changes to the Officer Employment Procedure Rules to reflect Regulations that came into effect on 11th May 2015.

The joint report of the Interim Monitoring Officer and Service Head, Human Resources and Workforce Development is attached.

11 .2 Review of proportionality and allocation of places on the committees and panels of the Council 99 - 102

To review proportionality and the allocation of places on committees and panels pursuant to a change in the political composition of the council. The report of the Service Head, Democratic Services is attached.

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL 103 - 114

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:-

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

APPENDIX A: Definition of a Disclosable Pecuniary Interest

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

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

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE ANNUAL COUNCIL MEETING

HELD AT 7.30 P.M. ON WEDNESDAY, 20 MAY 2015
AND 8.00 P.M. ON WEDNESDAY 24 JUNE 2015

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

Members Present:

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

[* denotes present only on 20th May; ** denotes present only on 24th June.]

Note (1): Adjournment and order of business

The order of business was varied from the printed agenda by the Council during the meeting. In addition, the meeting was adjourned at 7.35 p.m. on 20th May 2015 and reconvened, following the Mayoral and Stepney Green Ward by-elections, at 8.00 p.m. on 24th June 2015.

For ease of reference these minutes list the agenda items in the same order as the agenda. Where relevant, each agenda item records the proceedings and/or decisions taken at both sessions of the meeting.

Note (2): Nomination of Chair to preside over election of Speaker

Councillor M.A Mukit (Speaker) and Councillor Khales Uddin Ahmed (Deputy Speaker) remained outside the meeting until the Council had elected a Speaker.

The Service Head, Democratic Services opened the meeting and sought nominations for a Councillor to temporarily Chair the meeting to preside over the election of the Speaker.

It was **moved** by Councillor Rachael Saunders, **seconded** by Councillor Shiria Khatun, and:

RESOLVED

That Councillor Rajib Ahmed be elected to chair the meeting for the election of the Speaker.

Councillor Rajib Ahmed, in the Chair**1. ELECTION OF SPEAKER**

Councillor Rajib Ahmed sought nominations to serve as Speaker of the Council.

It was **moved** by Councillor Rachael Saunders, **seconded** by Councillor Shiria Khatun and:

RESOLVED

That Councillor M. A. Mukit, MBE be re-elected to serve as Speaker of the London Borough of Tower Hamlets Council until the Annual Council Meeting in 2016.

[Note: Councillor M.A. Mukit, MBE and Councillor Khales Uddin Ahmed entered the Chamber at this point of the meeting.]

Councillors Rachael Saunders and Councillor Shiria Khatun, then came forward to witness the Speaker of the Council signing the statutory declaration of acceptance of office.

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

Following the adjournment of the meeting on 20th May 2015 and the resumption on 24th June 2015, Councillor Mukit addressed the Council about his year in office.

He reported that it had been a wonderful experience and a great privilege to serve as the Speaker over the year affording him the opportunity to attend many events with fellow civic colleagues. He had tried his best to attend as

many as possible. There were so many unique experiences worth highlighting including: attending the Queen's Garden Party, the local government anniversary event at Westminster Abbey and the London Mayor's and Borough Mayors services. Other activities included raising money for the Poppy Appeal, participating in charity events, visiting Bangladesh to promote joint initiatives, welcoming esteemed visitors to the Borough from all over the world and celebrating cultural and educational achievements.

The Speaker also reported on his attendance of the recent civic awards ceremony, praising the work of the volunteers honoured who gave their time to community work.

Regarding his chosen charity, the Tower Hamlets Foodbank, he expressed gratitude for the kind contributions to the project. In particular, he thanked staff for contributing so generously to their Christmas appeal. He had worked hard to support the charity. He also referred to the Speaker's Charity Ball and his tour of Tower Hamlets with London Borough Mayors. In total, he had raised over £30,000 for his charity.

Finally, he thanked all those who had supported him throughout the year. This included colleagues, residents, his wife and daughter who had accompanied him as his consorts at events, as well as Council staff, particularly Patricia Attawia and everyone in Member Support and his drivers.

The respective political group leaders and the Mayor in turn each responded to the Speaker's address, sharing some of their own favourite memories of his year in office and praising the personal quality that he brought to the role. They also congratulated him on his achievements over the year and thanked him for being such a good ambassador for the Borough.

The Speaker of the Council then addressed the meeting on his plans for his second year in office. He stated that it was a great honour to be re - elected for a second year running giving him more time to do all the things he wanted to do. He had chosen to support two charities during the forthcoming year in office. These were Mind in Tower Hamlets, that delivered a programme of services to people with mental health needs and the Surjamuki Project that provided services for young Asian people with moderate disabilities. He hoped that the Council would join him in supporting these charities. He also reported that once again, his wife and daughter would be his consorts for the year.

2. APOLOGIES FOR ABSENCE

On 20th May 2015, apologies for absence were received on behalf of:-

- Councillor Suluk Ahmed
- Councillor Shafiqul Haque
- Councillor Abjol Miah
- Councillor Mohammed Mufti Miah and;
- Councillor Gulam Robbani

At the reconvened meeting on 24th June 2015, apologies for absence were received on behalf of:-

- Councillor Ohid Ahmed
- Councillor Mahbub Alam
- Councillor Chris Chapman; and
- Councillor Rabina Khan

3. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of Disclosable Pecuniary Interests.

4. MINUTES

RESOLVED

That the unrestricted minutes of the Council meeting held on 15th April 2015 be confirmed as a correct record and the Speaker be authorised to sign them accordingly.

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

At the reconvened meeting on 24th June 2015, the Speaker of the Council made announcements as follows:-

Firstly, the Speaker welcomed the newly elected Mayor John Biggs and invited him to address the meeting. Mayor Biggs began by wishing all present a happy Ramadan. He then listed some of his early achievements since taking up office and his aspirations for the future.

Following the Mayor's address, the Speaker welcomed the new Councillor for Stepney Green Ward, Councillor Sabina Akhter to her first Council meeting.

The Speaker also congratulated Councillor Peter Golds on being awarded a CBE in the recent honours list.

6. ELECTION OF DEPUTY SPEAKER

At the first part of the meeting, on 20th May 2015, the Speaker sought nominations to serve as Deputy Speaker of the Council. It was **moved** by Councillor Shiria Khatun, **seconded** by Councillor Danny Hassell, and:

RESOLVED

That Councillor Khaled Uddin Ahmed be re-elected to serve as Deputy Speaker of the London Borough of Tower Hamlets Council until the Annual Council Meeting in 2016.

At the reconvened meeting on 24th June 2015, the Council was informed that Councillor Ahmed had stood down from the position of Deputy Speaker and the Speaker therefore sought further nominations to serve as his replacement.

It was **moved** by Councillor Sirajul Islam, **seconded** by Councillor Shiria Khatun, and:

RESOLVED

That Councillor Rajib Ahmed be elected to serve as Deputy Speaker of the London Borough of Tower Hamlets Council until the Annual Council Meeting in 2016.

7. REVIEW OF PROPORTIONALITY AND ESTABLISHMENT OF COMMITTEES AND PANELS OF THE COUNCIL

The Council considered the revised report of the Service Head, Democratic Services, setting out the review of proportionality and proposing the establishment of the Council's committees for 2015/16. The revised report was tabled at the meeting and superseded that included in the agenda.

Councillor Rachael Saunders **moved**, and Councillor Shiria Khatun **seconded**, an amendment to the report in the form of an additional recommendation that the review of proportionality and establishment of committees be agreed pending the outcome of the elections on 11th June 2015. The amendment was put to the vote and was **agreed** unanimously.

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

RESOLVED:

1. That the Council note the review of proportionality as at section 3 of the report;
2. That committees and panels be established for the Municipal Year 2015/16, and places be allocated on those committees and panels, as set out in the table below:-

Committee/panel	Total	Labour	Independ- dent	Conser- vative
Overview & Scrutiny Committee (plus 6 co-optees)	9	5	3	1
Health Scrutiny Panel	7	4	2	1
Appeals Committee (1 vacancy)	9	4	3	1
Audit Committee	7	3	3	1
Development Committee	7	3	3	1

Strategic Development Committee	9	5	3	1
General Purposes Committee (1 vacancy)	7	3	2	1
Human Resources Committee	7	4	2	1
Licensing Committee	15	8	6	1
Pensions Committee	7	4	3	-
Standards Advisory Committee (plus 7 co-optees)	7	3	3	1

3. That the single ungrouped councillor be appointed to the two vacant positions remaining after the allocation of group places on the committees.
4. That the Council agree the review of proportionality and establishment of committees as in the revised report, pending the outcome of the elections on 11th June 2015.

Procedural Motion

Councillor Rachael Saunders **moved** and Councillor Danny Hassell **seconded**, a tabled motion under Procedure Rule 14.1.12 .The motion was put to the vote and was **agreed** unanimously. Accordingly it was:-

RESOLVED:

This Council notes:

1. The Mayoral and Stepney Green Elections on Thursday, June 11, 2015.

This Council believes:

1. That maintaining the present council committee membership and chairs until the election of a new mayor would be reasonable and practical.

This Council resolves:

1. To reappoint the existing chair of each council committee until the annual meeting is reconvened.
2. To continue the existing committee appointments (insofar as they are compatible with the review of proportionality agreed at agenda item 7) until the meeting is reconvened.
3. That where the review of proportionality requires changes to the committee memberships, the relevant political group(s) be requested to

inform the Service Head, Democratic Services of their nominations to the places allocated to that group.

4. To adjourn the remaining business of the annual meeting of council, under Rule 14.1.12, until Wednesday the 24th of June 2015 at a time to be agreed by the Speaker.
5. That pending the annual meeting being reconvened, the Head of Paid Service be authorised to amend the calendar of committee and other meetings in accordance with the revised draft at agenda item 11.

Reconvened meeting

Following the meeting being adjourned at 7.35 p.m. on 20th May and reconvened at 8.00 p.m. on 24th June 2015, the Council considered a further revised report of the Service Head, Democratic Services, setting out the position regarding proportionality and the proposed allocation of committee places following the Mayoral and Stepney Green by-elections held on 11th June 2015. The revised report had been circulated in the supplemental agenda pack.

The recommendations in the report were put to the vote and were **agreed**. Accordingly it was:-

RESOLVED

1. That the review of proportionality at paragraph 3 of the report be noted and the Council agree the allocation of seats on committees and panels established for the remainder of the Municipal Year 2015/16 as set out at paragraph 4.2 of the report, as reproduced in the table below:-

Committee/panel	Total	Labour	Indepen dent Group	Conser- vative
Overview & Scrutiny Committee (plus 6 co-optees)	9	5	3	1
Health Scrutiny Panel	7	4	2	1
Appeals Committee	9	5	4	-
Audit Committee	7	4	2	1
Development Committee	7	4	2	1
Strategic Development Committee	9	5	3	1
General Purposes Committee	7	4	2	1
Human Resources Committee	7	4	2	1
Licensing Committee	15	8	6	1

Pensions Committee	7	4	3	-
Standards Advisory Committee (plus 7 co-optees)	7	4	2	1
TOTALS	91	51	31	9

- 2 To note that Member and deputy appointments to serve on those committees and panels in accordance with nominations from the political groups will be considered at Agenda Item 9 'Appointments to Committees and Panels'.

8. DCLG COMMISSIONERS DECISION MAKING

There was no business to be transacted under this agenda item.

9. APPOINTMENTS TO COMMITTEES AND PANELS OF THE COUNCIL

The Council considered the tabled report of the Service Head, Democratic Services, setting out the nominations to committees and panels of the Council as notified by the political groups.

Following the receipt of two nominations for the position of Chair of the Overview and Scrutiny Committee, the nominations were put to the vote and Councillor John Pierce was elected to that position.

RESOLVED

1. That the Committees Chairs for 2015/16 be appointed as listed at Appendix A to the tabled report of the Service Head, Democratic Services subject to the appointment of Councillor John Pierce to the position of Chair of the Overview and Scrutiny Committee.
2. That the members and deputy members be appointed to the committees and panels of the Council and other bodies for the municipal year 2015/16 as set out at Appendix B to the tabled report of the Service Head, Democratic Services and appended to these minutes.
3. That in relation to any unfilled places within the seats allocated to a particular political group, the Council note that the Director of Law, Probity and Governance has delegated authority subsequently to agree the appointments to those places in accordance with nominations from the relevant political group.

10. APPOINTMENT OF CO-OPTED MEMBER TO THE STANDARDS ADVISORY COMMITTEE

The Council considered the report of the Service Head, Democratic Services concerning the appointment of Co-opted Member to the Standards Advisory Committee as set out in the supplemental pack for the 20th May 2015 Council meeting.

Following debate, the recommendations were put to the vote and were **agreed**. Accordingly it was:-

RESOLVED

That pursuant to (i) the decision of the Council on 25th February 2015 that Mr Daniel McLaughlin be appointed as a co-opted member of the Standards Advisory Committee in the event of any further vacancy arising for a co-opted member during the municipal year to May 2015; and (ii) the resignation of Mr Barry O'Connor on 18th March 2015 giving rise to such a vacancy; the Council note the appointment of Mr Daniel McLaughlin as a co-opted member of the Standards Advisory Committee for a four year term of office from 20th May 2015.

11. CALENDAR OF MEETINGS 2015/16

The Council considered the report of the Service Head, Democratic Services setting out a revised calendar of Council, Committee and other meetings for 2015/16, along with tabled amendments to the proposed meeting dates.

RESOLVED

That, subject to the tabled amendments, the proposed revised calendar of meetings for the municipal year 2015/16 be approved. [Note: the agreed calendar of meetings is appended to these minutes].

12. COUNCIL SCHEME OF DELEGATION 2015/16

The Council considered the report of the Service Head, Democratic Services regarding the Council Scheme of Delegation as set out in the supplementary pack for the 20th May 2015 Council meeting agenda.

RESOLVED

That the scheme of delegation be agreed as set out in those sections of Part 3 of the Council's Constitution that relate to Council functions, for the municipal year 2015/16 or until a further decision of the Council, whichever is the sooner.

13. EXECUTIVE SCHEME OF DELEGATION

A revised report, setting out the Mayor's Executive Scheme of Delegation and Cabinet appointments, was tabled at the meeting.

RESOLVED

That the Mayor's Executive Scheme of Delegation and Cabinet appointments be noted. [Note: the tabled report is appended to these minutes.]

