

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.35 P.M. ON WEDNESDAY, 20 JANUARY 2016

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

During the meeting the Council agreed to vary the order of business. To aid clarity, the Decision Sheet is presented in the order that the items originally appeared on the agenda.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Ohid Ahmed
- Councillor Abdul Asad
- Councillor Rajib Ahmed

Apologies for lateness were received on behalf of Councillor Marc Francis

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

Councillor Oliur Rahman declared a Disclosable Pecuniary Interest in Agenda Item 12.4 – ‘Motion regarding junior doctors and the NHS’. He stated that he would leave the meeting room for the consideration of this matter. (Motion not debated at the meeting due to lack of time).

Councillor Rachel Blake declared a prejudicial interest in Agenda Item 5.3 - ‘Petition calling on the Mayor and Council to reject the draft guidance for roof and rear extensions’. She stated that she would leave the meeting room for the consideration of this matter.

3. MINUTES

DECISION

That the unrestricted minutes of the Council meeting held on 18th November 2015 be confirmed as a correct record and the Speaker be authorised to sign them accordingly.

(**Action by:** Matthew Mannion, Committee Services Manager, Democratic Services)

4. TO RECEIVE ANNOUNCEMENTS (IF ANY) FROM THE SPEAKER OF THE COUNCIL OR THE CHIEF EXECUTIVE

Please see the minutes.

5. TO RECEIVE PETITIONS

5.1 Petition relating to drug dealing and anti-social behaviour.

(Note: the correct petition text had been circulated as an addendum)

The petitioners addressed the meeting and responded to questions from Members. Councillor Shiria Khatun, Deputy Mayor and Cabinet Member for Community Safety then responded to the matters raised in the petition.

DECISION

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

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

5.2 Petition relating to cuts to children's services.

The petitioners addressed the meeting and responded to questions from Members. Councillor Rachael Saunders Deputy Mayor and Cabinet Member for Education & Children's Services then responded to the matters raised in the petition.

DECISION

That the petition be referred to the Interim Corporate Director, Children's Services for a written response on any outstanding matters within 28 days.

(Action by: Debbie Jones Interim Corporate Director, Children's Services)

5.3 Petition calling on the Mayor and Council to reject the draft guidance for roof and rear extensions.

The petitioners addressed the meeting and responded to questions from Members. Mayor John Biggs then responded to the matters raised in the petition.

DECISION

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

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

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

One public question had been submitted for response by the Mayor or relevant Cabinet Member. In the absence of the questioner, the question was not put. A written response would therefore be provided.

(**Action by:**—Matthew Mannion, Committee Services Manager, Democratic Services to arrange written response)

7. MAYOR'S REPORT

The Mayor presented his tabled report to the Council. The Leaders of the other political groups then responded briefly to the Mayor's report.

8. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE COUNCIL

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

8.1 Question from Councillor Danny Hassell about proposed changes to school funding allocations and the potential impact in the Borough.

8.2 Question from Councillor Oliur Rahman asking whether the Mayor intends to lead a joint anti-austerity campaign against cuts.

8.3 Question from Councillor Marc Francis about the action taken by LBTH and the Police following recent knifepoint robberies.

8.4 Question from Councillor Craig Aston about the costs to the taxpayer of the Bonfire Night fireworks display in Victoria Park.

8.5 Question from Councillor Sabina Akhtar about efforts to tackle local unemployment.

8.6 Question from Councillor Muhammad Mustaquim about the provision of support to community organisations in light of recent grant funding decisions.

8.7 Question from Councillor Andrew Cregan regarding the Norton Folgate site in Spitalfields. (No supplementary question)

8.8 Question from Councillor Julia Dockerill about the continuation of the Borough wide 20mph Experimental Traffic Order.

8.9 Question from Councillor Helal Uddin to the Mayor about his plans to further improve community cohesion in the Borough.

8.10 Question from Councillor Rabina Khan to the Mayor regarding his plans to protect residents from facing eviction in light of the new housing bill.

Question 8.11-22 were not put due to a lack of time. Written responses would be provided to the questions.

