

Non-Executive Report of the: COUNCIL Wednesday 20 January 2016	
Report of: Director of Law, Probity and Governance Report Title: Motions Submitted by Members of the Council	Classification: Unrestricted

Originating Officer(s)	Matthew Mannion, Committee Services Manager, Democratic Services.
Wards affected	All wards

SUMMARY

1. Nine motions have been submitted by Members of the Council under Council Procedure Rule 13 for debate at the Council meeting on Wednesday 20th January 2016.
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in the previous six months; or which proposes that a decision of the Council taken in the previous six months be rescinded; unless notice of the motion is given signed by at least twenty Members.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 Islamophobia and Anti-Semitism

Proposer: Councillor Oli Rahman

Seconder: Councillor Mahbub Alam

The Council notes:

- The United Nations conventions on the elimination of all forms of discrimination, including religious intolerance, for example, the UN Convention on the Elimination of All Forms of Racial Discrimination (UNCERD), the Treaty Protection of Religious Rights - the elimination of all forms of intolerance and of discrimination based on religion or belief, and the UK laws that prohibit discrimination and hate crimes.
- A recent report to the British Government demonstrating a spike in Islamophobic hate crime of more than 300 per cent in the week following the attacks in France. Most victims of the UK hate crimes were Muslim girls and women aged from 14 to 45 in traditional Islamic dress. The perpetrators were mainly white males.
- There has been a 61 per cent increase in anti-Semitic hate crime in London and 100 per cent rise in Tower Hamlets in 2015.
- A recent newspaper headline – 1 in 5 Muslims supports ‘so-called’ Jihadists - based on a misleading and inaccurate poll – demonstrate how right wing media and others can use inaccurate information and fear to divide people and push them to turn against their fellow human beings.
- A bigoted, inaccurate and divisive comments from a Republican Presidential hopeful in the United States, Donald Trump - to call for ‘a ban on Muslims travelling to the United States’ and ‘parts of London were so radicalised that police feared for their lives’ – which were condemned widely, including the Prime Minister, Mayor of London, Jeremy Corbyn and Tulip Siddiq.
- The petition against Donald Trump has reached 569,778 signatures at the time of writing this petition - the most signed petition on parliament website ever - including many residents of Tower Hamlets, and the Parliament will now debate the issue of barring the Republican presidential candidate from entering UK later this month.

The Council believes:

- This Council opposes the idea that a group of people can become outlawed, given less freedom or treated with suspicion based on their race, ethnicity, or religion; and as such oppose any such person who suggests so.
- Racist, Islamophobes and fascists are attempting to exploit the actions of a very few, a very tiny minority, who have misused the name of a religion but have nothing to do with the true teachings of Islam, in order to whip up Islamophobia, racism and direct hatred against all Muslims, blaming refugees fleeing war zones and scapegoating Muslims everywhere.
- We are at our strongest when we are united, as we must be in the face of increased Islamophobic hate crimes in the wake of Paris and San Bernardino tragedies.

- What holds us together as a community and humanity is bigger than hatred and divisions that others may wish to use in order to divide us.

The Council resolves:

- To call on the right wing media and politicians to stop using inflammatory language that feeds the fascists and racists. We must challenge Islamophobia, anti-semitism and any other form of hatred and discrimination wherever it raises its ugly head.
- To reject those who want to divide our communities and set them against each other, and stand fast to the ideals of mutual respect, humanity, anti-racism, multiculturalism and respect for all.
- To do all in its power to ensure that the authorities, including the police, council and the government, deter these hate crimes, particularly recent rise in Islamophobic attacks and seeks to counter this tide of hatred and bigotry.
- To acknowledge that many far-right and populist right movements and parties which are openly Islamophobic are built around an anti-Semitic basis. Common strategies for action to counter these forces are needed, in a collective and constructive way.
- To write to the Home Secretary and local Members of Parliament to support the petition calling to ban Donald Trump from entering the UK in the parliamentary debate, through a joint cross-party letter, if possible, and a copy of this motion.)
- To work with the Jewish and Muslim advocacy organisations with local presence to combat hate crimes against their faith.
- Explore ways to make positive changes to the council's hate crime strategy – after seeking comments from all stakeholders, including residents and elected members.
- To explore ways of committing ring-fenced funding for No Place for Hate campaign to combat hate crimes, particularly relating to a faith.
- Making positive and effective representation to the Government about parts of the Prevent strategy working with the Jewish and Muslim advocacy groups identified above with local presence.