The meeting ended at 8.47 p.m. (24th June 2015)

Speaker of the Council

Appendices attached:-

Appendix A – Committee appointments agreed at the Annual Council Meeting

Appendix B – Calendar of meetings agreed at item 11

Appendix C – Executive Scheme of Delegation and Cabinet appointments

LONDON BOROUGH OF TOWER HAMLETS
COMMITTEE MEMBERSHIPS 2015-2016
AGREED AT THE ANNUAL COUNCIL MEETING ON 24th JUNE 2015

APPEALS COMMITTEE (Nine members of the Council)		
<i>Labour Group (5)</i>	<i>Independent Group (4)</i>	<i>Conservative Group (0)</i>
Councillor Rajib Ahmed (Chair) Councillor Sabina Akhtar Councillor Dave Chesterton Councillor Andrew Cregan Councillor Helal Uddin Deputies:- Councillor Marc Francis Councillor Asma Begum Councillor Rachael Saunders	Councillor Mahbub Alam Councillor Shah Alam Councillor Harun Miah Councillor Mufti Miah Deputies:- Councillor Shahed Ali Councillor Maium Miah Councillor Suluk Ahmed	n/a

AUDIT COMMITTEE (Seven members of the Council)		
<i>Labour Group (4)</i>	<i>Independent Group (2)</i>	<i>Conservative Group (1)</i>
<p>Councillor Candida Ronald (Chair) Councillor Sabina Akhtar Councillor Ayas Miah</p> <p>Deputies:-</p> <p>Councillor Dave Chesteron Councillor Amina Ali Councillor Joshua Peck</p>	<p>Councillor Abjol Miah Councillor Mufti Miah</p> <p>Deputies:-</p> <p>Councillor Ansar Mustaquim Councillor Gulam Kibria</p>	<p>Councillor Andrew Wood</p> <p>Deputies:-</p> <p>t.b.c.</p>

DEVELOPMENT COMMITTEE (Seven members of the Council)		
<i>Labour Group (4)</i>	<i>Independent Group (2)</i>	<i>Conservative Group (1)</i>
<p>Councillor Marc Francis (Chair) Councillor Sabina Akhtar Councillor Rajib Ahmed Councillor Shiria Khatun</p> <p>Deputies:- Councillor Sirajul Islam Councillor Andrew Cregan Councillor Amina Ali</p>	<p>Councillor Suluk Ahmed Councillor Gulam Kibria</p> <p>Deputies:- Councillor Shah Alam</p>	<p>Councillor Chris Chapman</p> <p>Deputies:- t.b.c.</p>

STRATEGIC DEVELOPMENT COMMITTEE

(Nine members of the Council)

<i>Labour Group (5)</i>	<i>Independent Group (3)</i>	<i>Conservative Group (1)</i>
<p>Councillor Marc Francis (Chair) Councillor Asma Begum Councillor Andrew Cregan Councillor Danny Hassell Councillor Helal Uddin</p> <p>Deputies:-</p> <p>Councillor Khaled Uddin Ahmed Councillor Denise Jones Councillor John Pierce</p>	<p>Councillor Shahed Ali Councillor Ansar Mustaqim Councillor Gulam Robbani</p> <p>Deputies:-</p> <p>Councillor Oliur Rahman Councillor Suluk Ahmed Councillor Maium Miah</p>	<p>Councillor Julia Dockerill</p> <p>Deputies:-</p> <p>t.b.c.</p>

GENERAL PURPOSES COMMITTEE (Seven members of the Council)		
<i>Labour Group (4)</i>	<i>Independent Group (2)</i>	<i>Conservative Group (1)</i>
<p>Councillor Sabina Akhtar (Chair) Councillor Khales Uddin Ahmed Councillor David Edgar Councillor Ayas Miah</p> <p>Deputies:-</p> <p>Councillor Danny Hassell Councillor Marc Francis Councillor Asma Begum</p>	<p>Councillor Aminur Khan Councillor Abjol Miah</p> <p>Deputies:-</p> <p>Councillor Oliur Rahman Councillor Abdul Asad</p>	<p>Councillor Craig Aston</p> <p>Deputies:-</p> <p>t.b.c.</p>

HUMAN RESOURCES COMMITTEE (Seven members of the Council)		
<i>Labour Group (4)</i>	<i>Independent Group (2)</i>	<i>Conservative Group (1)</i>
<p>Councillor Clare Harrisson (Chair) Councillor Rachel Blake Councillor Dave Chesterton Councillor Sirajul Islam</p> <p>Deputies:- Councillor Khaled Uddin Ahmed Councillor Ayas Miah Councillor Shiria Khatun</p>	<p>Councillor Rabina Khan Councillor Shafiqul Haque</p> <p>Deputies:- Councillor Gulam Robbani</p>	<p>Councillor Julia Dockerill</p> <p>Deputies:- t.b.c.</p>

LICENSING COMMITTEE (Fifteen Members of the Council) (No Deputies permitted)		
<i>Labour Group (8)</i>	<i>Independent Group (6)</i>	<i>Conservative Group (1)</i>
Councillor Khaled Uddin Ahmed (Chair) Councillor Rajib Ahmed Councillor Clare Harrison Councillor Denise Jones Councillor Joshua Peck Councillor Candida Ronald Councillor Rachael Saunders Councillor Amy Whitelock Gibbs	Councillor Shah Alam Councillor Mahbub Alam Councillor Ansar Mustaqim Councillor Mufti Miah Councillor Gulam Kibria Councillor Maium Miah	Councillor Peter Golds

OVERVIEW AND SCRUTINY COMMITTEE

(Nine members of the Council plus six co-opted members)

(NB Scrutiny Lead Members and Chair of Health Scrutiny Panel to be appointed by the O&S Committee)

Labour Group (5)	Independent Group (3)	Conservative Group (1)	Co-opted Members (for information – to be appointed by Overview & Scrutiny Committee)
<p>Councillor John Pierce (Chair) Councillor Amina Ali Councillor Danny Hassell Councillor Denise Jones Councillor Helal Uddin</p> <p>Deputies:- Councillor Dave Chesteron Councillor Candida Ronald Councillor Khales Uddin Ahmed</p>	<p>Councillor Mahbub Alam Councillor Oliur Rahman Councillor Maium Miah</p> <p>Deputies:- Councillor Gulam Robbani Councillor Shafiqul Haque Councillor Shahed Ali</p>	<p>Councillor Peter Golds</p> <p>Deputies:- t.b.c.</p>	<p>Mr Shaynul Khan – Muslim Community representative</p> <p>Ms Victoria Ekubia – Roman Catholic Diocese of Westminster representative</p> <p>Dr Phillip Rice - Church of England Diocese representative</p> <p>Parent Governor representatives:-</p> <ul style="list-style-type: none"> • Mr Nozrul Mustafa • Revd James Olanipekun • 1 vacancy

HEALTH SCRUTINY PANEL <i>(Nominations for information - Panel to be appointed by Overview & Scrutiny Committee)</i> (Seven members of the Council)		
Labour Group (4)	Independent Group (2)	Conservative Group (1)
Councillor Amina Ali Councillor Sabina Akhtar Councillor Dave Chesterton Councillor John Pierce Deputies:- Councillor Danny Hassell Councillor Helal Uddin Councillor Denise Jones	Councillor Abdul Asad Councillor Maium Miah Deputies:- Councillor Shahed Ali Councillor Aminur Khan	Councillor Craig Aston Deputies:- t.b.c. Co-opted Members:- To be appointed by the Overview & Scrutiny Committee

PENSIONS COMMITTEE (Seven members of the Council)		
<i>Labour Group (4)</i>	<i>Independent Group (3)</i>	<i>Conservative Group (0)</i>
Councillor Andrew Cregan (Chair) Councillor Clare Harrison Councillor Md. Abdul Mukit Councillor Candida Ronald Deputies:- Councillor John Pierce Councillor Rajib Ahmed Councillor Rachel Blake	Councillor Suluk Ahmed Councillor Harun Miah Councillor Mufti Miah Deputies:- Councillor Abdul Asad Councillor Shafiqul Haque	n/a

PENSIONS BOARD (One Councillor to work alongside six other members of the Board)		
<i>Labour Group</i>	<i>Independent Group</i>	<i>Conservative Group</i>
Councillor Dave Chesterton		

STANDARDS ADVISORY COMMITTEE

(Seven Members of the Council (who may not include the Mayor or more than one other Cabinet Member) - plus up to seven co-opted members, one of whom shall chair the Committee)

Labour Group (4)	Independent Group (2)	Conservative Group (1)	Co-opted Members (for information)
<p>Councillor Marc Francis Councillor Sirajul Islam Councillor Md. Abdul Mukit Councillor Candida Ronald</p> <p>Deputies:-</p> <p>Councillor Danny Hassell Councillor Amy Whitelock Gibbs Councillor David Edgar</p>	<p>Councillor Shah Alam Councillor Mufti Miah</p> <p>Deputies:-</p> <p>Councillor Gulam Kibria</p>	<p>Councillor Andrew Wood</p> <p>Deputies:-</p> <p>t.b.c.</p>	<p>Mr Matthew Rowe Mr Eric Pemberton Ms Salina Bagum Mr John Pulford MBE Ms Nafisa Adam Mr Michael Houston Mr Daniel McLaughlin</p>

HEALTH AND WELLBEING BOARD

(The Mayor, Councillors, Local Authority Officers, Healthwatch and NHS Commissioners. In addition, non-voting co-opted members including NHS Providers, Housing Forum representative, Chair of the Integrated care Board and the Young Mayor.

Ex-officio Elected Members

Non-Executive Councillor nominee

The Mayor (Chair of the Health & Wellbeing Board)
 Cabinet Members for Health and Wellbeing, Children’s Services and Resources
 Executive Advisor on Adult Social Care

Non-executive majority group councillor nominated by Council:-
 Councillor Denise Jones

ADOPTION PANEL		
(To comprise two Social Workers, one elected Member, three Independent Persons and to include one man and one woman, up to a maximum of ten persons)		
<i>Labour Group</i>	<i>Independent Group</i>	<i>Conservative Group</i>
Councillor Amina Ali		

FOSTERING PANEL		
(To comprise two Social Workers, one elected Member and four Independent Persons, up to a maximum of ten persons)		
<i>Labour Group</i>	<i>Independent Group</i>	<i>Conservative Group</i>
Councillor Dave Chesterton		

CORPORATE PARENTING STEERING GROUP

(Cabinet Member for Children’s Services, other Councillor(s), a Corporate Director and two Young People’s Representatives)

<i>Labour Group</i>	<i>Independent Group</i>	<i>Conservative Group</i>
Councillor David Edgar		

STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION (SACRE)

(To comprise members appointed by the LEA)

<i>Labour Group</i>	<i>Independent Group</i>	<i>Conservative Group</i>
Councillor Andrew Cregan		

TO NOTE POLITICAL GROUP APPOINTMENTS

- | | | | |
|--------------------|---|---|--|
| Labour Group | - | Leader of the Labour Group
Deputy Leader of the Labour Group | - Mayor John Biggs
- Councillor Sirajul Islam |
| Independent Group | - | Leader of the Independent Group | - Councillor Oliur Rahman |
| Conservative Group | - | Leader of the Conservative Group
Deputy Leader of the Conservative Group | - Councillor Peter Golds
- Councillor Chris Chapman |

APPENDIX B – CALENDAR OF MEETINGS 2015-16

	(Usual Day)	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Appointments Sub-Committee	5:00 pm Monday			30	6	28	12	23	7		1, 15		25	9	
Audit Committee	7.00 pm Tuesday			21		24			8			22			
Cabinet	5.30 pm Tuesday			8, 28		1	6	3	1	5	2	1	5	10	21+
Council	7.30 pm Wednesday	20 (AGM)	24 (AGM Pt 2)	22		16		18		20	24	3 (Th), 23		18 (AGM)	
Corporate Parenting Steering Group	N/A			9			8			14			21		
Development Committee	7.00 pm Wednesday		16	8	6	3, 30	28	25	16	13	10	9	6, 27		1+
Employee Appeals/ Sub Committee	6.00 pm Monday		TBC (was 15 June)	27		7	19	16	7	18	22		18		
General Purposes Committee	7.00 pm Wednesday			1 (6.30pm)		24(Th)			9			16			
Health Scrutiny Panel	7.00 pm Wednesday			15		9			9		17		20		
Human Resources Committee	7.30 pm Wednesday			1			28			27			13		
King George's Field Charity Board	Afternoon Tuesday			28			20			12			5		
Licensing Committee	7.00 pm Tuesday			21			6		8			8			
Licensing Sub Committee	6.30 pm Tuesday		2, 16, 30	14, 28	18	1, 15, 29	13, 27	10, 24	3 (Th), 15	12, 26	9, 23	10 (Th), 22	5, 19	10, 31+	
Overview & Scrutiny Committee	7.15 pm Monday			7, 27	31		5	2, 30		4, 18^	1, 8^, 31		4	9	20+
Pensions Board	Same night as PC			30		17		26				10			
Pensions Committee	7.00 pm Thursday			23		17		26				10			

Standards (Advisory) Committee	7.30 pm Tuesday			14		15		24				15			
Strategic Development Committee	7.00 pm Thursday		4	21	27		8	19		7	18	31		12	23+
Tower Hamlets Health and Wellbeing Board	5.00 pm Tuesday			7		8			8	12		15			
Best Value Programme Review Board (Public Meetings)	6:00 pm			15			21								
Provisional Member Development Training Dates	6:30pm Tuesday		30		11	22	20	10	15	19	9	29	19		

Notes

+ - These dates are provisional dates from the following Council year.

^ - OSC dates to allow for consideration of the Executive's Budget Proposals.

Ramadan - meetings during Ramadan (expected to be 18 June to 17 July) will usually begin at 5:30pm

APPENDIX C

LONDON BOROUGH OF TOWER HAMLETS
ANNUAL COUNCIL MEETING
WEDNESDAY 24th JUNE 2015
AGENDA ITEM 13 – TABLED REPORT
MAYOR’S EXECUTIVE SCHEME OF DELEGATION

1. INTRODUCTION

- 1.1 The Executive Procedure Rules at Part 4.4 of the Council’s Constitution provide for the Mayor to delegate specific executive functions to:-
- the Executive as a whole (the Cabinet);
 - a committee of the Executive or an individual member of the Executive;
 - an officer;
 - an area committee;
 - a ward councillor (only in accordance with s.236 of the Local Government and Public Involvement in Health Act 2007);
 - joint arrangements; or
 - another local authority.
- 1.2 The Mayor may amend or revoke any delegation of an executive function at any time.
- 1.3 The Mayor is required to present to the Annual Council Meeting, and if delegations are made or varied between Annual Meetings to present to the Monitoring Officer, a written record of delegations made by him (‘the Executive Scheme of Delegation’). This document must contain the following information in so far as it relates to executive functions:
- (a) The extent of any authority delegated to any individual Executive Member or ward councillor including details of the limitation on their authority;
 - (b) The terms of reference and constitution of such Executive Committees as the Mayor appoints and the names of Executive Members appointed to them;
 - (c) The nature and extent of any delegation of executive functions to area Committees, any other authority or any joint

arrangements and the names of those Executive Members appointed to any joint Committee for the coming year; and

- (d) The nature and extent of any delegation of executive functions to officers not already specified in Part 3 of the Constitution, with details of any limitation on that delegation and the title of the officer to whom the delegation is made.

- 1.4 In accordance with the above requirements the Executive Scheme of Delegation agreed by the Mayor to apply with effect from 24th June 2015 is set out below.

PART A - EXECUTIVE SCHEME OF DELEGATION

1. PURPOSE

- 1.1 The purpose of this Executive Scheme of Delegation is to:-
- be clear about who can make which executive decisions including Key Decisions;
 - facilitate the smooth running of Council business;
 - ensure that the Mayor is able to provide effective strategic leadership for the overall policy direction of the Council and to promote partnership working with other agencies; and that officers take responsibility for operational matters and policy implementation

2. THE CONSTITUTION

- 2.1 Once presented by the Mayor to the Annual Council Meeting or to the Monitoring Officer, this Executive Scheme of Delegation will form part of the Council's Constitution and will be appended to it. Its provisions apply alongside the Rules of Procedure and Access to Information provisions included in the Constitution.

3. AMENDMENTS TO THE EXECUTIVE SCHEME OF DELEGATION

- 3.1 This Scheme of Delegation remains in force for the term of office of the Mayor unless and until it is amended or revoked by the Mayor in accordance with Part 4.4 of the Constitution.

4. NON-EXECUTIVE DECISIONS

- 4.1 No delegated power in this Executive Scheme of Delegation applies to any decision that relates to a matter that is not an Executive function

either by law or by the allocation of local choice functions under the Council's Constitution.