(**Action by:**– Matthew Mannion, Committee Services Manager, Democratic Services to arrange written responses)

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

9.1 Report from Cabinet Meeting, Local Council Tax Reduction Scheme 2016/17

The Council considered the report from Cabinet on the Local Council Tax Reduction Scheme 2016/17.

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

DECISION:

1. That the continuation of the current Local Council Tax Reduction Scheme for 2016/17 be approved which will retain the same level of support to all working age Council Tax payers on a low income as set out in the report to Cabinet on 5 January 2016;
2. That it be agreed that the extension of the scheme is for one year only, to be reviewed alongside the impact of the Government's proposed welfare reform changes and an options review for the future of LCTRS during 2016.

(**Action by:** Zena Cooke, Corporate Director, Resources)

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

There was no business to transact under this agenda item.

11. OTHER BUSINESS

11.1 Audit of Accounts 2013/14 : Section 11 Recommendation - Audit Commission Act 1998

The Council considered the report of the Corporate Director of Resources on the Council's intended response to the recommendations made by KPMG under S11 (3) of the Audit Commission Act 1998.

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

DECISION:

1. That the recommendations made by KPMG under Section 11 (3) of the Audit Commission Act 1998 be accepted;
2. That the actions already put in place by the Corporate Director of Resources in response to the recommendations made under Section 11 (3) of the Audit Commission Act 1998 be noted and endorsed;
3. That the issues identified by KPMG under Section 11 (3) of the Audit Commission Act 1998 and the commitment of Members and officers to resolve these be noted;
4. That progress against the recommendations be monitored by the General Purposes Committee, alongside the other monitoring arrangements put in place.

(Action by: Zena Cooke, Corporate Director, Resources)

11.2 Mid - Year Review For Treasury Management and Investment Strategy 2015/16

The Council considered the report of the Corporate Director of Resources reviewing progress on the Treasury Management and Investment Strategy approved by Full Council on 25 February 2015

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

DECISION:

That the Council note:

1. The Treasury Management activities and performance against targets for the six months to 30 September 2015;
2. That the current development and update for MiFID II Impact on LGPS and Local Authorities and also Changes in credit rating methodology as set out in section 4 of the report;
3. That the Council's investment balance of £421.3m as at 30 September 2015 of which £40m was invested in other Local Authorities (set out in Appendix 1 of the report).
4. The Council's position on prudential indicators (set out in Appendix 6 of the report).

(Action by: Zena Cooke, Corporate Director, Resources)

11.3 Review of Proportionality and Allocation of Places on Committees and Panels of the Council

The Council considered the report of the Director of Law Probity and Governance, setting out the position regarding proportionality and the allocation of Committee places following a change in the political composition of the Council.

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

DECISION:

That Council agrees:

1. The review of proportionality as at section 3 of the report and the allocation of seats on committees and panels for the remainder of the Municipal Year 2015/16 as set out at paragraph 4.2 of the report;
2. The committees and panels established for the municipal year 2015/16 as listed in paragraph 4.2 and that the total number of places on these committees and panels be reduced from 91 to 90 by reducing the Strategic Development Committee from 9 to 8 seats;
3. 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 Director, Law, Probity and Governance.

(Action by: Melanie Clay, Director, Law, Probity and Governance)

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

12.3 Motion regarding the Housing and Planning Bill

Councillor Sirajul Islam **moved** and Councillor Rachel Blake **seconded** the motion as printed in the agenda.

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

DECISION

This Council notes that:

1. The Government published a Housing and Planning Bill for First reading on 13 October 2015.
2. The second reading took place on the 2 November 2015 and that the Bill was carried at its second reading in Parliament.

