

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.00 P.M. ON WEDNESDAY, 18 JANUARY 2017

**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 Amy Whitelock Gibbs
- Councillor Rachel Blake.
- Councillor Shafiqul Haque
- Councillor M. Abdul Mukit.
- Councillor Oliur Rahman
- Councillor Gulam Kibria Choudhury

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

Councillor Peter Golds declared a personal interest in Agenda Item 5.2 - Petition relating to Island Health Trust. This was on the basis that the Councillor was a patient at the Island Health Centre and was a member of the Patients Panel.

3. MINUTES

Councillor Mahbub Alam **moved** and Councillor Gulam Robbani **seconded** an amendment to the minutes to request that a statement detailing the reasons for the Independent Group's walk out of the 21 September 2016 Council meeting be attached to the minutes.

The amendment was put to the vote and was **defeated**.

DECISION:

1. That the unrestricted minutes of the Council meeting held on 5 December 2016 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 Speed Humps at Stainsby Road

Richard Caley addressed the meeting and responded to questions from Members. Councillor Ayas Miah, Cabinet Member for Environment then responded to the matters raised in the petition.

DECISION:

1. That the petition be referred to the Corporate Director, Place for a written response within 28 days.

(**Action by:** Aman Dalvi, Corporate Director Place).

5.2 Petition relating to Island Health Trust

Doris Joyce Penn and Adam Allnutt addressed the meeting and responded to questions from Members. Mayor John Biggs then responded to the matters raised in the petition.

DECISION:

1. That the petition be referred to the Corporate Director Health Adults and Community, for a written response within 28 days.

(**Action by:** Denise Radley Corporate Director, Health, Adults and Community)

5.3 Petition relating to Council Tax reduction

The petitioners did not wish to present their petition and so it was referred to the Corporate Director for a written response.

DECISION:

1. That the petition be referred to the Corporate Director Resources for a written response within 28 days.

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

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

The following question followed by a supplementary question was put and was responded to by the relevant Executive Member:-

6.2 Question from Ahmed Hussain about taxes & fees.

Question 6.1 was not put due to the absence of the questioner. A Written response would be provided to the question.

(**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 respective 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 supplementary questions were put (except where indicated) and were responded to by the Mayor or relevant Executive Member:-

8.1 Question from Councillor Clare Harrison about the Council Tax Reduction Scheme. (No supplementary question was put.)

8.3 Question from Councillor Andrew Cregan about litter and fly tipping prevention. (No supplementary question was put.)

8.4 Question from Councillor Julia Dockerill about the London Dock and Westferry free school sites.

8.5 Question from Councillor Helal Uddin about the Tower Hamlets Education Partnership. (No supplementary question was put.)

8.6 Question from Councillor Abdul Asad about Old Ford Housing.

8.7 Question from Councillor Danny Hassell about the Old Flo statue.

8.8 Question from Councillor Ohid Ahmed about drugs and drug-related crime.

8.9 Question from Councillor Amina Ali about homelessness support.

8.10 Question from Councillor Peter Golds about repair works on Manchester Road.

8.11 Question from Councillor John Pierce about the Whitechapel Public Spaces Prevention Order.

8.12 Question from Councillor Rabina Khan about Tower Hamlets Children's Centres.

8.13 Question from Councillor Candida Ronald about the new school funding formula.

8.14 Question from Councillor Mahbub Alam about the Mayoral Advisors

Question 8.2 was not put due to the absence of the questioner. Questions 8.15- 8.27 were not put due to lack of time. Written responses would be provided to the questions.

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

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

9.1 Report of Cabinet: Council Tax Reduction Scheme

The Council considered the report of Corporate Director, Resources regarding the Council Tax Reduction Scheme. Additional papers for this item were circulated to all Members in an addendum to the Agenda.

Under Council Procedure Rule 14.1.8.1 Councillor David Edgar, Cabinet Member for Resources **moved** and Mayor John Biggs **seconded** an amendment to the recommendations requesting that should the Council make any amendments to the scheme tonight or if there were any technical changes subsequently that took place in relation to matters in the scheme, that the Corporate Director, Resources be authorised to make any technical changes to the draft Local Council Tax Reduction Scheme to ensure that the Council's approved scheme is adequately reflected and implemented

The amendment was put to the vote and was **agreed**.

Following further debate, the recommendations as amended were put to the vote and were **agreed**.