5. THE COMPOSITION OF THE EXECUTIVE

5.1 The Executive shall consist of ten people, namely the Mayor and nine Councillors as set out below:-

Name	Portfolio
Mayor John Biggs	Executive Mayor Specific responsibility for Partnerships, Policy, Strategy & Performance
Cllr Sirajul Islam, Statutory Deputy Mayor	Cabinet Member for Housing Management & Performance Deputy Mayor Responsible also for - Work with Faith Communities - Welfare Reform Response
Cllr Rachael Saunders Deputy Mayor for Education & Childrens Services & the Third Sector	Cabinet Member for Education and Children's Services Deputy Mayor Responsible also for - Grants & Third Sector
Cllr Shiria Khatun Deputy Mayor for Community Affairs	Cabinet Member for Community Safety Deputy Mayor Responsible also for - Community Cohesion. - Tackling Radicalisation.
Cllr Rachel Blake	Cabinet Member for Strategic Development
Cllr Joshua Peck	Cabinet Member for Work & Economic Growth
Cllr Amy Whitelock Gibbs	Cabinet Member for Health and Adult Services
Cllr Asma Begum	Cabinet Member for Culture
Cllr Ayas Miah	Cabinet Member for Environment
Cllr David Edgar	Cabinet Member for Resources

6. DELEGATIONS TO THE EXECUTIVE

- 6.1 The Mayor has not delegated any decision-making powers to the Executive acting collectively.
- 6.2 The Mayor may, in accordance with Part 4.4 of the Council's Constitution, appoint such committees of the Executive as he considers appropriate from time to time, but he does not appoint any such committees at this time.
- 6.3 Subject to the Mayor's prerogative to make decisions on all matters relating to all his statutory powers, the Mayor delegates to each Cabinet Member individually the power to make decisions on matters within their portfolio after consultation with the Mayor and subject to the Mayor raising no objection to the proposed decision. Any such decision by a cabinet member will be subject to a written report and the same procedure as applies to mayoral executive decisions.
- 6.4 In accordance with section 14 (6) of the Local Government Act 2000 (as amended) any arrangements made by the Mayor for the discharge of an executive function by an executive member, committee or officer are not to prevent the Mayor from exercising that function.

7. DELEGATIONS TO OFFICERS

- 7.1 The Mayor has delegated to officers decision making powers in relation to Executive functions as set out at Parts 3 and 8 of the Council's Constitution.

8. OTHER DELEGATIONS

- 8.1 The Mayor has not delegated any powers to any area committee, or to any ward Councillor in accordance with s.236 of the Local Government and Public Involvement in Health Act 2007.
- 8.2 The Mayor has delegated powers to joint arrangements with other local authorities as set out in Article 11 of the Council's Constitution
- 8.3 Subject to 8.2 above, the Mayor has not delegated any powers to any other local authority.
-

**PART B - PROCESS FOR EXECUTIVE DECISION MAKING
BY THE MAYOR OR A CABINET MEMBER**

1. Where an Executive decision, including a Key Decision, falls to be made and either:-
 - (i) authority to make that decision has not been delegated by the Mayor under this Executive Scheme of Delegation; or
 - (ii) authority has been delegated but the person or body with delegated powers declines to exercise those powers; or
 - (iii) authority has been delegated but the Mayor nevertheless decides to take the decision himself,

the decision shall be made by the Mayor individually, after consultation with the Monitoring Officer, the Chief Finance Officer and such other Corporate Director(s), the Head of Paid Service or Cabinet Member(s) as required.
2. Executive decisions (including Key Decisions) to be taken by the Mayor in accordance with paragraph 1 above shall either be taken:-
 - (a) at a formal meeting of the Executive, notice of which has been given in accordance with Part 4.4 of the Constitution and to which the Access to Information Rules at Part 4.2 of the Constitution shall apply; or
 - (b) in accordance with the procedure at 5 below.
3. In the case of a decision taken at a formal meeting of the Executive, the Mayor will take the decision having received written and oral advice from appropriate officers and consulted those members of the Executive present. In the event that a meeting of the Executive is not quorate, the Mayor may still take any necessary decisions having consulted any Executive members present. All Mayoral decisions taken at a formal meeting of the Executive shall be recorded in the minutes of the meeting.
4. The Cabinet Meeting is not authorised to exercise the Mayor's powers in the absence of the Mayor. If the Mayor is unable to act for any reason, and only in those circumstances, the Deputy Mayor is authorised to exercise the Mayor's powers.
5. The Mayor may at his discretion make a decision in relation to an Executive function, including a Key Decision, alone and outside the context of a meeting of the Executive. In relation to any decision made by the Mayor under this provision:-
 - (i) The decision may only be made following consideration by the Mayor of a full report by the relevant officer(s) containing all relevant information, options and recommendations in the same

format as would be required if the decision were to be taken at a meeting of the Executive;

- (ii) The provisions of the Overview and Scrutiny Procedure Rules in relation to call-in, including the rules regarding urgent decisions, shall apply;
 - (iii) In the case of a Key Decision as defined in Article 13 of the Constitution, the provisions of the Access to Information Procedure Rules in relation to prior publication on the Forthcoming Decisions Plan (Forward Plan) shall apply; and
 - (iv) The decision shall not be made until the Mayor has confirmed his agreement by signing a Mayoral Decision Proforma (example attached) which has first been completed with all relevant information and signed by the relevant Chief Officers.
6. All Mayoral decisions taken in accordance with paragraph 5 above shall be:-
- (i) Recorded in a log held by the Service Head, Democratic Services and available for public inspection; and
 - (ii) Published on the Council's website;

save that no information that in the opinion of the Director of Law, Probity and Governance is 'exempt' or 'confidential' as defined in the Council's Access to Information Procedure Rules shall be published, included in the decision notice or available for public inspection.

7. Any decision taken by an individual Cabinet Member in relation to any matter delegated to him/her in accordance with section 6 of the Mayor's Executive Scheme of Delegation shall:-
- (i) be subject to the same process and rules as a Mayoral decision in accordance with paragraphs 5 and 6 above; and
 - (ii) not be made until the Mayor has confirmed in writing that he has no objection to the decision.

LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED)

LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of background papers:	Name and telephone number of holder and address where open to inspection
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- None

LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 22nd JULY 2015

PETITIONS

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

SUMMARY

1. The Council's Constitution provides for up to three petitions to be presented at each ordinary Council meeting. These are taken in order of receipt. This report sets out the valid petitions submitted for presentation at the Council meeting on Wednesday 22nd July 2015.
2. The deadline for receipt of petitions for this meeting is noon on Thursday 16th July 2015. 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 major works at Lister House and Treves House, E1 (Petition from Ms Khaleda Maleque and tenants and residents of Lister and Treves Houses).

We the undersigned tenants and residents of Lister House and Treves House urge Tower Hamlets Homes and Tower Hamlets Council to name a start date for the major works for which our blocks were a pilot five years ago.

We demand transparency on the cost of the works. We further demand an extension of the repayment period from one to ten years for the leaseholders. We ask the Council to facilitate a public enquiry into the whereabouts of the money THH received from the government for the major works none of which have yet been spent on Lister or Treves Houses.

5.2 Petition regarding the Council's service to the local community (Petition from Mr Muhammad Haque and others)

We the undersigned electors and residents in Tower Hamlets and others with close and regular links with the Tower Hamlets borough support the call and demand that Tower Hamlets Council should deliver the service to the local community which the Council has been refusing and/or failing to deliver, as recognised by the Council's own admissions and the de facto evidential concessions made in the High Court during the past one year alone; we also support the demand that Tower Hamlets Council must stop making untrue, false statements and claims to the community and that it must bring into ordinary practice all the duties that it has been neglecting concerning all who are affected by the Council's denial of duties, denial of services.

We also support the demand for Tower Hamlets Council to abide by the laws and to avoid causing people to institute costly and wasteful litigation where democratic audit and accountability should be delivered as ordinary service by Tower Hamlets Council.

5.3 Petition entitled 'Stop the destruction of long standing communities on the Isle of Dogs' (Petition from Mr Arthur Coppin and residents of the Barkantine, Kingsbridge, Samuda and St John's estates).

We, the undersigned, local residents of the Barkantine, Kingsbridge, Samuda and St John's Estates, call upon the Mayor and Council of the London Borough of Tower Hamlets to intervene and help us to stop One Housing Group's proposals to demolish homes on the four estates on the Isle of Dogs, destroying well established traditional island communities.

Independent consultants appointed by One Housing report that residents feel they are treated with contempt and have no trust in their landlord. Services and the quality of maintenance have not improved as promised since the stock transfer, when we voted for the resident-led Toynbee Island Homes. Instead, we are dealing with a secretive and unresponsive landlord with no respect for resident satisfaction,

which does not value the communities they serve, a Housing Association we did not vote for and which stands for the exact opposite of our aspirations.

We call on Tower Hamlets Council to use all possible powers to make One Housing come clean about their development intentions for the four estates and to ensure that these plans enhance and protect our communities, in full consultation with the affected residents.

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Committee: Council	Date: 22nd July 2015	Classification: Unrestricted	Agenda Item No. 5.4
Report of: Service Head, Democratic Services		Title: PETITION DEBATE: TUSH HOUSING CO-OP, BRUCE ROAD, E3 Ward: Bromley North	

1. INTRODUCTION

1.1 The Council's Petition Scheme, adopted in July 2010, provides that where a petition includes the names, addresses and signatures of at least 2,000 persons who live, work or study in the borough, the petitioners may request that a debate be held about the petition at the full Council meeting. This is additional to and distinct from the long-standing provision in the Council's Constitution that a petition with at least 30 signatures may be presented to (but not debated by) the Council.

1.2 The full relevant extract from the Petition Scheme is attached at Appendix A.

1.3 A petition containing 2,369 signatures has been received on the subject of the TUSH Housing Co-op in Bruce Road, E3. The petitioners have requested that the petition be debated by the Council. The text of the petition is as follows:-

"Angelus Sumesar-Rai, Prosper Rich, John Xuereb at Bruce Road, E3 and John Hayes at Mount Terrace E1, with 2,300 signatures showing local support. We petition the Mayor, Cabinet and Councillors of Tower Hamlets Council to keep TUSH Co-op House sharing at 62 Bruce Road family-like community for 35 years.

82 years old Indian gentleman Mr Angelus Sumesar-Rai for 30 years in Bruce Road co-operative family with British citizens Mr Xuereb and Mr Rich together with our pets are threatened with eviction by Tower Hamlets Council wanting to destroy our family-like way of living.

A court hearing to evict us stemming from the Rahman administration is scheduled for 17 August. In view of 22 July our petition hearing day, we did ask that the court hearing be postponed to allow us to make our case without an imminent threat hanging over us. This was refused."

1.4 Further information as supplied by the petitioners is attached at Appendix 'B' to this report.

1.5 The Council is invited to debate this matter. As this is only the second 'petition debate' under the scheme, the following guidance is provided on the format of

the debate, as agreed by the Council on the occasion of the previous such debate in July 2012:-

- As set out in the Petition Scheme, the maximum total time for this agenda item is 18 minutes.
- At the start of the agenda item, the Speaker will invite the petitioners to present their petition for a maximum of three minutes. There is no provision for any further public speaking on the matter.
- The Speaker will then open the debate and ask if any Member wishes to speak on the matter. All speeches are limited to a maximum of three minutes and any Member may speak only once during the debate.
- During his or her speech any Member may move a motion for the Council's consideration relevant to matters in the petition.
- Because the subject matter of the petition – a decision regarding housing provision – is an executive function, the Council does not have powers to override any executive decision of the Mayor or substitute its own decision. The Council may however pass a motion expressing a view on the matter or referring the matter to the Mayor, calling on him to take some action, or consider or reconsider a decision, with recommendations to inform that consideration. Officers will advise on the constitutional validity of any motion that may be moved
- The Speaker will invite the Mayor or (at the Mayor's discretion) a Cabinet Member to respond to the matters raised during the debate, before a vote is taken on any motion that may be moved.
- If no motion is moved during the debate, the petition will stand referred to the relevant Corporate Director for a written response.

2. BACKGROUND INFORMATION

- 2.1 Officers have been requested to provide background briefing information on the matters raised in the petition and this will be circulated to Members when available.

3. APPENDICES ATTACHED

Appendix A – Extract from the Council's Petition Scheme

Appendix B – Further information provided by the petitioners.

APPENDIX A – EXTRACT FROM THE COUNCIL’S PETITION SCHEME:

5. PRESENTATION OF A PETITION TO ELECTED COUNCILLORS

Subject to your petition containing sufficient signatures as set out below, you may request to present the petition to a meeting of elected councillors. There are a number of ways in which this can be done.

...

(b) Debate at a Council Meeting

If your petition includes the names, addresses and signatures of at least 2,000 persons who live, work or study in the borough you may request that a debate be held about the petition at the full Council meeting. The Council will endeavour to consider your petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. We will tell you the date of the meeting at which the debate will take place once this is confirmed.

At the meeting, the petition organiser or another signatory to the petition will be given three minutes to present the petition. The person who presents the petition must live, work or study within the borough. The petition will then be debated by Councillors for a maximum of 15 minutes. Following the debate, the Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee.

Where the issue is one on which the Council’s Executive (Cabinet) are required to make the final decision, the Council will decide whether to make recommendations to inform that decision. As the petition organiser, you will receive written confirmation of this decision, which will also be published on our website.

In the event that two or more petitions which are substantially the same are received from different petition organisers, the Chief Executive may aggregate the number of valid signatures in each petition for the purpose of determining whether the threshold to trigger a Council debate of the matters raised has been reached if that is the wish of the petition organisers.

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Angelus Sumesar-Rai, Prosper Rich, John Xuereb at 62 Bruce Rd E3 3HL and John Hayes at 34 Mount Terrace E1 2BB with 2300 signatures showing local support, We

PETITION THE MAYOR, CABINET and COUNCILLORS OF TOWER HAMLETS COUNCIL TO KEEP TUSH CO-OP HOUSE SHARING at 62 Bruce Rd family-like community for 35 years.



82 years old Indian gentleman Mr Angelus Sumesar-Rai for 30 years in Bruce Rd co-operative family with British citizens Mr Xuereb and Mr Rich together with our pets are threatened with eviction by Tower-Hamlets council wanting to destroy our family-like way of living.

A court hearing to evict us stemming from the Rahman Administration is scheduled for 17 August. In view of 22 July our petition hearing day, we did ask that the court hearing be postponed to allow us to make our case without an imminent threat hanging over us. This was refused.

**WE DESERVE TO SHARE HOUSE WE PERSONALLY CARED FOR 17 YEARS BECAUSE:
THEN WE CAN FULLY FOCUS ON SERVING COMMUNITY**

1) 34 years of self-management in Bruce Rd.

TUSH housing co-operative was formed 35 years ago in January 1981.

For the last 34 years co-operative has maintained and self-managed houses in Bruce Road E3 3HL. Mr Sumesar-Rai has lived in Bruce Rd for the last 30 years.

2) Invested self-effort + new start in life= Co-operative adds great value to society.

Mr Xuereb and Mr Rich having practical skills invested 1000's of hours of voluntary labour to make empty derelict houses habitable and then to maintain them to provide affordable homes to local single people. Having roof over their heads provided those people with an opportunity for a new start in life by learning new skills to positively contribute to society.

3) Local links and benefits to the local community.

Petitioners for many years contributed to their local community with voluntary activities in: Kingsley Hall like organising fund-risers, painting and decorating, garden care/landscaping, logistics and free weekly meditation classes.

Streets of Growth - participated in youth activities and donated Streets of Growth theme song.

Solidarity with Palestine Campaign - we participated in Twin Jenin since the beginning.

We offered song celebrating Tower-Hamlets -Jenin connection and contributed to meetings in St Barnabas church in Roman Rd.

4) Council saves 3 separate flats of its stock that that would have to find to rehouse us

5) £150.000 saved by Tower Hamlets council on refurbishment of 62 Bruce Rd.

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6) Our garden fosters wildlife, bees, birds, domesticated pigeons and hedgehog.

7) Co-op offered council better value a 30 year development plan - Community Land Trust
Co-op proposal offered council following major benefits:

- to preserve our community in shared houses.
- Co-op to pay for refurbishment of all the houses
- co-op to provide rental income to council
- no expenses to council
- council nomination rights for 3 family houses under Community Land Trust management.
- council saves having to provide rehousing from its stock to co-op members
- council saves resources and costs of legal actions to evict people

Instead previous administration led by Mr. Lutfur Rahman and his cabinet decided to destroy our house sharing community and spend £1.7 million to refurbish 10-11 houses themselves.

Politically motivated decision? Houses for votes? Council may wish to enquire into 58 Bruce Rd:



We note in 58 Bruce Rd back garden brick walls were erected by council paid for builders before the house refurbishment was completed. Later we found this became a side walls for huge bird rearing house. This shows that Tower Hamlets council knew that birds rearing people are going to be allocated the 58 Bruce Rd before even house refurbishment was completed months later.

8) We live together supporting each other like family. Our purpose is to serve community.

