

APPENDIX 4

LONDON BOROUGH OF TOWER HAMLETS

DECISIONS OF THE COUNCIL

HELD AT 7.30 P.M. ON WEDNESDAY, 26 MARCH 2014

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

NOTE - AGENDA ORDER

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 Councillors Shahed Ali, Fozol Miah and Helal Uddin.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of Disclosable Pecuniary Interests were made.

3. MINUTES

DECISION

That the unrestricted minutes of the Ordinary meeting of the Council held on 22 January 2014 and the Budget Council meetings held on 26 February and 6 March 2014 be confirmed as a correct record and the Speaker be authorised to sign them accordingly.

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

4. TO RECEIVE ANNOUNCEMENTS (IF ANY) FROM THE SPEAKER OF THE COUNCIL OR THE HEAD OF PAID SERVICE

Please see minutes.

5. TO RECEIVE PETITIONS

5.1 Petition regarding Kobi Nazrul School

Mr Nurul Anim addressed the meeting on behalf of the petitioners and responded to questions from Members. The relevant Cabinet Member then responded to the matters raised in the petition.

DECISION

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

(Action by: Robert McCulloch-Graham, Corporate Director, Education, Social Care and Wellbeing)

5.2 Petition regarding illegal raves in Wapping

Mr Stuart Madewell addressed the meeting on behalf of the petitioners and responded to questions from Members. The relevant Cabinet Member then responded to the matters raised in the petition.

DECISION

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

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

5.3 Petition regarding road safety and traffic calming in Devons Road

The petitioners addressed the meeting on the matters set out in the petition and responded to questions from Members. The Deputy Mayor then responded to the matters raised.

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)

6. TO RECEIVE WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

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

- 6.1 Question from Mr Geoff Juden regarding a garden on Bishopsgate Goods Yard.
- 6.2 Question from Ms Pawla Cottage regarding Columbia Market war memorial.
- 6.3 Question from Ms Shuliy Akhter regarding Sex Establishment and Gambling issues (no supplementary question was put).
- 6.4 Question from Mr Mahbub Alam regarding the cost of Mulberry Place (Town Hall).
- 6.5 Question from Mr Brian Nicholson regarding Watts Grove.
- 6.6 Question from Mr Stephen Beckett regarding the borough's diversity.

Questions 6.7 to 6.15 were not put due to lack of time. Written responses would be provided.

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

7. MAYOR'S REPORT

The Mayor made his report to the Council meeting. The Leader of the Majority Group and the Leader or Deputy Leader of each Minority Group 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 (except where indicated) a supplementary question were put and were responded to by the relevant Executive Member or Chair:-

- 8.1 Question from Councillor Abdal Ullah on the number of 18-24 year olds claiming JSA for over a year.
- 8.2 Question from Councillor Zara Davis on reopening the Thames Path.
- 8.3 Question from Councillor Judith Gardiner to the Speaker of the Council on the number of questions at Council answered by the Mayor.

- 8.4 Question from Councillor Kabir Ahmed on the Council's 'excellent' rating for equalities.
- 8.5 Question from Councillor Motin Uz-Zaman to the Chair of the Development Committee on the number of social homes secured by the Strategic Development Committee and Development Committee.
- 8.6 Question from Councillor Peter Golds on the number of planned high rise buildings in the Borough.
- 8.7 Question from Councillor Denise Jones on the regeneration impact of the London Olympics.

Question 8.8 was not answered at the meeting and Questions 8.9 to 8.23 were not put at the meeting due to lack of time. Written responses would be provided.

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

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

9.1 Community Safety Partnership Plan 2013-16

The Council considered the proposals of the Mayor and Executive for the Community Safety Plan 2013-16.

Councillor Ohid Ahmed **moved**, and Councillor Oliur Rahman **seconded**, the recommendation as set out in the report.

DECISION

To approve the Community Safety Partnership Plan 2013-16 (attached at Appendix 1 to the report) and the priorities set out within it.

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

9.2 Sexual Entertainment Venues Licensing Regime, Policing and Crime Act 2009

The Council considered the report of the Head of Consumer and Business Regulations into the proposal to adopt the legislative scheme for the control of lap dancing and striptease premises in Tower Hamlets.

Further correspondence from legal representatives of local businesses was tabled along with the response of the Council's legal adviser.

Councillor Carli Harper-Penman **moved**, and Councillor Ann Jackson **seconded**, the recommendations as set out in the report.