DECISION:

1. That the continuation of the current Local Council Tax Reduction Scheme for 2017/18 be approved which retain the 100% support for working age households within the LCTRS scheme but that the scheme is changed to reflect the following:

(a) the period for which backdated claims for LCTRS can be made will be one month;

(b) the length of time LCTRS claims can continue whilst the recipient is abroad will be 4 weeks;

- (c) the Council introduces a scheme in addition to LCTRS to help applicants suffering exceptional hardship;
 - (d) households with non-dependants income above £370.50 per week will be excluded from support and non-dependant deductions will apply to all other non-dependants with income below £370.50 per week (as set out in appendix 1 of the Cabinet report);
 - (e) an assumed income for self-employed earners where their self-employment earnings after one year is declared at below equivalent minimum wage levels, minimum wage levels will be assumed in the assessment of LCTRS;
 - (f) the savings limit is to be lowered to £6k from £16k in order to qualify for LCTRS.
- 2 That the revised Local Council Tax Reduction Scheme for 2017/18 (which includes the changes at 1 above) be adopted.
3. That the Corporate Director Resources be authorised to make any technical changes to the draft Local Council Tax Reduction Scheme to ensure that the Council's approved scheme is adequately reflected and implemented.

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

9.2 Report of Cabinet: Late Night Levy

The Council considered the report of the Corporate Director, Place on the proposed Late Night Levy. The Council noted that the Mayor in Cabinet on 10th January 2017 agreed the recommendations subject to bringing forward the proposed start date to 1 June 2017.

Following debate, the recommendations were put to the vote and were **agreed**.

DECISION:

- 1. That the Late Night Levy be adopted;
- 2. That the levy commencement period should be the 1st June 2017.
- 3. That the commencement time should be from midnight
- 4. That the income from the levy, less collection costs, should be allocated through the Community Safety Partnership.
- 5. That Members of the Best Bar None Scheme receive a 30% reduction from the levy.

6. That the following premises would be exempt from the levy:
- Premises with overnight accommodation
 - Theatres and Cinemas
 - Bingo Halls
 - Community Amateur Sports Clubs
 - Community premises
 - Premises opening past midnight for New Years Eve only
7. That the following licensed premises would not be exempt from the levy, as :
- Country Village Pubs
 - Premises in Business Improvement Districts
 - Premises that receive a small business rate relief

(Action by: Aman Dalvi, Corporate Director, Place)

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 Standards (Advisory) Committee - Appointment of Independent Co-opted Member

The Council considered the report of the Acting Corporate Director, Governance and Interim Monitoring Officer proposing the appointment of an Independent Co-opted Member to the Standards (Advisory) Committee

DECISION:

- (1) That the appointment of Ms Fiona Browne as an Independent Co-opted Member of the Standards (Advisory) Committee be approved for a term of office of four years to expire on 31 January 2021.

(Action by: Graham White, Acting Corporate Director, Governance and Interim Monitoring Officer)

11.2 Overview and Scrutiny Committee - Appointment of Co-Opted Members

The Council considered the report of the Acting Corporate Director, Governance and Interim Monitoring Officer proposing the appointment of Overview and Scrutiny Committee - Co-Opted Members.

DECISION:

1. That the following nominations for co-optees of the Overview and Scrutiny Committee be approved
 - a. Dr Philip Rice as the Church of England diocese representative;
 - b. Victoria Ekubia as the Roman Catholic diocese representative;
 - c. Asad Jaman as the Muslim faith representative; and
 - d. Shabbir Ahmed Chowdhury, Christine Trumper and Fatiha Kassouri as parent governor representatives.
2. That the appointments above will take effect immediately and will be reviewed following the Council elections in May 2018.

(**Action by:** Graham White, Acting Corporate Director, Governance and Interim Monitoring Officer)

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

12.9 Motion regarding Island Health Trust

Councillor Dave Chesterton **moved** and Councillor Candida Ronald **seconded** the motion as printed in the agenda.

Councillor Peter Golds **moved**, and Councillor Chris Chapman **seconded** a friendly amendment to the motion as set out below:

Delete all after item 7 and insert:

8. There are concerns across the Isle of Dogs regarding the management of the IHT
9. These concerns need to be investigated

The Council believes that:

1. The Island Health Trust are considered to be local assets and should be considered as such
2. All funds held by the IHT are considered as public assets
3. To restore confidence locally trustees should be local with ties to the diverse community of the Isle of Dogs

The Council resolves to:

Refer the motion to the legal and adults services to establish the current situation and to bring forward recommendations to restore local accountable to this valuable asset

Councillor Dave Chesterton and Councillor Candida Ronald indicated that they accepted the addition of point 9 as an extra numbered point under 'This Council Notes' and the addition as extra numbered points of 1-3 under 'This Council Believes That:' and altered their motion accordingly.