Angelus Sumesar-Rai 82 years old Indian gentleman, one of founding performers of Notting Hill Carnival has been living in Bruce Rd about 30 years and the other 2 men nearly 20 years.

Mr Sumesar-Rai feels happy here being well cared for by other residents of 62 Bruce Rd.

Mr John Xuereb has been living and working in East London as driver and carpenter all of his life. Keen gardener, proud to live without housing benefits he would be forced to claim elsewhere.

Mr Prosper Rich is a handy man, songwriter and meditation teacher. His Bruce Rd home had a fire 5 years ago. Tower Hamlets council former administration led by Mr. Lutfur Rahman purposely delayed fire repairs for 4 years and kept the property empty for 5 years just to prevent Mr Rich to return to his home. As result of prolonged stress caused by decisions of Mr. Lutfur Rahman previous administration and 4 years of constant legal proceedings to get justice, Mr Rich suffers from physical and mental health problems.

Sharing home with Angelus, John and beloved pets with awareness that we are safe long term in 62 Bruce Rd would have definite positive healing effect on Mr Rich as well as his house-mates.

We deserve to live in the house we personally cared for 17 years no less than any other people.

We support Mr. Biggs the new Mayors' aim to rebuild trust and make great Tower Hamlets better. Therefore, we respectfully ask the new Mayor and Mr Biggs cabinet administration to reverse the decision of the Rahman administration and to instruct officers accordingly to allow this important housing community to continue its co-operative home sharing in the present house indefinitely.

We have gathered 2300 signatures showing support of local people. Thank You for your support.

LONDON BOROUGH OF TOWER HAMLETS
COUNCIL MEETING
WEDNESDAY 22nd JULY 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 22nd July 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

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

6.1 Question from Ms Kathy McTasney:

Who made the decision to remove personalised disabled bays, and are they aware of the Equality Act and the right of the person with disability to access, especially to their home? I understand from officers that, I quote, "It was the Councillors that made the decision". So who was the person responsible for this?

I have a personal issue that officers were responsible for removing my daughter's bay because I have a front drive. They clearly weren't interested in the adaptations for the car. As officers made clear there were people not using their bays. Then common sense would be to write a letter and if no response at all, remove the bay. Not threaten disabled people that can't speak for themselves.

In conclusion I ask that you withdraw the removal of all personalised disabled bays and send out letters for reply instead of reapplying, as personally there was never an application made as LBTH (Social Services) and the Ambulance service many years ago applied for this to be allocated because of my daughter's disability?

6.2 Question from Mr Dean Morrison, representing Leaseholders of Tower Hamlets (LTH):

Can LBTH offer the Leaseholders of Tower Hamlets (LTH), as sole representative of leaseholders within LBTH properties, a permanent venue in which to conduct their business, and can LBTH provide LTH with any grants or monies taken from the Right to Buy receipts that will enable LTH to fund its activities?

6.3 Question from Mr Geoff Juden, Chairman, The East London Garden Society:

I would like to put a question to full council on the advisability of felling 22 trees along the Mile End Road, by TfL, pursuant to the progress of a cycle highway.

I would request the council insist, noting the health concerns in the borough, that TfL either not fell the said trees, replace the trees, or have a concerted planting programme, with specialist plants and regular maintenance, in order to offset the air pollution created with the felling of the trees. Trees are the most effective method nature has in cleansing the air, therefore with 7,500 Londoners dying this year from air pollution, we should all do what we are able to improve our population's lung quality?

6.4 Question from Mr Gilbert Lindsell:

Can Mr Biggs explain how he will address further welfare reform from the Tory Government in particular the cap to 23k which will have an enormous impact on our young people, vulnerable adults and families?

6.5 Question from Ms Shuily Akthar:

How many Free School Dinners were served since its introduction and how many children have benefited?

6.6 Question from Mr Mamonur Rashid:

The parking transfer scheme has many strings attached with the idea of car free zones and confuses many of the locals. In some cases even the officers from the One Stop parking shop have given misleading advice, perhaps because there are strings attached to the car free zones which creates confusion.

Can the Council make clear if residents who have three bedrooms and over are allowed permits in car free zones. Also to minus any conditions attached to it?

6.7 Question from Mr John Allison:

Could Mr Biggs tell me the number of strategic and regeneration developments on site giving the Borough the potential for much needed housing, infrastructure and community benefits?

6.8 Question from Mr Moynul Hoque:

Under the previous administration we have seen levels of safety increase in our borough. In 2011 when most of London was in anarchy due to the dreadful riots, Tower Hamlets remained calm and our young people stayed indoors. The level of crime has also fallen substantially as well as our THEOs and Police Officers leading an example for boroughs across London. We are seen to be one of the safest boroughs in London. These are some of the many shining examples left behind by the previous administration.

How can you ensure that safety will still remain a key priority under your mayorship and that the lead member you have appointed will work vigorously like her predecessor?

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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING – 22ND JULY 2015

Report of Mayor to Council

Openness is important, and as a part of my commitment to transparency, it is my intention to publish a report for each Council meeting, summarising my actions over the past period. The dead hand of bureaucracy may see this as an affront to the processes of the Council. The report, will not cut across the proper decision-making of the Council. The report will end with a list of meetings and diary highlights associated with my role as Mayor. I have attempted to identify all the key meetings I should report to Councillors and the public but inevitably it does not capture every encounter in my daily work.

Key Events

In the past few weeks, since my election on June 11th, I have been coming to grips with the internal working of Mulberry Place.

I have met most 'key' managers – those in the top two tiers – and I have attempted to meet other staff, by both touring Mulberry Place and by attending, on invitation, the previously arranged Staff Conference. I intend to visit other workplaces and to meet staff there too.

I have appointed a Cabinet, with allocated portfolios. I have been getting a grip on the Cabinet process of decision-making. Alongside this there has been work to revisit the Strategic Plan to ensure that a redrafted version reflects new Mayoral priorities, as outlined in my Manifesto and election promises.

I have met the Commissioners, principally Sir Ken Knight, to discuss their objectives and the ways we might work together. I have been attempting to digest the Best Value Action Plan and other actions flowing from their directions. I have been clear that while I will actively cooperate with the Commissioners it is a test of the good health of the Council that we should secure their earliest reasonable departure, with perhaps a one by one withdrawal of their Directions.

One of the Directions concerns Grants and I asked Cllr Rachael Saunders to work with me in addressing the concerns in this area. Another concerns senior staff appointments, and I have met with officers to understand this process and ensure I am involved in it.

I have been briefed, as you would expect, on staffing and key management matters. Each of these will be progressed through the proper machinery of the Council and its decision-making, as necessary.

I have been considering the best structure for a 'Mayor's Office'. I envisage a far smaller office, both physically and in terms of staffing, from that of my predecessor. This will save money. It will involve some changes to the floor layout at Mulberry Place on the First Floor, although I have required that the costs of these be kept to a minimum.

As a part of these changes, I am ensuring that a Parlour, for receiving visitors and for small civic events, is recreated on the First Floor. I envisage that the Speaker will use this space, but that it might occasionally be used by me, or others, to receive guests too.

As I am currently receiving two salaries, I have followed the principle used by AMs who become MPs, by foregoing 2/3rds of my City Hall salary. I have done so however as a saving to the Tower Hamlets budget. This allows me an advantage in terms of pension contributions and it has enabled a transfer to be made creating a budget for the Speaker for this year. I think it is important that our civic leader should have a budget allowing him to perform his role with some dignity on behalf of local people. My term at City Hall will end in May next year. The cost of a by-election would be ruinous for a quite short tenure for a successor, and the view, across parties, is that by-elections for myself or the three Conservatives who became MPs in May, would not be sensible. This applies also of course to the current London Mayor.

I have been appointed by the Mayor of London to the Board of the London Legacy Development Corporation, and will endeavour to maximise influence of and benefits for the Borough there. I have made or am making a number of appointments of others to outside bodies and these will be reported through the proper means. May I thank those who have served the Borough on outside bodies and whose terms have come to an end.

I have received briefings on a range of matters, on which future meetings of the Council and cabinet will deliberate. Each of these will be dealt with in their proper way through the decision-making processes of the Council but the briefings have included ones to better understand key policies and decisions needed on the budget, civic buildings, planning policies, and the impact of Government policy in areas including education and publicity.

I have made a series of visits to organisations in the Borough, as listed in the Diary section of this report. I aim to make regular visits, ideally at least one a day, although this may prove optimistic given other diary pressures.

I am also holding a weekly surgery, for which residents are able to book appointments. Since I took up office I have been able to meet and assist over 30 individuals and families with their concerns.

On most days I attend meetings, or have desk time, at Mulberry Place. I currently aim to be at my desk by about 7am, unless I have an early external meeting. Roughly one day a week I attend meetings or work at my desk at City Hall. Most weekends I will work at Mulberry Place on a Saturday morning until early or mid-afternoon, and on Sundays at City Hall. Most evenings I have appointments outside of the Town Hall, unless at meetings there.

Cabinet & Mayoral Decisions

All of the following will be properly and formally reported through committee papers and Mayoral Decisions.

The first formal Cabinet meeting will take place on 28th July. It is due to include reports in various areas including a revised Strategic Plan and Budget, a report on budget performance, the Best Value Plan, Mental Health Services, Budget Adjustments, Waste Management, Early Years Public

Health Services, and the Gangs & Youth Violence Strategy,. All of these represent areas which are a priority for my administration.

The South Quay Masterplan was due to be considered at this Cabinet meeting. This report was inherited from the previous administration and is of deep importance locally, especially to residents on the Isle of Dogs. Following discussions with the Cabinet Member, Cabinet and officers, I have decided to take a deeper look at the report to see whether it can better meet local needs and aspirations, before it is progressed to Cabinet.

I have in addition signed three Mayoral Decisions (at the date of writing this report) on the Rich Mix Centre, appointments to the Board of Tower Hamlets Homes, and entering into a lease for accommodation for Homeless Families. The decision on the Rich Mix Centre was called in and I was delighted to be able to attend the Overview and Scrutiny Committee to discuss it with members. I look forward to many other happy appearances at O&S. It is part of the culture of openness and accountability I want to engender.

Engagements & meetings

15 June 2015

- Introductory meetings at Mulberry Place. Office set-up.

16 June 2015

- Walkabout with Head of Paid Service at Mulberry Place
- Interview with ITV London
- Interview with East London Advertiser – Mike Brook
- Briefing on Medium Term Financial Position/Transformation Agenda
- Opened Philosothon at Manorfield Primary School
- Met with Cllr Dave Chesterton
- Met with Cllr Amina Ali
- Attended Commissioner's Workshop regarding Chief Executive Priorities/ Objectives

17 June 2015

- Discussed Mayor's Office Layout
- Introductory Meeting with the Lead Commissioner

18 June 2015

- Induction: Committee Structures
- DCLG Directions/Best Value Action Plan
- Meeting to prepare for possible July 8 Cabinet
- Mayor's Surgery
- LoveBox Briefing at Whitechapel Idea Store

19 June 2015

- Meeting with Head of Paid Service & a consultant on structure of Mayor's Office
- Mayor's Introductory Meeting with Corporate Management Network
- Met with Service Head of Children's Social Care, and discussed social care issues
- Attended Official Opening of the Frank Whipple Estate, Limehouse

22 June 2015

- Attended and spoke at Healthy Schools & Healthy Early Years Celebration at the Excel Centre.
- Manifesto Discussion with officers – alterations to Strategic Plan
- Labour Group Meeting
- Iftar Event – Aldgate

23 June 2015

- Telephone interview with Municipal Journal
- Meeting with a local family to discuss constituent issues
- Met with Cllr Dave Chesterton

24 June 2015

- Briefing: Working with Partners
- Mayor's Meeting with CMT
- Continuation of Manifesto Discussion regarding Strategic Plan
- Mayor's meeting with Commissioners
- Pre-Council Labour Group Meeting
- Reconvened Council (AGM)

25 June 2015

- Visited Rainbow Playgroup – Meeting with Christine Armstrong
- Attended & spoke to Staff Conference at Troxy
- Interview with East End Life – Helen Watson
- Discussions regarding possible Budget & Medium Term Financial Plan changes
- Mayor's Surgery
- Iftar Event – Whitechapel

26 June 2015

- Meeting on Housing Matters – Decent Homes/Leaseholders/Tower Hamlets Homes
- Briefing on Whitechapel Vision

- Telephone conversation with Sir Eddie Lister regarding Regeneration issues

27 June 2015

- Iftar Event – Shadwell

28 June 2015

- Attended Gypsy Traveller Summer Fair at Mile End Park
- Iftar Event – The Collective of Bangladeshi School Governors
- Iftar Event - Betar Bangla
- Iftar event – Brick Lane

29 June 2015

- 1.1 with Acting Head of Communications
- 1.1 with Service Head for Culture, Learning and Leisure
- Regular update with Cllr Sirajul Islam

30 June 2015

- Briefing for Health & Wellbeing Board
- Discussion re. Civic Centre
- 1.1 with Service Head for Corporate Strategy and Equality
- Met with Cllr Joshua Peck
- Waste Management Workshop
- Meeting with Cllr Rachael Saunders and Director of Education, Social Care and Wellbeing with a potential Service Head
- Iftar Event – Whitechapel
- Iftar Event – Bow

1 July 2015

- Attended and spoke at Meeting with Tower Hamlets Headteachers
- Met with Head of Paid Service, Cllr Amy Whitelock Gibbs & a potential interim Director of Adult's Services
- Attended end of THAMES Celebration Concert at York Hall
- Iftar event at Café Grill Brick Lane

2 July 2015

- Briefing regarding Community Safety & Policing
- Visit to the Oasis Academy, Silvertown
- Human Appeal Official Opening, Whitechapel
- Opening of Memorial Bench for Tayyabs' Owner
- Met with Assistant Commissioner Helen King & Chief Superintendent Andy Ewing

- Mayor's Surgery
- Iftar Event – Stepney
- Iftar Event – Baitul Aman Mosque

3 July 2015

- Breakfast Event – East End Community Foundation,
- Met election agent to sign accounts
- Chief Executive Recruitment – Telephone Conversations
- Met with consultant to discuss Mayor's office structure
- Met with Cllr Amy Whitelock Gibbs
- Iftar Event – NTV – Bow
- Iftar Event – Spitalfields

4 July 2015

- Iftar Event – Darul Ummah Mosque

5 July 2015

- Attended LIMEfest 2015
- Iftar Event – Bow
- Iftar Event – Poplar

6 July 2015

- Meeting to discuss the Strategic Plan & Budget
- Met a constituent regarding Barts Housing
- Catch up with Cllr Rachael Saunders
- Meeting regarding Directorate Issues – Cllr Rachael Saunders and Head of Paid Service
- Iftar Event – Bromley by Bow Labour Party
- Iftar Event – Spitalfields

7 July 2015

- Briefing for O&S – Rich Mix
- Health & Wellbeing Board Meeting
- Attended Overview & Scrutiny Committee
- Iftar Event – Spitalfields

8 July 2015

- Briefing regarding a property matter - Sovereign Court
- Discussion regarding Communications
- Iftar Event – Brick Lane
- Iftar Event – Weavers

9 July 2015

- Visit to Canary Wharf College
- Met constituent at Island Gardens
- Meeting with Sir George Iacobescu at Canary Wharf
- Rich Mix de-brief, and response to Overview and Scrutiny committee resolution
- Meeting with former Mayor, Abdul Sardar
- Meeting of Steering Group for Isle of Dogs OAPF Planning Framework, at City Hall
- Hosted 'Uprising' Event at City Hall

10 July 2015

- Visited a constituent at Mile End
- Iftar Event – Whitechapel

12 July 2015

- Iftar Event – Brick lane

John Biggs, Mayor

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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 22nd JULY 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 22nd July 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 Danny Hassell:

Does the Mayor intend to provide some form of monthly report detailing engagements and other important town hall business undertaken?

8.2 Question from Councillor Oliur Rahman to the Mayor and his Cabinet:

Will you be carrying on with the Whitechapel Vision project and the move of the current Town Hall to the heart of community in Whitechapel as part of key jigsaw piece of wider regeneration, as initiated by the previous Mayor's administration?