With the agreement of the Speaker, two representatives of local businesses addressed the meeting.

DECISION

1. To agree that it is appropriate to reconsider whether to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009.
2. To resolve that Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009 shall apply in the London Borough of Tower Hamlets area and which shall come into force on 1st June 2014.
3. To agree the proposed standard conditions in Appendix 2 and to also agree the fee structure in Appendix 3 to the report.
4. To note that the policy in Appendix 1 to the report, which will apply on the application of Schedule 3 in Tower Hamlets, and which supports continued operation of existing premises, including the White Swan.

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

9.3 Free School Meals for Primary Age Pupils - Virement Proposal

The Council considered the report of the Acting Corporate Director, Resources on a proposed virement in connection with the Mayor's Executive Decision to introduce a local scheme for free schools meals for all primary age pupils.

Councillor Alibor Choudhury **moved**, and Councillor Oliur Rahman **seconded**, the recommendation as set out in the report.

Councillor Carlo Gibbs **moved**, and Councillor Sirajul Islam **seconded**, a tabled amendment to the recommendation. Following debate the amendment was put to the vote and was **agreed**. The substantive motion as amended was then put to the vote and was **agreed**.

DECISION

This Council notes:

- There were NO proposals for Free School Meals in the Mayor's original 2014/15 Budget, in fact, in that Budget the Mayor removed the funding already allocated for Free School Meals.

- The Labour Group's Budget amendment was the only one which contained a pledge for Free School Meals.
- Labour's Budget amendment would have fully funded Free School Meals on a sustainable basis and Labour's candidate for Mayor of Tower Hamlets, John Biggs, has pledged to ensure that Free School Meals for all primary school pupils is a priority of his administration.
- After removing funding from his original Budget, the Mayor refused to accept Labour's Free School Meals proposal and on 6th March his supporters voted to block it.

This Council Further notes:

- The Mayor opposed Labour's Free School Meals plan for purely political reasons.
- The Mayor promised to bring a fully funded proposal back to Council for two full academic years.
- The Mayor has broken his promise as the actual proposals before Council are not only for one year only, but are not funded at all.
- The proposed virement is not only totally unfunded, but it raids the Council's emergency reserves which will require over £2.5m in additional service cuts in future years.

This Council believes:

- If the Mayor wanted to invest in Free School Meals he would have included it in his original Budget rather than cutting the already allocated funding.
- Labour's campaign for Free School Meals has attracted widespread support and the Mayor is now desperately trying to save face in light of his opposition to Labour's plans.
- Whilst we welcome the Mayor's conversion to support Free School Meals, it is clear that he has absolutely no idea how to fund this and he is irresponsibly trying to buy his way out of the problem.
- The Mayor's plan to provide skills training for women to work in the healthcare sector could easily be achieved by using the power of the Mayor's office to work with business, third sector and NHS partners to deliver the project on a sustainable basis and not just as a one off.

This Council further believes:

- Budget setting is a matter for Full Council and that any attempts by the Executive to circumvent this process would be unlawful, including through cumulative virements below the £1m threshold;
- This Mayor is endangering the long term financial health of this council with his desperate actions and that it is the responsibility of the council and its elected members to protect tax payers money from this abuse;
- The financial virement protections in the constitution have been agreed by full council and it is full council that should provide clarity on their application;

This Council resolves to amend the report Recommendations to:

Delete the current bullet point and replace with:

- In order to avoid the use of further reserves, which would result in further cuts to services in later years, we will reduce the need to call on reserves over the course of the scheme by granting the mayor the power to implement the following virements:
 - A virement of £1.3m from the Healthcare employment project
 - Virements of £296,000 and £30,000 from the budgets for mayoral advisors and the mayoral car respectively
 - A virement to ringfence £1,050,000 from the efficiencies and any additional funding resulting from the 2015/16 public health grant.

Virement Funding source	Change
2015/16 Public Health Grant funding	£1,050,000
Healthcare employment project allocation	£1,300,000
Mayoral car allocation	£30,000
Cut the Chief Executives cost for mayoral advisors/consultants allocation	£296,000
TOTAL:	£2,675,000

- To instruct officers to bring a draft amendment to the constitution to the 2014 AGM meeting which would act to prevent the Executive from issuing cumulative smaller virements to one budget head which would otherwise exceed the £1m limit requiring approval by Council.
- In the interim, to add a paragraph to the section of the Council's constitution on virements reading:

“Virements for the same budget head, project or substantively similar purpose which are below the £1m threshold should not cumulatively (over a period of three months) exceed the £1m limit without the approval of Council.”