3. The Bill has been through the Committee Stage and is now in the final stages of being agreed by the Commons
4. The Bill includes:
 - a. Introduction of a General Duty to promote Starter Homes
 - b. Measures to force Councils to sell high value council homes
 - c. Measures to require higher earners to pay higher rents and for the increased income to be paid to the Secretary of State
 - d. Measures to implement the Right to Buy for Housing Association Tenants through a on a voluntary basis.
5. That Cllr Philippa Roe, Conservative Leader of Westminster Council, has said “it is absolutely vital that the proceeds of right-to-buy from London are kept in London.”
6. Rushanara Ali MP and Jim Fitzpatrick MP voted against the Bill at the second reading.
7. Zac Goldsmith MP, in the House of Commons on Monday 2nd November, said:
 - “the gap between supply and demand remains very wide, and without radical action, it will grow wider still, further pricing Londoners out of their own city”
 - “closing the gap between supply and demand, therefore, is the absolute priority”
 - “council homes in London are far more valuable than they are elsewhere, and without a change we will see a disproportionate flow of resources out of London”
 - “the amendment that I intend to table after today’s debate will ask for a binding guarantee that London will see a net gain in affordable housing as a consequence of this policy—a guarantee that London will see, in addition to the replaced housing association homes, at least two low-cost homes built for every single high-value home sold”
 - “the bottom line is that we are going to have to use every single available lever to deliver affordable homes at all incomes”
8. Sadiq Khan MP tabled an amendment to the Bill that would ensure that a proportion of starter homes are available to local people.
9. Sadiq Khan MP described the Bill as being “catastrophic for hundreds of thousands of people who will see rents and house prices rise and a steep decline in the number of affordable properties.”
10. The Mayor in Cabinet in September 2015 approved the development of new affordable homes.

This Council believes:

1. London’s successful future is threatened without sufficient supply of genuinely affordable homes.

2. Tower Hamlets has historically provided a vital role for supplying homes for households on low incomes who play a vital role in London's economy and that role is under threat.
3. This Bill will have a severe detrimental effect on the ability of LB Tower Hamlets to address housing need and demand in Tower Hamlets.
4. This Bill will force many households to leave the borough as they will no longer be able to afford to live in Tower Hamlets.
5. This Bill will undermine the mixed and diverse communities that we are proud to be part of in Tower Hamlets.
6. There is no provision within the Bill to ensure that the proceeds from the Right to Buy of Housing Association homes or from the forced sale of Council homes will stay within Tower Hamlets.

This Council calls on:

1. The Mayor and all councillors to actively campaign to highlight the disastrous consequences of this Bill.
2. The Mayor to give full consideration to finding meaningful, genuinely affordable housing solutions for Tower Hamlets.

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

12. 6 Motion regarding Bishopsgate Goodsyrd

Councillor John Pierce **moved**, and Councillor Rachel Blake **seconded** the motion as printed in the agenda.

Councillor Oliur Rahman **moved** a friendly amendment to insert an additional resolution 'That the Council should write to all candidates in the London Mayoral election to seek their views and stance on whether they will oppose/reject the Bishopsgate Goodsyrd application should they be elected Mayor of London in May 2016.

Councillor John Pierce and Councillor Rachel Blake indicated that they accepted this amendment and altered their motion accordingly.

Following further debate the substantive motion as altered was put to the vote and was **agreed**.

DECISION

This Council notes:

- The Bishopsgate Goods Yard site is located across the borough boundary of Hackney and Tower Hamlets.
- The site's most well-known historic structures, such as the listed Braithwaite Viaduct and the entry gates, originate from the 19th century

goods depot, a sophisticated three storied complex which opened in 1881.

- These historic assets and other remnants of our heritage, such as the Goods Yard walls and the Georgian weavers' cottages on Sclater Street, provide a snapshot of the site's previous use.
- The majority of the Goodsyard buildings burnt down in 1964 and, other than for temporary uses, the site has remained derelict ever since.
- Part of the site lies within the Fournier Street and Brick Lane Conservation Area and is adjacent to the boundaries of four other Conservation Areas.
- Developers Hammerson and Ballymore want to construct 12 buildings on the 11-acre Bishopsgate Goods Yard site, which spans Hackney and Tower Hamlets from Shoreditch High Street to Brick Lane.
- Boris Johnson, Mayor of London, decided to call-in the Goodsyard decision in September 2015.