8.3 Question from Councillor Amina Ali:

Mr Mayor, how many community events or visits have you undertaken since taking office?

8.4 Question from Councillor Andrew Wood:

Developers are proposing to provide much needed new schools at Wood Wharf, Westferry and Wapping print works but there is no indication yet who will operate those new schools. The Mayor will be aware that current legislation requires that new school sites can only be occupied by academy and free school providers. Will the Mayor be using his powers under Section 6A of the 2011 Education Act to encourage the highest quality applicants for these new sites or will they be left empty?

8.5 Question from Councillor Rajib Ahmed:

Will the Mayor update the council on how he aims to build a culture of transparency within the council?

8.6 Question from Councillor Abjol Miah:

Can our New Tower Hamlets Executive Mayor confirm whether he intends to continue with the long awaited demand by Tower Hamlets residents for a reduced cost Community Burial Service for the most needy poor, and if so does he intend to make any changes to the scheme?

8.7 Question from Councillor Sabina Akhtar to the Chair of the Overview and Scrutiny Committee:

Can the Chair of the Overview and Scrutiny Committee tell the Council what themes his committee will be considering this year?

8.8 Question from Councillor Rabina Khan to the Mayor and his Cabinet:

Will Mayor Biggs refuse a Compulsory Purchase Order for East End Homes, if they seek to demolish Holland Estate?

8.9 Question from Councillor Denise Jones:

Can the Mayor update the Council on his plans to reduce the size of the Mayoral office?

8.10 Question from Councillor Julia Dockerill:

Will the Mayor support the provision of an easily-accessible, council-run community centre/Ideas Store in St Katharine's and Wapping ward that is open and available to all residents?

8.11 Question from Councillor Helal Uddin:

Mr Mayor, is it your intention to attend meetings of the Overview & Scrutiny Committee?

8.12 Question from Councillor Ohid Ahmed to the Mayor:

I understand that the first ever staff conference of the borough went ahead on 25th June 2015 despite it falling within the holy month of Ramadan. I believe that morning breakfast was offered amongst refreshment breaks to staff with much pomp and grandeur to the behest of those who were observing their faith and those who felt left out and demotivated and somewhat belittled by the event taking place when they are obligated to fast. As a borough that is home to the largest proportion of Muslims in London, I find it troubling that basic etiquettes have been forgotten. Do you agree with this sentiment? If so why what did you do to stop this happening?

8.13 Question from Councillor Andrew Cregan:

Can the Deputy Mayor for Education and Children's Services outline some key priorities for this year?

8.14 Question from Councillor Chris Chapman:

Is the Mayor able to update the council as to what efforts have been made by this authority, to work with the Royal Borough of Greenwich Council in order to minimise the impact of noise and air pollution resulting from the proposed Greenwich cruise terminal?

8.15 Question from Councillor Marc Francis:

Will the Mayor / Lead Member set out what action has been taken since 11th June to minimise the disruption to local residents of the commercial events in Victoria Park?

8.16 Question from Councillor Shafiqul Haque to the Mayor and his Cabinet:

Could you tell the Chamber how many houses were built in Tower Hamlets between May 2010 and June 2015? Please provide detailed breakdown by Wards and affordable housing provision?

8.17 Question from Councillor Cllr John Pierce:

When will Tower Hamlets Homes complete the Decent Homes Works programme?

8.18 Question from Councillor Craig Aston:

Residents of the Isle of Dogs, Limehouse and Wapping are subject to increasing noise from late night party boats. Will the Mayor inform the council what discussions he proposes to undertake with the relevant authorities to help alleviate this situation?

8.19 Question from Councillor Maium Miah to the Mayor and his Cabinet

Could Mr Biggs provide status update about the multi-faith Burial ground project initiated by the previous Mayor Lutfur Rahman's administration?

8.20 Question from Councillor Peter Golds:

Will the Mayor outline the timeline for revising the South Quay Master Plan?


8.21 Question from Councillor Shahed Ali to the Mayor and his Cabinet:

Could you provide the overall borough-wide levels (in terms of percentage and numbers) - for cleanliness, trees planted and recycling between 2010 and June 2015?

8.22 Question from Councillor Mahbub Alam to the Mayor and his Cabinet:

What facilities, staffing, allowances and any other support will the three Deputy Mayors appointed by John Biggs will receive. Could you provide a detailed breakdown and cost for all such provisions, for all three appointees?

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Non-Executive Report of the: Full Council 22 nd July 2015	 TOWER HAMLETS
Report of: Service Head for Corporate Strategy & Equality	Classification: Unrestricted
Overview & Scrutiny Committee Annual Report 2014/15	

Originating Officer(s)	Mark Cairns
Wards affected	All wards

1. SUMMARY

- 1.1 The Annual Report summarises the work of the Overview & Scrutiny Committee and the Health Scrutiny Panel in the 2014-15 municipal year for Council.

2. RECOMMENDATIONS

- 2.1 Council is recommended to:-
- Note the contents of the report.

3. BODY OF REPORT

- 1.1 Under the council's Constitution, the Overview and Scrutiny Committee (OSC) must report annually to Council documenting the committee's activities during the past year, including on the work of the Health Scrutiny Panel.
- 1.2 This report sets out the various elements of this work in 2014/15, arranged by the portfolios held by lead members. This takes in its scrutiny of council and partners' services (including through dedicated "spotlights"), its contributions in reviewing budget proposals, and its work in leading improvement and policy development work, through reviews and challenge sessions. It also covers scrutiny of the executive's decision-making, through pre-decision questions, and call-ins by other members.
- 1.3 Additionally, the committee takes petitions from members of the public, and these are also included.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1 This report provides a summary of the work carried out by the Overview and Scrutiny Committee during 2014-15.
- 4.2 There are no financial implications arising from this report.

5. LEGAL COMMENTS

- 5.1 Article 6.03 (d) of the Council's constitution provides that the Overview and Scrutiny Committee must report annually to Full Council on its work. The report submitted to Council following this consideration will fulfil that obligation.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 Reducing inequality, promoting community cohesion and building community leadership are all central to the work of the Overview and Scrutiny Committee. Where individual pieces of work have been undertaken by the committee (such as reviews, challenge sessions and reports back to Council), these have noted any One Tower Hamlets considerations.

7. BEST VALUE IMPLICATIONS

- 7.1 The Overview and Scrutiny Committee is an important part of the council's performance management framework, helping it to secure continuous

improvement as required under its Best Value duty through its scrutiny of budget proposals and service performance.

7.2 The committee has also provided input into the council's Best Value action plan, which supports its efforts to meet its duties in this regard.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no implications arising from this report.

9. RISK MANAGEMENT IMPLICATIONS

9.1 There are no implications arising from this report.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no implications arising from this report.

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

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

11. APPENDICES

Appendix 1 – Annual Report

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**TOWER HAMLETS COUNCIL
OVERVIEW & SCRUTINY
COMMITTEE**

ANNUAL REPORT 2014/15

Chair's Foreword

- 1.1 In well-functioning authorities, overview and scrutiny serves as an important check and balance on the power of the executive and a complementary route for the development and refinement of policy. It is now widely acknowledged that in terms of governance, Tower Hamlets has not been a well-functioning authority for some time. Nonetheless, the Overview and Scrutiny Committee has worked hard this year to discharge our responsibilities in a way that would make a tangible difference.
- 1.2 The reviews that members have lead over the past twelve months have addressed policy issues that, whilst often being niche, nonetheless have a real impact on the lives of our residents. The quality of those reviews - detailed, focussed investigations that drew widely on the expertise of residents and partners - has been exceptional and the policy changes they have delivered will have wide and lasting impact if implemented as promised.
- 1.3 Our scrutiny has been equally substantial and focussed (if wide-ranging), challenging poorly made executive decisions, scrutinising proposed mayoral decisions in a way that the Cabinet has signally failed to do and taking evidence from a range of Cabinet members and partners. The latter has been particularly effective, with a focus this year on the borough's housing providers. We had long sessions with One Housing Group about their poor performance across the borough, with Tower Hamlets Homes about the problems leaseholders have faced with major works bills and with Old Ford about the breakdown of their repairs services. Real changes in attitude, process and planning have been secured as a result, although the committee is in no doubt about the challenges that still remain.
- 1.4 Where we have been less successful has been in our ability to effect real change in the town hall. Despite warm words from the former Mayor and others about their willingness to engage with O&S, it has been a continual struggle to carry out this most basic of functions.
- 1.5 The former Mayor promised to attend twice this municipal year to report on his running of the council. As a result, the committee didn't call him to give evidence at other meetings, wishing as we did to work in a cooperative manner with him and his Cabinet. That trust was betrayed when he failed to attend a single meeting, cancelling a matter of hours before four scheduled appearances and refusing a further two invitations (including one that had been made for a date when his office had told us he was available). The committee had asked the council to start judicial review proceedings - the only mechanism open to us - to force him to appear and account for his running of the council. JR is expensive and cumbersome and should not be the only route open to O&S committees to get a mayor to attend: the government should change the law on this.
- 1.6 Likewise the independence of the committee has come under serious pressure as we have undertaken our investigation into the sale of Poplar Town Hall. From commissioning the independent external advice that is the

committee's constitutional right, to publishing our report (held up now for over four months), the committee's role as part of this council has neither been adequately recognised nor supported. As the council works with commissioners to address the serious governance and cultural failings in the council, the role of O&S must be protected and strengthened.

- 1.7 Finally the sheer scale of the issues that we have had to consider means that we have not been able to give sufficient time to some of the things that we have considered and have been unable to look at some issues altogether. Whilst I believe councillors' time should largely be spent in the community rather than the town hall, I think the work of O&S as the council rebuilds itself will be so important that it cannot be done by a single committee. The council should give serious consideration to establishing a number of directorate-specific sub-committees, in the model of the Health Scrutiny Panel, that can carry out the detailed issue-by-issue work that the main committee simply doesn't have time to do. It's a system that works well in other authorities.
- 1.8 It has been a busy and productive year for O&S and, despite its inherent limitations, I'm proud of the work we've done and the difference we've made. I'd like to thank the officers who support the committee for their advice, careful stewarding and incredibly hard work. They do a great job in often difficult circumstances, and do so with little resource after the cuts to their team. The next Mayor should reconsider this.
- 1.9 I hope going forward that the committee will only get more effective.

Cllr Joshua Peck
Chair, Overview and Scrutiny Committee

Introduction to Overview and Scrutiny

- 1.10 The Overview and Scrutiny Committee (OSC) exists to hold the executive leadership and other local partners to account. Its statutory duties include reviewing and scrutinising decisions made or actions taken by the council's executive, health services (carried out in Tower Hamlets by the Health Scrutiny Panel), and crime and disorder partners, and reporting back on these to the executive or, as appropriate, Council. They also require the committee to report to the executive or, as appropriate, Council on matters affecting the area or residents.
- 1.11 The committee also reviews strategic documents which comprise the Budget and Policy Framework, and contributes to policy development through scrutiny reviews and one-off "challenge sessions".

Membership

- 1.12 Following the council and mayoral elections in May 2014, a new Overview and Scrutiny Committee was appointed by Council. The members and their roles have been as follows:
- Councillor Joshua Peck (Chair)
 - Councillor John Pierce (Vice-chair and Scrutiny Lead for Communities, Localities and Culture)
 - Councillor Abjol Miah (Scrutiny Lead for Resources)
 - Councillor Asma Begum (Scrutiny Lead for Adults, Health & Wellbeing)
 - Councillor Denise Jones (Scrutiny Lead for Children, Schools & Families)
 - Councillor Peter Golds (Scrutiny Lead for Law, Probity and Governance)
 - Councillor Dave Chesterton (Scrutiny Lead for Development & Renewal)
 - Councillor Mahbub Alam
 - Councillor Muhammad Ansar Mustaquim.

- 3.2 In addition, the committee's co-opted members are:

- Nozrul Mustafa (Parent Governor Representative)
- Rev James Olanipekun (Parent Governor Representative)
- Victoria Ekubia (Roman Catholic Diocese Representative) and
- Dr Phillip Rice (Church of England Diocese Representative).

There remains a vacancy for a Parent Governor Representative.

Overview and Scrutiny Work Programme 2014-15

- 1.13 At the beginning of this municipal year, the Overview and Scrutiny Committee was provided with detailed briefings on key information, developments and

issues for each of the portfolios. The committee undertook a session facilitated by officers to set its work programme for 2014-15, as did the Health Scrutiny Panel. In considering topics to include, members took into consideration factors such as:

- The extent of public and member interest
- The significance of any budgetary implications
- Current performance and user satisfaction
- Any scrutiny already planned or being carried out by other bodies
- New developments or changes, and
- The committee's ability to influence outcomes.

1.14 Following this discussion a proposed list of scrutiny review topics and methods of scrutiny was agreed. Below are some of the highlights from the work programme so far this year, for each portfolio. The work of the Health Scrutiny Panel is considered in a separate section below.

Resources

- 1.15 The committee played a key role in scrutinising and challenging the 2015/16 budget and Medium Term Financial Plan, and this work is considered elsewhere in this report. In relation to in-year spend, members received and considered quarterly reports on the budget, raising with officers their concerns about recurring re-profiling of capital expenditure. They also questioned the overspend in adult social care, and sought assurances that the council would protect itself against the "shunting" of costs from the health sector to social care.
- 1.16 The council's approach to contract specification and management formed the basis of a challenge session in January 2015, which resulted in recommendations aimed at achieving greater community benefits and improving contract management.
- 1.17 The committee considered the 2015-18 Mainstream Grants Programme, and highlighted the need to place greater emphasis on outcomes relating to supporting residents in to employment. It also sought assurances that the process would prevent unsuitable groups from being eligible for grant funding.

Children Schools and Families

- 1.18 The committee examined major changes brought about by the new national curriculum, which is being transformed at Key Stages 2 and 4. This is affecting course content, assessment and reporting, and the committee was keen to learn about the readiness of schools within the borough to deliver it. Members paid particular attention to the implications of the reduction in the compulsory sex education element of the curriculum; and how the changes overall would affect children for whom English is not their first language. The

implications for the council's role in supporting schools were also investigated, as was the potential effect on inspections by Ofsted.

- 1.19 The quality of literacy provision across the borough's early years, school and adult learning settings formed the basis of a scrutiny review. The review group made a number of recommendations around undertaking and drawing on research, the use of effective programmes and interventions, and enhancing the skills and knowledge of practitioners, amongst others.
- 1.20 In addition to the above, the committee also questioned the Tower Hamlets Safeguarding Children Board (LSCB) Annual report for 2013-14 (considered elsewhere in this report).

Communities Localities and Culture

- 1.21 The committee held a challenge session on improving cycling safety in Tower Hamlets, with reference to the London Cycling Campaign's Ward Asks, which were adopted by many candidates at the 2014 election. Recommendations were agreed by the committee concerning ensuring the priority given to cycling, the facilities offered to cyclists, and making cycling routes safer.
- 1.22 Enforcement activity against drugs-related anti-social behaviour was the focus of a review. This sought to help encourage residents to report ASB, clarifying how they can do this effectively and aiming to ensure that they are informed of the response to reports.
- 1.23 The committee considered the proposed extension of the Substance Misuse Strategy to April 2016 prior to its presentation to full council. Members stressed the importance of engaging effectively with social landlords, ensuring substance misuse was tackled adequately in primary schools, and focusing on street drinking.

Development and Renewal

- 1.24 Three challenge sessions were focused on this area this year. The first examined the implications of conservation areas for extensions to family homes, and how restrictions on permission could be loosened without negatively affecting the character of these areas. The second investigated the quality of social housing funded through section 106 agreements, and made recommendations as to how registered providers and developers could work together more effectively to ensure that specifications for the materials used in such housing better reflects the intensive use which it must bear.
- 1.25 A further challenge session on town centre policy and delivery took place this year, and is scheduled to report to the first meeting of the committee in the new municipal year. In addition, the committee received a progress

update on the implementation of recommendations made in a 2013 scrutiny review into removing barriers to youth employment.