- To highlight to all officers responsible for the interpretation and application of the Constitution that it is Council's view that using cumulative virements which exceed the £1m marker for reporting to Council intentionally breaches the spirit of the Constitution and that from henceforth these should be prevented as is the explicit will of the council.

(**Action by:** Chris Holme, Acting Corporate Director, Resources; and Meic Sullivan-Gould, Interim Monitoring Officer)

9.4 Localism Act 2011 - Pay Policy Statement 2014-15

Council considered the reference from the Human Resources Committee on the Pay Policy Statement 2014/15.

Councillor Carlo Gibbs **moved**, and Councillor Motin Uz-Zaman **seconded**, the recommendations as set out in the report.

DECISION

- 1 To adopt the authority's Pay Policy Statement for the year 1 April 2014 to 31 March 2015 as recommended by the Human Resources Committee and presented at Appendix 1 to the Human Resources Committee report.
- 2 To agree that if any minor changes to the 2014/15 policy statement are required as a result of future government guidance, these amendments be delegated to the Head of Paid Service after consultation with the Service Head (HR and WD), the Chair of the Human Resources Committee and the Monitoring Officer. Should any fundamental changes be required, then the Pay Policy Statement be referred back to the Human Resources Committee for consideration.

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

9.5 Annual report of the Overview and Scrutiny Committee

Council considered the Annual Report of the Overview and Scrutiny Committee.

Councillor Motin Uz-Zaman **moved**, and Councillor Rachael Saunders **seconded**, the recommendation as set out in the report.

DECISION

That the Council notes the annual report of the Overview and Scrutiny Committee for 2013-14.

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

9.6 Executive Mayor's Car

Council considered the report of the Overview and Scrutiny Committee into the use of the Executive Mayor's Car.

Councillor Motin Uz-Zaman **moved**, and Councillor Rachael Saunders **seconded**, the recommendation as set out in the report.

DECISION

To agree the reference report from the Overview and Scrutiny Committee and its recommendations.

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

There was no business under this heading.

11. OTHER BUSINESS

11.1 Review of proportionality and allocation of places on committees

Council considered the report of the Service Head, Democratic Services, on the review of proportionality and allocation of places on Committees and Panels of the Council.

DECISION

1. That the review of proportionality at paragraph 3 of the report be noted and the Council agree the unchanged allocation of seats on committees and panels established for the remainder of the Municipal Year 2013/14 as set out at paragraph 4.2 of the report.
2. That Members and deputies be appointed to serve on those committees and panels in accordance with nominations from the political groups to be notified to the Service Head, Democratic Services.
3. That the Service Head, Democratic Services be authorised to approve the appointment of ungrouped Councillors to any committee places not allocated by the Council to a political group, after consultation with those Councillors and the Speaker of the Council.

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

11.2 Calendar of Meetings 2014/15

Council considered the report of the Service Head, Democratic Services on the proposed calendar of Council and Committee meetings for 2014/15.

DECISION

To approve the proposed calendar of meetings for the municipal year 2014/15 as set out at Appendix A to the report.

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

11.3 Scheme of Members' Allowances 2014/15

Council considered the report of the Service Head, Democratic Services on the Members' Allowances Scheme for 2014/15.

DECISION

To adopt the London Borough of Tower Hamlets Members' Allowances Scheme 2014 as set out at Appendix A to the report.

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

11.4 Investigation into Old Poplar Town Hall - update

Council considered the update presented in the agenda on the Investigation into Old Poplar Town Hall.

DECISION

To note the update.

(**Action by:** Chris Holme, Acting Corporate Director, Resources; and Meic Sullivan-Gould, Interim Monitoring Officer)

12. TO CONSIDER MOTIONS SUBMITTED BY MEMBERS OF THE COUNCIL

12.1 Motion regarding Lutfur Rahman's legacy of failure

Councillor Sirajul Islam **moved**, and Councillor Rachael Saunders **seconded**, the motion as printed in the agenda.

The motion was put to the vote and was agreed.

DECISION

This Council notes:

- That under Lutfur Rahman's leadership:

Jobs

- The number of people long-term unemployed in the borough has risen 23%
- The number of young people aged 18-24 who are long-term unemployed in the borough has more than doubled. (Up 111%)
- During the Olympics there was little discernable impact in terms of the number of young people employed in the borough.