Mayor John Biggs proposed an amendment to the above resolution requesting:

That the Mayor and the Council's Senior Management Team in consultation with local Councillors and the Lead Members responsible for health explore the issues and carry out an investigation into the matters.

Councillor Dave Chesterton and Councillor Candida Ronald indicated that they accepted this further amendment and amended their motion accordingly.

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

DECISION:

The Council notes;

1. The Island Health Trust is the 'Landlord' for the Island Health Centre, located alongside the ASDA store on East Ferry Road, Isle of Dogs;
2. The Island Health Centre came about through a campaign by local people in the 1980s;
3. The Island Health Centre has been funded through a mixture of loan finance and grants from the London Docklands Development Corporation and Tower Hamlets Council;
4. The Island Health Trust's (Landlord's) main sources of income are the rent paid by the NHS and service charges paid by the Doctors. From this, the Landlord has accumulated a surplus of some £1.3m;
5. In spite of holding these substantial reserves the Landlord is charging the Practice an unaffordable service charge, equivalent to the salaries of two doctors. The Practice has now been forced to vacate the first floor of the Health Centre because it can't afford these charges. The Schools' Psychiatric Service has also been forced to move out and the Massage Therapy curtailed because of the high costs, more services are likely to follow;

6. For the first 25 years of its life the Island Health Trust (Landlord) was managed by local Trustees. Any surplus generated was used to fund local health initiatives through a modest grants programme;

7. This changed on 1 April 2016 when the Chair, Suzanne Goodband, appointed a new board entirely made up of people with no local connection: Leonie Hirst, Christian Woodhead, Barak Maoz and Ruth Brannvall (a resident of Sweden);

8. The Trust has ambitions to demolish the Island Health Centre and exploit this valuable site. They are seeking the Practice's consent to vacate the Centre to unidentified temporary accommodation to facilitate this development.

9. Serious allegations have been made by a former Trustee relating to governance and financial management of the Trust; including Trustee personal pecuniary advantage. These have been passed by the Mayor to the Charity Commissioners for investigation.

10. These concerns needed to be investigated.

The Council Believes;

1. The Island Health Centre and the land upon which it stands are public assets;

2. The £1.3m reserves held by the Island Health Trust are also a public asset;

3. The Island Health Trust must be run by local trustees, and the £1.3m invested to support patients of this Practice and health services for local people;

4. Health services locally are being badly damaged by the Trustees of the Island Health Trust;

5. The attempt by the Trustees to 'asset strip' the Island Health Centre is abhorrent;

6. The Island Health Trust are considered to be local assets and should be considered as such;

7. All funds held by the IHT are considered as public assets;

8. To restore confidence locally trustees should be local with ties to the diverse community of the Isle of Dogs;

The Council Resolves to;

1. To pursue with the Charity Commissioners the serious allegations made by a former Trustee;

2. To press the Island Health Trust to bring the Trust back under governance by local people for the benefit of local people;
3. To protect the patients of the Island Health Centre from the damage being done to local health services by the Trustees of the Island Health Trust.
4. That the Mayor and the Council's Senior Management Team in consultation with local Councillors and the Lead Members responsible for health explore the issues and carry out an investigation into the matters.

(**Action by:** Denise Radley Corporate Director, Health, Adults and Community)

12.4 Motion regarding Government's failure to tackle the social care crisis

Councillor David Edgar **moved** and Councillor Danny Hassell **seconded** the motion as printed in the agenda.

Councillor Muhammed Ansar Mustaqim **moved**, and Councillor Mahbub Alam **seconded** a friendly amendment to the motion as set out below:

Mayor to write a joint letter with other agreeable Group Leaders to the responsible Government Minister, highlighting Tower Hamlets' case.

Councillor David Edgar declined to accept this amendment

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

DECISION:

This council notes:

- That the Association of Directors of Adult Social Services estimates that nationally, between 2010 and 2015, £4.6bn was cut from the adult social care budget.
- The Government's announcement that it would be introducing a £240m national Adult Social Care Grant to help fund the increasing costs of social care.
- That the £240m is nowhere near what is needed to properly resolve the social care crisis.
- The £240m grant is not made up of new money; it is funded by top slicing the New Homes Bonus already given to councils. It is estimated that as a result a third of councils will actually lose money overall as a result.