- 1.26 Members examined the proposals and procurement programme for the development of the new Civic Centre at Whitechapel, and questioned some of the assumptions upon which options considered had been based. The committee took the opportunity to express concerns about the cost, timescales and the deliverability of the project, as well as its effect on the borough. It also raised issues with the sequencing of events in the process so far.
- 1.27 In addition, the committee considered new Community Infrastructure Levy charging schedule, indicating the need for greater involvement of members than had been the case in the past for section 106 payments. Members also explored the current arrangements in place for the discharge of the homelessness duty, expressing a strong desire to see a social lettings model pursued.

Law, Probity and Governance

- 1.28 The work of the council in implementing the recommendations of the Electoral Commission following the local, mayoral and European elections in June 2014 has been an important part of the programme of work undertaken by the committee, featuring on the agenda of two meetings this year. The committee examined proposed arrangements for polling and counting in the 2015 Parliamentary election, as well as training of staff, and avenues available to enable reporting of wrongdoing.
- 1.29 In reviewing the quarterly reports on performance, members scrutinised performance which was below target or had deteriorated in a range of areas, including street cleanliness, delivery of affordable homes, GCSE results, and several crime and antisocial behaviour indicators. They also scrutinised the Complaints and Information Governance Annual Report, indicating where they thought there were gaps in the information reported (particularly around contact that is counted as “service requests” rather than as complaints by the council).
- 1.30 The committee also examined the use of covert investigation under the Regulation of Investigatory Powers Act, ensuring that surveillance was being properly declared and documented.

Petitions, call-ins, references and pre-decision scrutiny

- 1.31 There have been seven executive decisions called in this year:
- Drug and Alcohol Team (DAAT) commissioning intentions
 - Contract payment for Direct Support Services

- Savings proposals relating to the reconfiguration of sexual health services
 - Right to light – City Pride and Island Point developments.
 - Allocations scheme 2015 and lettings plan, and
 - New Civic Centre Whitechapel – procurement proposal and programme.
 - Recommendation to sell 296 Bethnal Green Road by auction instead of by informal tender
- 1.32 Of the first five above which had been considered at the time of writing, all were referred back for further executive consideration, and two resulted in a change of decision by the Mayor. These were the contract for direct support services (now to be re-tendered), and the allocations scheme and lettings plan. The last two had not been considered at the time of writing.
- 1.33 Council also referred two other matters to the committee, which were related to each other. The first was the council's decision to seek judicial review of the Best Value inspection instructed by the Secretary of State for Communities and Local Government, which was rejected by the court. While the committee expressed concern at the fact that this decision had been taken by the Interim Monitoring Officer using delegated authority and without wider member input, it accepted that it had been reasonable, given the advice provided by the authority's counsel as to the likelihood of success.
- 1.34 The second was in relation to the findings of the above inspection, and the committee chose to focus its attention on the improvement planning stemming from these. Members scrutinised the plans drafted by the council in response to the statutory instructions issued by the Secretary of State, aiming to address weaknesses identified by the inspectors. In particular, the committee emphasised the need for member input into these, and to address issues of organisational culture which they felt were vital to the success of the plans. These plans were subsequently amended in light of the committee's feedback.
- 1.35 In addition, the committee has spent considerable time this year investigating and developing recommendations in response to a reference from Council in 2013/14 requesting an investigation into the 2011 sale of the old Poplar Town Hall. Members considered the findings of an investigation commissioned by the statutory officers and carried out by Mazars, and supplemented this with the background evidence informing Mazars's report. It also gathered further evidence itself, both in committee and in writing, and plans to report its findings to Council as soon as possible.
- 1.36 The committee wishes to put on record its concern at the length of time it has taken to progress the publication of its report into the sale of Poplar Town Hall (10 months to date) and the delays the Committee faced in obtaining the independent advice it requested as part of its investigation.
- 1.37 The committee heard a petition from residents representing Save Our Nurseries Tower Hamlets, which was critical of the way in which consultation for the council's budget proposals had been undertaken, and

of specific proposals regarding the closure of two council nurseries. On the basis of this, the committee asked urgent pre-decision questions of the executive regarding these closures and the notice given to residents. This proposal was subsequently removed from the budget.

- 1.38 The committee also held the executive to account with pre-decision questions in relation to the Mayor's Education Allowance, where it queried the criteria for applicants, the overspend on this budget in 2013/14 year, and how this would be prevented in 2014/15. Further, members asked about the lack of publicity surrounding a Serious Case Review on the death of a child in 2013/14, and in particular the lack of information provided to members and the council's Corporate Parenting Steering Group. As a result, the Corporate Director undertook to write to every Councillor about any future SCR.

Budget and Policy Framework

- 1.39 The committee has a mandatory consultation role on all items which are the responsibility of Council to agree, rather than the executive, and these make up the Budget and Policy Framework. This year, these have included the Budget, and the Community Plan.
- 1.40 Committee members participated in two informal briefing sessions with officers and the Lead Member for Resources late in 2014 in order to help form their views and input into the plans for savings in the council's Medium Term Financial Plan, and the 2015/16 budget. They thoroughly scrutinised the impact on users, cost-effectiveness, and deliverability of the proposals, including the closure of council nurseries which, as noted above, was withdrawn.
- 1.41 The committee then held meetings in January and February to consider and challenge the published draft Budget, making a series of recommendations to the executive to reconsider proposals which it felt disproportionately affected residents or did not represent long-term value for the borough.
- 1.42 The Committee was disappointed that, despite this substantial and constructive engagement in the process the former lead member for resources and the former Mayor declined to take on board any of the Committee's comments or concerns.
- 1.43 The committee also reviewed an early draft of the Community Plan and highlighted areas it felt required further development for the final draft. An updated version of the plan will be considered by the committee before it is considered by Council in the summer.

Scrutiny spotlights

- 1.44 Many meetings feature “spotlight” sessions, where a particular policy area or portfolio is the focus, with the relevant cabinet member, council officers or partners in attendance to answer the committee’s questions. This year, the committee took a particular interest in social landlords, with separate spotlights for the Chief Executives and senior representatives of One Housing Group, Tower Hamlets Homes, and Circle Housing Old Ford. The committee made special arrangements in order to facilitate these, including a dedicated extraordinary session for THH, and holding the Circle session at St Paul’s Old Ford, so that tenants and leaseholders could more easily attend and view proceedings.
- 1.45 The new police Borough Commander also attended for a spotlight, to discuss with members policing priorities, and relationships between the police and ward councillors.
- 1.46 Despite his commitment at the beginning of the municipal year to attend Overview and Scrutiny twice during the year, the former Mayor failed to attend a single meeting, cancelling or refusing invitations on a total of six occasions. Prior to him ceasing to be Mayor, the Committee requested that the council start judicial review proceedings to cause him to attend.

Health Scrutiny Panel 2014-15

- 1.47 2014-15 was been another year filled with significant changes to health services both locally and nationally. The Health Scrutiny Panel faced the challenge of understanding the implications of these policy changes, scrutinising local services undergoing change, and ensuring local providers consider the views of local residents, address health inequalities and support the wellbeing of local people. The focus has been on changes in Barts Health NHS Trust, the commissioning of local health services, and residual changes from the Health and Social Care Act 2012.

Barts Health – Financial Turnaround and Improvement Plan

- 1.48 The panel continued to monitor Barts Health’s Financial Turnaround and Improvement Plan through the Inner East London Joint Health Scrutiny Committee (INEL JHOSC). Barts provided INEL JHOSC with a comprehensive update on its improvement plan, management of its assets, and its savings programme.

Commissioning of Community Health Services (CHS)

- 1.49 The current CHS contract, which is with Barts Health, will expire in September 2015. The CCG decided to delay the tendering of the contract in order to bring the specification in line with local work on integration. The service will be

retendered with revised specifications and as this contract represents approximately £40 million of local NHS services, the panel will continue to monitor the procurement process.

Provision of GP services and changes to GP payment

- 1.50 The closure of GP services and the impact of NHS England's changes to the minimum practice income guarantee were considered by the panel, as well as feedback from the CCG and local GP services. Members of the panel have written a joint letter, through INEL JHOSC, to NHS England expressing their concern of the current situation around GP payments and the possible closure of some GP services in Tower Hamlets, Newham and Hackney. The panel will continue to monitor the situation at both a national and local level.

Transforming Services Changing Lives

- 1.51 Tower Hamlets, Newham and Waltham Forest CCGs, in collaboration with Barts Health, have embarked on a programme to develop and enhance integrated services across the Barts Health footprint, and proposals were presented to the panel. The programme will focus on health in general and not just health services, as well as finding more productive ways of addressing challenges to health care. Members have requested that they be updated about any proposal developments and be consulted during the programme implementation period.


Support for carers

- 1.52 The Care Act 2014 imposed a new duty on the council to provide support for carers. The panel received an update from officers on how the carers' needs will be assessed. A challenge session on carers' support is scheduled, and will report in the next municipal year.

Conclusions and looking ahead to 2015-16

- 1.53 Over the last year, the Overview and Scrutiny Committee has been able to address through its work programme many priorities and challenges facing the council, partners and residents.
- 1.54 While the next committee will plan its work programme, some elements of this year's programme will carry over to the next municipal year, including the reports of the challenge sessions into town centre policy and delivery, and support for carers. A reference from Council to review performance and attainment at primary school level will be passed on to the new committee, and items on safeguarding, and following up on the social lettings model, are also planned.

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Non-Executive Report to the: Council 22 nd July 2015	
Report of: Interim Monitoring Officer and Service Head, Human Resources and Workforce Development	Classification: Unrestricted
Amended Regulations: Dismissal Process for Statutory Officers	

Originating Officer(s)	Anna Finch-Smith & Meic Sullivan-Gould
Wards affected	All wards

Summary

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 came into effect on 11th May 2015. The Regulations require local authorities to amend their rules with regards to the dismissal of statutory officers at the first ordinary Council meeting after that date.

The Regulations change the existing statutory procedure in respect of the dismissal of a Head of Paid Service, Monitoring Officer and Chief Financial Officer. They remove from the disciplinary process the current requirement for a Designated Independent Person but introduce a new requirement to include Independent Persons (currently appointed as part of the Standards regime) in a Panel.

The new Regulations do not have any effect to change the employment protections for statutory officers that were established by Direction 4, issued by the Secretary of State on 17th December 2014.

Recommendations:

The Council is recommended to:

1. Note the new process for dismissal of a statutory officer.
2. Agree that the Officer Employment Procedure Rules in Part 4 of the Constitution be amended to reflect the change in process. The proposed changes are attached as Appendix 1.
3. Agree that a further report should 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 this report.

1. REASONS FOR THE DECISIONS

- 1.1 The Council is required to change its procedure for dismissal of statutory officers. There is a requirement that the Council takes a report to the first Ordinary Council meeting after 11th May 2015 to approve the changes to Standing Orders (in the Council's case the Officer Employment Procedure Rules in Part 4 of the Constitution).

2. ALTERNATIVE OPTIONS

- 2.1 There are no alternative options as this is a legislative requirement.

3. DETAILS OF REPORT

Current Position

- 3.1 The Head of Paid Service, Monitoring Officer and Chief Financial Officer all have statutory responsibilities to discharge to their Councils. As they work with, and report to Elected Members, they discharge these responsibilities in a political environment.
- 3.2 At present, no disciplinary action in respect of a protected officer can take place other than in accordance with the recommendation of a report by the Designated Independent Person (DIP).
- 3.3 The rationale for the current process was that statutory protections, in addition to the standard protections, were desirable to ensure these officers can discharge their duties without fear of being influenced by Elected Members or of being dismissed without good reason.
- 3.4 In December 2014 the Secretary of State made Directions in respect of the London Borough of Tower Hamlets under the provisions of the Local Government Act 1999. The Directions included a requirement that the prior written agreement of the DCLG Commissioners is required prior to any appointment, suspension or dismissal of a statutory officer and to any removal of that designation from an officer of the Council. This restriction will, unless terminated previously, apply until 31st March 2017.
- 3.5 Many local authorities have found the procedure resulted in high costs and delay, e.g. in appointing the DIP (who must be agreed between the officer and the authority – where there is no agreement, a person will be nominated by the Secretary of State). The Local Government Association has estimated that the minimum legal cost of this process is £100k (excluding the costs of undertaking the actual investigation, preparing the case or briefing lawyers).

New Position

- 3.6 The intention of the new Regulations is to “simplify and localise” the statutory procedure in respect of the dismissal of statutory officers. The requirement to

appoint a DIP has been removed. Any decision to dismiss a statutory officer will be taken by the Council, who must consider:

- any advice, views or recommendations from an independent panel
- the conclusions of any investigation into the proposed dismissal
- any representations from the officer concerned.

3.7 If the Council wishes to undertake disciplinary action against the Head of Paid Service, Monitoring Officer or Chief Financial Officer, which may result in dismissal, it must invite independent persons who have been appointed under section 28(7) of the Localism Act 2011 to form an independent Panel. Section 28 of the Localism Act deals with the member code of conduct, and the appointment of independent persons to deal with standards matters. The Council must appoint at least two independent persons to the independent Panel.

3.8 Under the invitation and acceptance process indicated in the Regulations the Authority should invite all of its independent persons to be on the Panel. If there are fewer than two it must invite such independent persons appointed by other authorities as it considers appropriate. Having made the invitations the Authority must appoint in the following order for those that accept the invitation:

- an independent person who has been appointed by the Council and who is a local elector
- any other independent person who has been appointed by the Council
- an independent person who has been appointed by another Council or Councils

3.9 The Regulations do not limit the number of independent persons who could be on the Panel. Therefore, the Authority could, if it wanted to, appoint more than two independent persons to the Panel, if more than two accept the invitation, provided the authority complies with the order of appointment requirements.

3.10 The Panel must be in place at least 20 working days before the meeting at which the decision to dismiss will be taken

3.11 The Regulations say that the Independent Person's remuneration, fees or allowances must not exceed the level of those payable to that person in their role as an Independent Person under the Localism Act 2011.

3.12 The revised arrangements will come into force by Councils modifying their Standing Orders. The Council's process is described in the Officer Employment Procedure Rules in Part 4 of the Constitution.

3.13 The new arrangements must be made no later than at the first Ordinary Council meeting held after 11th May 2015. This is the first meeting after the Council's Annual Meeting. There is guidance that has been provided by the LGA with regards to interim arrangements should a disciplinary issue arise before the new regulations are in place.

- 3.14 The wording of the Officer Employment Procedure Rules in Part 4 of the Constitution, including the proposed changes that need to be made, is attached at Appendix 1.
- 3.15 Even though there is a legislative requirement to make these amendments to the Constitution, there are a number of areas related to the process that are still to be defined. These include issues such as training for Independent Persons; the investigation process; an appeals process; and whether only Independent Persons are to sit on the Panel. The LGA has written to the DCLG for further clarification on some of these areas.
- 3.16 The Council's practice has been to use the model disciplinary procedure set out in the JNC Conditions of Service. As a result of the legislative changes, the JNC are negotiating changes to the model procedure to reflect the new Regulations. The Council could decide to use the new JNC model procedure or could produce its own.
- 3.17 Given that there are still areas to be further defined, it is recommended that the Human Resources Committee be asked to consider a further report on these areas once issues have been resolved with the DCLG and further advice is received from the LGA.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There are no immediate significant financial implications arising directly from the proposals in this report. As suggested at paragraph 3.5 of the report, the previous rules applying to the process had the potential to give rise to significant costs which may be reduced under the new procedures.

5. LEGAL COMMENTS

- 5.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 ("the Regulations") amend the Local Authorities (Standing Order) England Regulations 2001 and require local authorities to amend their standing orders to incorporate new arrangements for dismissal of the Head of Paid Service, the Monitoring Officer and the section 151 Chief Finance Officer. The report accurately summarises the effect of the new Regulations.
- 5.2 The new process applies to dismissals for any reason other than redundancy, permanent ill-health or infirmity of mind or body. It does not include failure to renew a contract of employment for a fixed term unless the authority has undertaken to renew such a contract. The new process does not apply to disciplinary action short of dismissal.
- 5.3 The independent Panel which is required to be established under the new process is to be an advisory committee appointed by the Council under section 102(4) of the Local Government Act 1972. It is understood that the Committee would be subject to the Council's standing orders.