Cleaner Streets

- Residents have reported 24,000 bins as uncollected.
- The introduction of charges for bulk waste collections led to 7,000 fewer bulk collections.
- Street cleaning was cut to only two days a week

Crime and ASB

- Crime is up 1.4% since Lutfur Rahman came to power.
- Over the same period crime in neighbouring in Newham is down 8% and in Barking and Dagenham it is down 10%.
- 20,000 reports of Anti-Social behaviour last year
- Tower Hamlets has the second highest levels of anti-social behaviour in London.
- Between October 2009 and September 2012 robberies were up 50%, knife crime was up 49%
- In the 2013 Annual Residents Survey 41% of people said crime was one of their top three concerns, this was the biggest overall concern from residents.

Housing

- Lutfur Rahman has actually SOLD more Council homes than he has built
 - o 15 built since Lutfur Rahman came to power
 - o 46 homes sold off under right to buy
 - o 14 homes sold off through Lutfur Rahman's asset stripping
- There are over 20,000 families on the borough's housing waiting list
- Plans were drawn up to ship up to 500 families out of London this year.
- 94 vulnerable families have unlawfully been placed in 'temporary' accommodation for more than 6 weeks.
- Only 27 of almost 700 homes on the Olympic Park were allocated to Tower Hamlets families

Cost of Living

- 14,000 families have been hit by the Government's Benefit Cap.
- Lutfur Rahman cut the borough's stretched advice centres to the bone with cuts in their grants of up to 50%
- The cost of privately renting in Tower Hamlets now takes up 60% of the average household income.

Schools

- 30% of secondary school children missed out on their first preference school last year. 157 children didn't get any of their 6 preferences.
- The provision of school places varies significantly between areas. For example in Limehouse, last year only 54% of students got a first preference Secondary School place.
- The school place crisis has been ignored.

Council Finance

- The Council has made no progress on invest to save strategies.
- The Council has developed a budget gap of £80m in coming years.
- Over £18m has been spent on redundancy payments with countless more on out of court 'settlements'

Waste

- £42,000 a year wasted on a vanity chauffeur driven Mercedes
- £296,000 a year wasted on 'mayoral advisors'
- Hundreds of thousands wasted on unnecessary publicity

Contempt

- Residents have had their questions, petitions and expectations ignored.
- Councillors were removed from community organisations with their seats left vacant.
- A Commonwealth minister was banned from visiting the Town Hall during the Olympics

This Council Believes:

- Tower Hamlets is a great place to live and can do so much better than this.
- People feel totally let down by Lutfur Rahman's out of touch, divisive and secretive administration and that a change is needed.
- That the current Mayor is too weak to face up to the real challenges facing this council and the people who live in our borough.
- That John Biggs is the man to make that change.

This Council resolves:

- To condemn Lutfur Rahman for his four years of failure.

12.3 Motion regarding supporting building of the Columbia Market War Memorial

Councillor John Pierce **moved**, and Councillor M.A. Mukit M.B.E. **seconded** the motion as printed in the agenda.

During debate Councillor John Pierce accepted an amendment proposed by Councillor Kabir Ahmed to add, under 'This Council Resolves',:- "To call on the Executive to provide a suitable site within the Sivill House Rose Garden for this memorial".

The motion, as amended, was put to the vote and was **agreed**.

DECISION

This Council Notes:

On the first night of the Blitz, 7th September 1940 a German bomb entered the ventilation shaft of the air raid shelter situated under the Great Hall of Columbia Market which had a glass roof which caused mass devastation and killed at least 51 people.

This Council believes:

This tragedy should be commemorated and a fitting memorial should be erected near the site of the Great Hall to remember the 51 people who lost their lives in this tragedy.

This Council Resolves:

To commemorate the air raid on Columbia Market, Columbia Road, and to support the Columbia Market War Memorial Group with building of the Columbia Market War Memorial.

To call on the Executive to provide a suitable site within the Sivill House Rose Garden for this memorial.

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

Motions 12.2 and 12.4 – 12.11 were not considered due to lack of time.

The Council agreed to suspend Procedure Rule 13.1 to enable an additional, urgent motion to be included on the agenda regarding Former Crown Estate

Tenants. However this urgent motion was also not considered due to lack of time.

The meeting ended at 11.03 p.m.