- The NHB top slice means that Tower Hamlets will lose out on £4.8m of NHB in 2017/18 in order to fund the new adult social care grant but will only receive £1.5m in grant.
- This means Tower Hamlets will actually be £3.3m worse off in 2017/18 as a result of the “extra” funding for social care announced in December. This is the biggest reduction in funding in the country.
- The £3.3m reduction in funding comes on top of £58m savings the council already has to make over the next three years as a result of other government cuts to our budget.
- Government also allowed councils to raise council tax by up to 3% in order to provide additional funding for social care.

This Council believes:

- With an aging and growing population the Government should be looking for long term solutions to the social care crisis, not just moving money around and pretending it is new.
- Ministers need to do far more to meet the funding gap, but moving and relabeling pots of money, which would have gone to councils anyway, as new does nothing to achieve this. It just creates perverse situations where the fastest growing – and one of the most deprived – boroughs in the country actually loses out.
- By giving local authorities little choice but to raise council tax in order to fund social care, the Government is passing the buck and getting local authorities to do its work for it.
- Caring for our vulnerable and older citizens shouldn't be a political football. The government should be working cross-party to find long-term solutions to this care crisis.

This Council resolves:

- To call on the Government to listen to the councils and social care professionals and to properly fund the adult social care system.

(Action by: Denise Radley Corporate Director, Health, Adults and Community)

Motions 12.1 – 12.3, 12.5-8 and 12.10 were not debated due to lack of time.

13. URGENT MOTIONS

The Mayor, Councillor Gulam Robbani and Councillor Rabina Khan all attempted at the meeting to move urgent motions on the proposed change of name at the Osmani School.

Following discussion and a brief adjournment, the Council agree to suspend Procedure Rule 13.1 to enable the following urgent motion to be debated without notice:

13.1 Motion regarding the proposed change of Osmani School name

Mayor John Biggs **moved** and Councillor Sirajul Islam **seconded** a procedural motion to enable an urgent motion regarding the proposed change of Osmani School name to be considered.

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

RESOLVED

This Council notes:

1. The Governors of Osmani School have written to parents stating their intention to change the school's name to Vallance Primary School with effect from September 2017.
2. Osmani School recently underwent a positive OFSTED inspection and has been an established community school for over thirty years.
3. Neither councillors nor the Mayor were consulted on this change in advance.
4. Changing the name of a school is down to the Governing body and the council has no power to veto over it.
5. The mayor and numerous councillors of different political groups have already spoken out against the change, expressing their disappointment and concern.
6. Government education policy means schools increasingly have to compete with one another for pupils and that those who do not get sufficient pupil numbers are at risk of becoming financially unviable.
7. A number of schools face a challenge filling their nursery rolls in the west of the borough at present.
8. The name of the school Osmani Primary School is based on M.A.G Osmani who was a well-known Army Officer who fought in World War II for the British Armed forces and is known as Bangabir – Brave Bengali Freedom Fighter.
9. The school was opened in May 1986 on the site of the former Lord Montefiore Secondary School and Commander Osmani's name was given to the school to commemorate his contribution in serving in the British Army during World War II and in the liberation of Bangladesh.

10. General Muhammad Ataul Gani Osmani was born 1st September 1918 in an affluent family in Dayamir, a village in Sylhet, Bangladesh. Following his graduation in 1938 he began a career in the Civil Service.
11. There are a number of further protest and community meetings planned and the school's Governing Body will be meeting again on 24th January.

This Council believes:

1. Schools in our community should reflect the vast range of cultures and communities who live locally.
2. General Osmani's name is an important symbol for the Bengali community in Tower Hamlets and there are a number of other schools named after notable people with connections to the borough and its residents.
3. The school's governing body was wrong not to consult with parents ahead of making their decision.
4. Whilst government policy changes and changing demographics mean schools need to do more attract pupils the school should rely on its strong OFSTED results to promote itself not abandoning its heritage.

This Council resolves:

1. To call on the Mayor and other Group leaders to write to the Governors of Osmani school expressing the council's concern at the renaming of Osmani school.
2. To call on the school to run a full consultation with parents at the school on the proposed name change.

(Action by: Debbie Jones Corporate Director, Children's Services/Mayor's Office)

The meeting ended at 10.20 p.m.