- 5.4 The Regulations say very little about conducting an investigation into disciplinary allegations which might lead to dismissal (there is no specific requirement in the Regulations for the Panel or any other party to carry out an investigation). However, it remains the case under general employment law principles that an essential part of a fair dismissal is that a fair and objective investigation is carried out. Further the Regulations do refer to “any investigation” in the sense that the authority must take into account the conclusions of any investigation before approving a proposal to dismiss, so it seems implicit that an investigation will be carried out. In order to be a fair procedure, any dismissal process would also need to provide opportunities for the protected officer to make representations about the allegations and to be accompanied to a meeting at which their dismissal is being considered.
- 5.5 The proposed amendments to the Officer Employment Procedure Rules are in line with the Regulations. However, it should be noted that the Regulations provide little detail of how the new process will operate in practice. For this reason, the report recommends that a further report will be considered at the HR committee as to how the new process should work in this authority and in particular how to ensure the effective running of a disciplinary/ dismissal process such as conducting an investigation into disciplinary allegations and operating a disciplinary committee type system; consideration of how and when the disciplinary recommendations should be made to the Panel, and any other appropriate delegation.
- 5.6 With regard to those decisions about the detail of the process, it should be noted that if the Authority approves a proposal to dismiss, then it will either action the dismissal itself, or where the power has been delegated to a committee or otherwise, then that committee can action dismissal by issuing a notice. In the case of this authority, which operates a Mayor and cabinet executive system at least one member of the authority’s executive would have to be on any such committee (as set out in paragraph 4(2) of Part 1 and Part 2 of Schedule 1 of the 2001 Regulations). Further, the new procedure does not remove the requirement on an Authority operating a Mayor and cabinet executive to follow the executive objections procedure set out in schedule 1, part I, paragraph 6 and part II, paragraph 6 of the 2001 Regulations and which are currently set out under section 9 of the Council’s Officer Employment Procedure Rules.
- 5.7 On 17 December 2014, the Secretary of State for Communities and Local Government issued directions to the Council under section 15 of the Local Government Act 1999, including the appointment of Commissioners. Direction 4 requires that prior written agreement of the Commissioners must be obtained to any dismissal suspension of a person who has been designated as a statutory officer. The statutory officers referred to in this report will fall within those directions and therefore, written agreement would have to be provided by the Commissioners prior to any notice of dismissal being given.

6. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

6.1 There are none.

7. RISK MANAGEMENT IMPLICATIONS

7.1 The adoption of the revised procedures recommended in this report mitigate any risk of non-compliance by the Council with the new legal framework in relation to this matter.

8. CRIME AND DISORDER REDUCTION IMPLICATIONS

8.1 There are none.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 - Section 4.9 of the Constitution - Officer Employment Procedure Rules

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- None

Officer contact details for documents:

- N/A

4.9. Officer Employment Procedure Rules

CONTENTS

Rule	Subject
1	General
2	Recruitment and Appointment
3	Recruitment of Head of Paid Service and Chief Officers
4	Appointment of Head of Paid Service
5	Appointment of Chief Officers and Deputy Chief Officers
6	Procedure for the Appointment of Chief Officers and Deputy Chief Officers
7	Other Appointments
8	Disciplinary Action
9	Dismissal
10	Appeals
11	Designation as Statutory Officer

1. GENERAL

- 1.1 Subject to Rule 1.2 and Rule 10 below, the function of appointment and dismissal of, and taking disciplinary action against, a Member of staff of the authority must be discharged, on behalf of the authority by the Head of the Paid Service or by an officer nominated by her/him.
- 1.2 Rule 1.1 shall not apply to the appointment or dismissal of, or disciplinary action against:
- (a) The Head of the Paid Service;
 - (b) A statutory chief officer within the meaning of section 2 (6) of the Local Government and Housing Act 1989;
 - (c) A non-statutory chief officer within the meaning of section 2 (7) of the Local Government and Housing Act 1989;
 - (d) A deputy chief officer within the meaning of section 2 (8) of the Local Government and Housing Act 1989 (subject to Rule 5.6 below);
 - (e) A political assistant appointed in pursuance of section 9 of the Local Government and Housing Act 1989; or
 - (f) A Mayor's assistant appointed in pursuance of regulations under paragraph 6 of Schedule 1 to the Local Government Act 2000.

2. RECRUITMENT AND APPOINTMENT

2.1 Declarations

- 2.1.1 The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of the Mayor or an existing Councillor or officer of the Council; or of the partner of such persons.
- 2.1.2 No candidate so related to the Mayor or a Councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by her/him.

2.2 Seeking support for Appointment

- 2.2.1 The Council will disqualify any applicant who directly or indirectly seeks the support of the Mayor or any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- 2.2.2 Neither the Mayor nor any Councillor will seek support for any person for any appointment with the Council.
- 2.2.3 Neither the Mayor nor any Councillor shall give a reference (oral or written) for a candidate for employment by the Council.

3. RECRUITMENT OF HEAD OF PAID SERVICE AND CHIEF OFFICERS

- 3.1 Where the Council proposes to appoint a chief officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:
 - 3.1.1 draw up a statement specifying:
 - a) the duties of the officer concerned; and
 - b) any qualifications or qualities to be sought in the person to be appointed.
 - 3.1.2 make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
 - 3.1.3 make arrangements for a copy of the statement mentioned in subparagraph 3.1.1 to be sent to any person on request.

4. APPOINTMENT OF HEAD OF PAID SERVICE

- 4.1 Where a committee, sub-committee or officer is discharging, on behalf of the authority, the function of the appointment of an officer designated as the head of the authority's paid service, the authority must approve that appointment before an offer of appointment is made to that person.
- 4.2 The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by an Appointments Sub Committee established in accordance with Rule 5.1 below. That Sub Committee must include at least one Member of the Executive.
- 4.3 The full Council may only make or approve the appointment of the Head of Paid Service where no well-founded objection has been made by any Member of the Executive.
- 4.4 The appointment of the Head of Paid Service may not occur unless the prior written agreement of the DCLG Commissioners has been obtained for such an action.

5. APPOINTMENT OF CHIEF OFFICERS AND DEPUTY CHIEF OFFICERS

- 5.1 The Chief Executive will establish Appointments Sub Committees upon criteria approved by the Human Resources Committee comprising relevant Members to make appointment to Chief Officer and Deputy Chief Officer posts. Any Appointments Sub Committee established in accordance with this rule must include at least one Member of the Executive.
- 5.2 Engagement of Chief Officers, to permanent positions or interim positions of over three months, will be through the normal recruitment process overseen by the HR Committee.
- 5.3 An offer of employment as a chief officer or deputy chief officer shall only be made where no well-founded objection from any Member of the Executive has been received. Subject to paragraph 5.5 below, in these Rules, chief officers are defined as:
 - 5.3.1 the Chief Executive (as Head of Paid Service) [Note: The Council has appointed the Corporate Director, Communities, Localities and Culture to act as the Head of Paid Service until 31st October 2014.]
 - 5.3.2 the statutory Chief Officers, (including the Chief Financial Officer, Corporate Director, Children's Services, Corporate Director, Adults Health and Wellbeing and the Monitoring Officer)

5.3.3 the non-statutory chief officers which are:

a) Officers for whom the Chief Executive is responsible (other directors);

b) Officers who report to or who are directly accountable to the Chief Executive by virtue of the nature of their duties; and

c) Officers who report to or who are directly accountable to the Council itself or any committee of the Council by virtue of the nature of their duties.

5.4 Subject to paragraph 5.5 below, in these Rules, deputy chief officers are defined as officers in departments who, by virtue of the nature of their duties, either report to or are directly accountable to the statutory or non-statutory chief officer responsible for that department.

5.5 Rules 5.3 and 5.4 do not apply to:

5.5.1 officers whose duties are solely secretarial and clerical or are in the nature of support services; or

5.5.2 Head Teacher and Deputy Head Teacher posts in schools with delegated budgets.

5.6 The procedure in this section for appointing chief officers and deputy chief officers shall only apply to the following post within the Law, Probity and Governance Directorate:

Director of Law, Probity and Governance

Appointments to all other posts shall be the responsibility of the Head of the Paid Service or a person nominated by her/him.

5.7 The appointment of a statutory chief officer may not occur unless the prior written agreement of the DCLG Commissioners has been obtained for such an action.

6. PROCEDURE FOR THE APPOINTMENT OF CHIEF OFFICERS AND DEPUTY CHIEF OFFICERS

6.1 Appointments Sub-Committee Membership. The Chief Executive, will set up an Appointments Sub Committee upon criteria approved by the Human Resources committee comprising relevant Members to make appointments to chief officer and deputy chief officer posts.

- 6.2 Appointment Process. The following process will apply after an Appointments Sub Committee has interviewed all shortlisted candidates:
- 6.2.1 If the Sub Committee agree on a candidate suitable for the post, they will indicate their 'provisional intention to make an offer' to the Chief Executive.
 - 6.2.2 The Sub Committee will inform the Chief Executive of the name of the candidate to whom they wish to make an offer together with any other particulars which the Sub Committee considers relevant in making the appointment.
 - 6.2.3 The Chief Executive will notify the Mayor and each other Member of the Executive within 24 hours of:
 - a) The name of the person the Sub-Committee wish to make an offer to.
 - b) Any other particulars relevant to the appointment notified by the Sub-Committee.
 - c) The period within which any objection to the making of the offer is to be made by the Mayor on behalf of the Executive to the Chief Executive.
 - 6.2.4 The period of objection will normally be 2 working days. If the period of objection is to be shortened, then notification will be by telephone and e-mail.
 - 6.2.5 If:
 - a) The Mayor, within the period of objection, notifies the Sub Committee that neither s/he or any other Member of the Executive has any objection to the making of the offer; or
 - b) The Chief Executive notifies the Sub Committee that no objection has been received by him/her within the objection period from the Mayor,the 'provisional intention to make an offer' will become a firm offer and the offer of appointment may be made without the need for the Sub Committee to re-convene.
 - 6.2.6 If an objection is received within the objection period from the Mayor on behalf of the Executive, the Sub Committee will re-convene to consider the objection. If the Sub Committee is satisfied that any objection received from the Mayor is not material or is not well founded, they may confirm their decision and a formal offer will be made.

7. OTHER APPOINTMENTS

- 7.1 Officers below Deputy Chief Officer. Appointment of officers below deputy chief officer (other than any assistants to the political groups and any Mayor's assistant as defined at (e) and (f) respectively of Rule 1.2 above) is the responsibility of the Head of Paid Service or her/his nominee, and may not be made by the Mayor or Councillors.
- 7.2 Assistants to Political Groups. Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.
- 7.3 Mayor's Assistant. Appointment of a Mayor's Assistant shall be made in accordance with the wishes of the Mayor.

8. DISCIPLINARY ACTION

a) In this paragraph 8:

- "the 2011 Act" means the Localism Act 2011;
- "independent person" means a person appointed under section 28(7) of the 2011 Act;
- "local government elector" means a person registered as a local government elector in the council's area
- "The Panel" means a committee appointed by the Council for the purposes of advising the Council on matters relating to the dismissal of the Head of Paid Service, the Monitoring Officer or the Chief Financial Officer;
- "relevant meeting" means a meeting of the Full Council to consider whether or not to approve a proposal to dismiss the Head of Paid Service, Monitoring Officer or Chief Financial Officer

8.1 Suspension. Subject to the obtaining of the prior written agreement of the DCLG Commissioners to such action, the Head of the Paid Service, the Monitoring Officer or the Chief Financial Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and may last no longer than two months.

8.2 The Head of Paid Service, Monitoring Officer or Chief Financial Officer may not be dismissed unless the procedure set out in the following paragraphs 8.2 (i) to (vi) is complied with:

- (i) The Council must invite relevant Independent Persons to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel
- (ii) In paragraph (i) "relevant Independent Persons" means any Independent Person who has been appointed by the Council, or where there are fewer than two such persons, such Independent

- Persons as have been appointed by another authority or authorities as the Council considers appropriate
- (iii) Subject to paragraph (iv), the Council must appoint to the Panel such relevant Independent Persons who have accepted an invitation issued in accordance with paragraph (i) in accordance with the following priority order –
 1. a relevant Independent Person who has been appointed by the Council and is a local government elector;
 2. any other relevant Independent Person who has been appointed by the Council;
 3. a relevant Independent Person who has been appointed by another authority or authorities
 - (iv) the Council is not required to appoint more than two relevant Independent Persons in accordance with paragraph (iii) but may do so
 - (v) the Council must appoint any Panel at least 20 working days before the relevant meeting
 - (vi) before the taking of the vote at the relevant meeting on whether or not to approve such a dismissal, the Council must take into account, in particular –
 - any advice, views or recommendations of the Panel;
 - the conclusions of any investigation into the proposed dismissal; and
 - any representations of the officer whose dismissal is being considered at the meeting
 - (vii) any remuneration, allowances or fees paid by the Council to an Independent Person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that Independent Person in respect of that person's role as Independent Person under the 2011 Act.

8.3 Involvement of Members in Disciplinary Action. Neither the Mayor nor any Member of the Council will be involved in disciplinary action against any officer below deputy chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, through the Council's disciplinary, capability and related procedures, as adopted from time to time which may allow a right of appeal to Members in respect of disciplinary action.

8.4 A Disciplinary Policy and Procedure for the Head of Paid Service, the Monitoring Officer and the Chief Financial Officer shall from time to time be issued or updated. That document does not form part of the Council's Constitution but should be read alongside these Officer Employment Procedure Rules.

9. **DISMISSAL**

9.1 Neither the Mayor nor any Member of the Council will be involved in the dismissal of any officer below deputy chief officer except where such involvement is necessary for any investigation or inquiry into

alleged misconduct, through the Council's disciplinary, capability and related procedures, as adopted from time to time which may allow a right of appeal to Members in respect of dismissals.

- 9.2 Where a committee, sub-committee or officer is discharging, on behalf of the authority, the function of the dismissal of an officer designated as the head of the authority's paid service, as the authority's chief finance officer, or as the authority's monitoring officer, the authority must approve that dismissal before notice is given to that person.
- 9.3 Where a committee or a sub-committee of the authority is discharging, on behalf of the authority, the function of the dismissal of any officer referred to at (a) to (d) of Rule 1.2 above, at least one member of the Executive must be a member of that committee or sub-committee.
- 9.4 Where the authority or a Committee, Sub-committee or officer ("the dismissor") proposes to dismiss:

The Head of the Paid Service;
A statutory chief officer;
A non-statutory chief officer; or
A deputy chief officer,

notice of dismissal must not be given until the dismissor has notified the Head of the Paid Service (or where the officer to be dismissed is the Head of the Paid Service, the Monitoring Officer) of the name of the person whom the dismissor wishes to dismiss and any other particulars which the dismissor considers are relevant to the dismissal; and

- b) The Head of the Paid Service, or as the case may be, the Monitoring Officer, has notified the Mayor and every other member of the Executive of:

The name of the person whom the dismissor wishes to dismiss;

Any other particulars relevant to the dismissal which the dismissor has notified; and

The period within which any objection to the dismissal is to be made by the Mayor on behalf of the Executive to the Head of the Paid Service/ Monitoring Officer; and

- c) Either:

The Mayor has, within the period specified in the notice under 9.2. b) above, notified the dismissor that neither s/he nor any other Member of the Executive has any objection to the dismissal; or

The Head of the Paid Service/Monitoring Officer has notified the dismissor that no objection was received by her/him within that period from the Mayor; or

The dismissor is satisfied that any objection received from the Mayor within that period is not material or is not well founded.

- 9.4 If a valid objection is made by the Mayor to a dismissal proposed by a Committee or Sub Committee that body shall re-convene to consider the objection. If the Committee or Sub Committee is satisfied that the objection is not well founded they will confirm their decision.
- 9.5 The dismissal of a statutory chief officer may not occur unless the prior written agreement of the DCLG Commissioners has been obtained for such an action.