This Council further notes:

- Hundreds of local residents and campaign groups have objected to this proposal.
- On Thursday 10 December, Hackney and Tower Hamlets councils held special planning committee meetings to discuss the applications. Both voted for refusal.
- BNP Paribas, commissioned by both councils to carry out an independent viability assessment, found that there were many discrepancies with the developer's viability assessment. These include:
 - Developers say it would be justifiable to provide no affordable housing, but offer 10% out of "goodwill".
 - BNPP identified 'distortion', 'double-counting' and a 'lack of transparency' throughout the developer's assessment.
 - BNPP states the developers have exaggerated their costs and downplayed profits. BNPP states developers could offer far more in S106 contributions than they currently are.

The Council believes:

- Boris Johnson decision to call in the proposal rides roughshod over local democratic decision-making.
- The viability assessment on which the developers base their case does not stack up.
- There is so much potential for Bishopsgate Goodsyard to be developed in a creative way which works for the benefit of everyone.
- The proposal fails to meet to the planning rules and will cause substantial harm to the local heritage and townscape.

- The lack of affordable homes - only 10% is proposed is out of “goodwill” - is an insult to local people.
- The proposal also fails to provide a mixed and balanced community, has an unacceptable impact on the amount of daylight and sunlight in the local community, and does not meet site design principles and housing standards.
- The scheme will have a ‘major adverse impact’ on the air quality on Bethnal Green Road.

This Council resolves:

- To ask the council to support the More Light More Power campaign which aims to promote inspired and innovative development of the Goodsyard
- To call on the Mayor to request an urgent meeting with the Mayor of London to discuss the impact of the proposal on the local neighbourhoods and our conservation areas.
- To consider all options in relation to the Mayor of London Boris Johnson’s decision of the application, including a judicial review.
- To call on the Mayor of Tower Hamlets to submit evidence to the Mayor of London setting out why we do not believe this application meets planning policy.
- That the Council write to all candidates in the London Mayoral election to seek their views and stance on whether they will oppose/reject the Bishopsgate Goodsyard application should they be elected Mayor of London in May 2016.

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

12.9 Motion regarding the Protection of Tower Hamlets Heritage and Community Assets

Councillor Andrew Cregan **moved** and Councillor Joshua Peck **seconded** the motion as printed in the agenda.

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

DECISION

This Council notes:

- There is a rich variety of historic buildings in our Borough that add immense value to our community.
- That Tower Hamlets’ “Local List “was compiled in 1973, alongside the Borough’s Statutory List.

- That although it has been added to over the years, the Council's Local List is not a complete list of all non-designated heritage assets in the Borough.
- Heritage and community assets, in particular pubs, play an important role in our Borough, helping to provide local character, strengthen social networks, contribute to the local economy and provide an important focal point for local communities – hosting events, clubs and meetings that are necessary for community cohesion.
- Once heritage and community assets are gone it is impossible to bring them back.

This Council believes that:

- The protection of heritage and community assets must be a core consideration in the borough's approach to regeneration and development.
- Developers should consult with local heritage and conservation groups early enough in the stages of a planning application to shape those applications appropriately.
- Tower Hamlets would benefit from a review of policies to mitigate against harm to historic fabric by developers, before planning applications reach the Committee stage.
- Soaring property prices and gaps in planning law mean that many local heritage and community assets can easily be turned into a supermarket, flats or even demolished.
- Heritage and community assets must be protected from wilful neglect and property speculation.

This Council resolves:

- To revise the Local List in its entirety as soon as possible, to include all non-designated heritage assets and historic public houses.
- To establish a process whereby local residents can make additions to the Local List easily.
- To create a local "Heritage at Risk Register" incorporating all at risk buildings on the Local List.
- To take a proactive stance in monitoring the condition of historic local buildings on a local "Heritage at Risk Register" through the use of notices issued by the Planning Enforcement Team.
- To protect community assets under threat from change of use by "Article 4 Directions".
- To implement a specific pub protection policy to be incorporated into the Local Plan as well as a separate policy to enhance community infrastructure.

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

Motions 12.1, 12-2, 12.4, 12.5, 12.7, 12.8 were not debated due to lack of time.

The meeting ended at 10.35 p.m.