10. APPEALS

- 10.1 Nothing in Rule 1.1 above shall prevent a person from serving as a member of any committee or sub-committee established by the authority to consider an appeal by:-
- (a) another person against any decision relating to the appointment of that other person as a member of staff of the authority; or
- (b) a member of staff of the authority against any decision relating to the dismissal of, or taking disciplinary action against, that member of staff.

11. DESIGNATION AS STATUTORY OFFICER

- 11.1 The designation of any persons as a statutory officer or the removal of such a designation may not occur unless the prior written agreement of the DCLG Commissioners has been obtained for such an action.

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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 22nd JULY 2015

REVIEW OF PROPORTIONALITY AND ALLOCATION OF PLACES ON COMMITTEES AND PANELS OF THE COUNCIL

REPORT OF THE SERVICE HEAD, DEMOCRATIC SERVICES

1. SUMMARY

- 1.1 A change in the political composition of the Council occurred on 25th June 2015 when Councillor Abjol Miah gave notice to the proper officer that for the purposes of the Local Government & Housing Act 1989 ('the 1989 Act') he is no longer a member of the Independent Group.
- 1.2 Consequent on this change the Council must review the allocation of places on Committees and other bodies covered by the proportionality requirements in the 1989 Act. The proposed new committee allocations are set out at paragraph 4.1 overleaf.

2. RECOMMENDATIONS

- 2.1 That the Council note the review of proportionality as at section 3 of the report overleaf and agree the allocation of seats on committees and panels for the remainder of the Municipal Year 2015/16 as set out at paragraph 4.1.
- 2.2 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.
- 2.3 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.

3. REVIEW OF PROPORTIONALITY

- 3.1 Section 15(1) of the 1989 Act requires the Council as soon as practicable after a change in the political composition to carry out a review to determine the allocation to the political groups of seats on the committees/panels of the Council. The principles which must be adopted are:

- (i) that in relation to each body covered by the Act, all seats are not allocated to the same political group;
- (ii) that the majority of seats on each body must go to the political group with the majority on the Council (if any);
- (iii) that subject to (i) and (ii) the number of seats on the total of all the ordinary committees/panels of the authority allocated to each group bears the same proportion as that group's proportion of the seats on the full Council; and
- (iv) that subject to the above three principles, the number of seats on each ordinary committee/panel of the authority allocated to each political group bears the same proportion as that group's proportion of the seats on the full Council.

3.2 Once the political groups have been allocated their places in accordance with the above rules, the Council may appoint ungrouped members to any remaining positions.

3.3 Neither the Cabinet and any executive sub-groups of the Cabinet; nor the Tower Hamlets Health and Wellbeing Board, are covered by the requirement for proportionality.

3.4 Following the changes described in Paragraph 1.1 to this report, the political composition of the Council is now as follows:

Group	seats	%
Labour	23	51.1%
Independent Group	16	35.6%
Conservative	5	11.1%
Ungrouped	1	
Total	45	

4. ALLOCATION OF PLACES ON COMMITTEES

4.1 The committees and panels established by the Council for the municipal year 2015/16 are listed below. There are a total of 91 places on these committees and panels. Applying the principles in the 1989 Act as closely as is reasonably practicable, the proposed allocation of places on the committees and panels covered by the requirement for proportionality for the remainder of the municipal year or until the next review of proportionality, whichever is sooner, is as follows:-

Committee/panel	Total	Labour	Independent Group	Conservative
Overview & Scrutiny Committee (plus 6 co-optees)	9	5	3	1
Health Scrutiny Panel	7	4	2	1
Appeals Committee (1 vacancy)	9	5	3	-
Audit Committee	7	4	2	1
Development Committee	7	4	2	1
Strategic Development Committee	9	5	3	1
General Purposes Committee	7	4	2	1
Human Resources Committee	7	4	2	1
Licensing Committee	15	8	6	1
Pensions Committee	7	4	3	-
Standards Advisory Committee (plus 7 co-optees)	7	4	2	1
TOTALS	91	51	30	9

4.3 This represents a decrease of one committee place in the Independent Group's allocation. The allocations to the Labour and Conservative groups are unaffected. It is open to the Council to appoint an ungrouped councillor to the remaining unfilled place on the Appeals Committee.

5. CONCURRENT REPORT OF THE CHIEF LEGAL OFFICER

5.1 The legal position is set out in the main body of the report.

6. COMMENTS OF THE CHIEF FINANCIAL OFFICER

6.1 There are no direct financial considerations arising from this report.

LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED)

LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of background papers:

Name and telephone number of holder and address where open to inspection

- None

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LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 22nd JULY 2015

**MOTIONS SUBMITTED BY
MEMBERS OF THE COUNCIL**

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

SUMMARY

1. Six motions have been submitted by Members of the Council under Council Procedure Rule 13 for debate at the Council meeting on Wednesday 22nd July 2015.
2. The motions submitted are listed overleaf. In accordance with the protocol agreed by the Council on 21st May 2008, the motions are listed by turns, one from each group, continuing in rotation until all motions submitted are included. The rotation starts with any group(s) whose motion(s) were not reached at the previous meeting.
3. Motions must be about matters for which the Council has a responsibility or which affect the Borough. A motion may not be moved which is substantially the same as a motion which has been put at a meeting of the Council in the previous six months; or which proposes that a decision of the Council taken in the previous six months be rescinded; unless notice of the motion is given signed by at least twenty Members.
4. There is no specific duration set for this agenda item and consideration of the attached motions may continue until the time limit for the meeting is reached. The guillotine procedure at Council Procedure Rule 9.2 does not apply to motions on notice and any of the attached motions which have not been put to the vote when the time limit for the meeting is reached will be deemed to have fallen. A motion which is not put to the vote at the current meeting may be resubmitted for the next meeting but is not automatically carried forward.

MOTIONS

Set out overleaf are the motions that have been submitted.

12.1 Motion regarding the Constitutional Working Group

Proposer: Councillor Craig Aston

Seconder: Councillor Peter Golds

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.

12.2 Motion regarding TfL and CS2 Cycle Superhighway Upgrade

Proposer: Councillor Amina Ali

Seconder: Councillor Rachael Saunders

This Council notes:

1. That TfL is currently carrying out works along Whitechapel Road/Mile End Road/Bow Road to implement the CS2 Cycle Superhighway upgrade
2. That these works are due to last until Spring 2016
3. The changes to the Mile End Road/Burdett Road/Grove Road crossing and the introduction of a right turn prohibition at Mile End
4. A serious increase in traffic congestion on Grove Road, Roman Road, Old Ford Road and streets around Hamlets Way

This Council believes:

1. TfL has vastly underestimated the impact of the changes
2. This is making all of these roads more dangerous for pedestrians and cyclists

This Council resolves:

1. To express its concern to TfL about these poorly designed changes
2. To request council officers to meet urgently with TfL to review traffic flow on other roads as a result of the changes to Mile End Road, in order to address the impact on other roads and agree an action plan for the safety of road users.

12.3 Motion regarding Safeguarding against radicalisation

Proposer: Councillor Rabina Khan

Seconder: Councillor Oliur Rahman

Tower Hamlet Council notes

- The recent tragic, brutal and shocking deaths - on 29th June 2015 - of British citizens who were on holiday in Tunisia
- The earlier tragic disappearance of local schoolgirls who are assumed to have joined ISIS in Syria
- The ongoing threat of ISIS to all – especially the young people
- The potential of radicalisation of youth by misguided and vile ideology of ISIS who do not represent Islam but have hijacked it and are abusing the name.

Tower Hamlets Council resolves

- To extend all our sympathy and condolences to the families and friends of those who so tragically lost their lives in Tunisia during this extremely difficult period
- To reaffirm our commitment to resisting the politics of hatred and division in all its forms, and in this specific case, the vile ideology of ISIS who have hijacked the name of Islam and are manipulating young minds. In particular, for ISIS to use the holy month of Ramadan - when Muslims are supposed to be extra conscious of the duties of charity, forgiveness, kindness and looking after all living beings – let alone human beings - for such activity demonstrate their clear and evil misrepresentation of Islam
- To deliver the following programme of work:
 - Working with schools to safeguard young people from radicalisation;
 - Continue to engage local mosques and madrassahs to strengthen their capacity to safeguard residents and pupils from radicalisation
 - To work with families through such projects as the Parenting Programme in order to highlight risks and how parents can protect their children from radicalisation
 - Develop community resilience against online radicalisation
- To continue to work together and get to know one another at personal and human level – from all religions and none – to dismantle any misguided perceptions, propaganda and misrepresentation of each other in our society
- To observe a minute's silence for the Tunisian and 7/7 victims at the full Council meeting (can be taken at the beginning of the meeting if felt appropriate)
- To work with all stakeholders to deliver the following:-
 - Undermining extremist Ideology
 - Supporting vulnerable individual

- Strengthening Institutions
- To develop programmes of work to develop Young Leaders to challenge extremist opinions through increasing awareness and understanding of extremism among young people and their families to develop analytical thinking to challenge extremist material
- Write to local schools to launch a competition to hear from young people about their views and potential solutions and suggestions to the radicalisation issue – the winner should be invited to meet all Members/representatives of all three Groups in the Council and be given an opportunity to present the winning proposal in the Chamber at an appropriate Council meeting

12.4 Motion regarding the South Quay Masterplan

Proposer: Councillor Andrew Wood

Seconder: Councillor Chris Chapman

Residents of the Isle of Dogs welcome the decision that the Mayor has taken to put the South Quay Masterplan (SQMP) on hold for a review. He has said that this will have to be done quickly. We fully agree, the pace of development along South Quay has accelerated in recent months with six major developments currently in the planning pipeline in this area alone: 3 Millharbour, South Quay Plaza 3, Jemstock, 225 Marsh Wall, Ballymore Cuba Street & Alpha Square. There is a very real risk that by the time any plan is approved it will have no practical purpose.

Since the South Quay Masterplan was first raised in the Forward Plan back in October 2013 the following developments have been approved or started construction: Dollar Bay, City Pride, Arrowhead Quay, South Quay Plaza, the Novotel on Marsh Wall, Meridian Gate & 2 Millharbour. This is not a full list of all of the planning applications or schemes in the area.

In total we expect the population of the South Quay area to go from 2,932 people in 2011 to some 25,000+ people (or the equivalent of a 4 member ward) in 11,000 new units. This does not include the 24,000 other units in nearby developments like those at Wood Wharf, ASDA, Westferry print works or Newfoundland.

This compares to the 3,500 proposed units in the Whitechapel Vision area whose diversion of Officers time has so badly delayed the completion of the SQMP.

The primary concern though of local Councillors and residents has been what is missing from the Plan not with the contents of the plan itself which we think are generally good especially the supporting LUC report which is excellent.

This Council therefore recommends that the following issues are dealt with as part of any refresh of the SQMP in order to ensure it is an effective policy to help guide development in the fastest growing area in London;

1. That the Council make a clear decision through the Masterplan process between two choices;

a. Whether the future of the Isle of Dogs will be like Hong Kong Island or Pudong in Shanghai. In which case it needs to plan and invest on that basis and make clear to residents that this is the choice it has made;

or

b. To use the London Plan recommended density limits as introduced by Ken Livingstone when he was Mayor of London and the principles of Sustainable Development from the National Planning Policy Framework to actively guide sustainable development in the area.

2. That the Council learn the lesson of the current masterplan for a part of the area, the Millennium Quarter Masterplan written in the year 2000. The objectives of that plan were never delivered and residents today still feel the Council mis-led them.

3. That the main maps are updated to show approved schemes and those in the planning pipeline – existing maps imply that this is virgin territory which is no longer the case. The map should also reflect the actual proposed heights of units.
4. That the page on infrastructure requirements is completely re-written to reflect actual approved densities. The Council has approved developments at densities far in excess of the London Plan recommended density limits and that planning infrastructure as if London Plan density limits apply will result in an under provision of infrastructure.
5. The plan should detail which TH departments are responsible for delivery of each piece of infrastructure.
6. That the Council do not place three of the six proposed principal public open spaces on road junctions or roads.
7. That the Council include in the main report the key findings and recommendations of the report written by their consultants, LUC especially as regards the impact of higher density developments.
8. That the Council do not refer to the ground underneath the elevated DLR track as a Tower Hamlets version of New Yorks highline. Although it can be made more attractive it is far too noisy to be used as a recreational area.
9. That with so many new apartments located right next to the elevated DLR track that consideration is given to soundproofing the track especially where it rounds corners.
10. That without a new Thames Water strategy for the area many of these units cannot be built as the water and sewage pipes will need to be expanded before construction can start. This needs to be reflected in the Masterplan.
11. That the Council recognise that the main content of the Plan, the recommendation that developers follow a podium and plinth model with towers above has been followed on only two of the sites, the preferred style of development in the area is for tall, thin towers.
12. That we actively look at changing the mix of housing types across the wider area of the Isle of Dogs as 3 bedroom affordable units in the SQMP area are not technically affordable i.e. developments further away should have a higher proportion of family sized affordable units to compensate.
13. That the Council reflect on the fact that approximately 25% of the new residents in the SQMP area will be social housing tenants and that designs & service charges that might work well for Asian investors to be occupied by 20 something flat sharing professionals might not work for all. Consideration should be given to off-site housing for social tenants if that delivers more units with more affordable service charges.
14. That the SQMP coordinates the delivery of community centres. With developers offering small community spaces we will end up with a large number of small un-sustainable centres. We need to factor in the requirements for children, older people, halls, prayer spaces and physical activity and co-ordinate these spaces across the island.

15. That Tower Hamlets CCG are actively involved in the planning of new surgeries in the wider area. The Isle of Dogs & Blackwall will need 28 GP surgery places over and above the 9 already planned at Wood Wharf.

16. That the Council quickly respond to the ever-worsening gap between approved developments and approved schools in the wider area. Currently the shortfall between residential developments in the pipeline and schools in planning is 6.5 primary schools and 1.5 secondary schools. The National Planning Policy Framework requires where there are large developments that schools be built within 10 minutes walking distance.

17. That the Council publicly responds to the comments made by residents, local Councillors and the Isle of Dogs neighbourhood Planning Forum during the public consultation in February 2015. They have had no reply to their comments and suggestions.

18. That Transport for London provides an input into the Masterplan especially as regards DLR capacity issues at South Quay station.

19. That the Council help to find a solution to the largest piece of socially useful infrastructure in the area, the Lanterns dance studio

20. That the Council provide an accurate database for all schemes in the area listing the following information (where available). Without this data the Council, Councillors and residents won't be able to understand what is happening or plan for the infrastructure required;

- a. Number of units by type and mix (social rented, affordable, private)
- b. Estimated population of those units
- c. Number of children estimated to be on site using GLA calculation
- d. Density measured by habitable rooms per hectare (hectares based on residential component only)
- e. Where in planning process each development is (or if approved likely construction dates)
- f. Size in hectares (for the residential sections)
- g. Additional facilities to be provided on site i.e. retail, D1 etc.
- h. Children's play area on site – split internal / external – in square meters
- i. Size of green spaces (in addition to child play space) in square meters (split between ground and elevated sections)
- j. Car parking spaces (with disabled spaces shown separately)
- k. Bicycle parking spaces
- l. Number of units designed for disabled and / or elderly use
- m. S106 by category of spend or TH CIL contribution (total £ value)
- n. Height in meters AOD of each unit
- o. PTAL rating of each development

12.5 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.

12.6 Motion regarding Sports Facilities in the Borough

Proposer: Councillor Julia Dockerill

Seconder: Councillor Peter Golds

That this council recalls with pride the role this borough played in the success of the London 2012 Olympics, and the appetite residents demonstrated for wider community and sporting participation.

Notes with concern that the quality and upkeep of a number of sports facilities in the borough are not a fitting sporting legacy of the Olympics.

Further notes that a number of council sports premises are under-utilised and regrets the lost opportunity this represents in providing first class leisure and community facilities to borough residents.

Further notes that the Greenwich Leisure Ltd. contract to provide borough leisure services is shortly due for renewal.

Calls for a candid assessment of GLL's performance in running that contract and further debate on how our borough leisure facilities are run and what opportunities are available to raise substantially the quality of provision.

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