12.2 Motion to Completely Abolish East End Life

Proposed by: Cllr Chris Chapman

Seconded by: Cllr. Craig Aston

This Council notes:

- The Mayor's decision to halt the fortnightly publication of East End Life and in doing so to comply with the 2011 Code of Recommended Practice on Local Authority Publicity.
- That moving forward from the date of his decision that East End Life will be published no more frequently than quarterly.
- That other local authorities are able to provide information around key services via non-printed media channels at a considerably decreased cost without impact on the delivery of those services.

This Council believes:

- That we should prioritise the allocation of taxpayer's money so as to fund vital services and not the costly dissemination of local authority publicity.
- That in light of the proposed increase in council tax by 4% that East End Life represents wasteful public spending that fails to enhance the standard of living for Tower Hamlet's residents.
- That the Mayor's pledge on this matter during his campaign for office was unequivocal in calling for the publication to be 'scrapped' and that the current changes in publication frequency constitute an opportune juncture at which to deliver upon that pledge.

This Council directs:

- That the Mayor should proceed further than his current decision to comply with the direction and in doing so order the cessation of the publication of East End Life immediately or as soon as is practicably possible.
- That the total cost of East End Life since its inception be calculated upon its closure and made public.
- That alternative dissemination channels be explored to communicate any vital information that was contained within the page of East End Life.

12.3 Motion regarding the Housing and Planning Bill

Proposer: Councillor Rachel Blake
Seconder: Councillor Danny Hassell

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.

12.4 Motion regarding junior doctors and the NHS

Proposer: Councillor Mahbub Alam

Seconder: Councillor Rabina Khan

This Council notes:

- That the government is proposing to cut the pay of so-called junior doctors by up to 15 per cent.
- That the definition of “junior” covers all doctors under consultant grade, meaning that the change affects those with up to eight years of experience on top of their five years of training.
- That this cut is accompanied by substantial changes to the hours worked by doctors and the redefinition of “sociable hours” which means that the new contract include the change of “sociable working hours” from 7am-7pm Monday-Friday, to 7am-10pm Monday-Saturday, which means that hours for which junior doctors are paid a standard rate would increase from 60 to 90 a week.
- That the number of doctors registering to work overseas has increased at an unprecedented rate since the government announced its proposed contract revisions and as a result of these changes the BMA has balloted doctors on strike action with 98% supporting such a move.
- That despite 98% of doctors voting in favour of strike, junior doctors re-entered talks with the Department of Health in December 2015, after strikes were narrowly averted last month amid a decision by junior doctors to cancel planned strike in order to negotiate further, those talks ended on Monday 4 January and, regrettably, without the significant progress junior doctors were seeking. As a result, junior doctors in England will be taking industrial action for the first time in 40 years. They have written to trusts across England informing them of their intention to take industrial action on 12 January, 26 January and 10 February 2016 – with the first two being 24 hours strikes with emergency cover provided and the last one in February with a full walk-out.
- That junior doctors believe that the proposed contract represents an existential danger to the NHS as an institution. They say that the developments of the next few months will have consequences stretching far into the future as this government is wilfully putting at risk the patients’ safety, the tolerability of our working lives as NHS workers and the very viability of the NHS as a publicly-funded, publicly-provided service. They have stated that the public messages of support and solidarity from their allied health worker colleagues, the firefighters, the teaching unions and the TUC have given them hope and strength.
- That the last time doctors went on strike was 1975, underlining the seriousness of the government’s attack on the hard-working, high-skilled medical professionals who are the backbone of the NHS.

- That patients are putting themselves at risk by not attending hospital during the weekend in the mistaken belief – whipped up by the Conservative government – that there are no services available during these times.
- That Conservative Party donors are handed NHS contracts worth £1.5 billion under the guise of health reforms. Circle Health landed £1.36 billion worth of health service work after several of its investors gifted about £1.5 million to the Conservatives, Care UK has contracts worth another £102.6 million and its chairman John Nash was made a peer after boosting Tory coffers by £247,250.

This Council believes:

- That the Tory attack on the pay and working conditions of doctors whose hard work and dedication save thousands of lives every year is inexcusable.
- That the proposals endanger patient safety by requiring doctors to work longer hours.
- That should doctors choose to strike, they should be supported by patients and members of the public who all have an interest in ensuring that the NHS continues to provide the best possible care.
- That areas with high deprivation, where stress on health services is greatest, will suffer disproportionately from the proposed changes.

This Council resolves:

- To ask the Mayor of Tower Hamlets to write to the Secretary of State for Health, on cross party basis, if possible, condemning the proposed changes and to work with health professionals in the borough to resist their implementation.

12.5 Motion regarding This Council should only Debate Issues it has Direct Control Over

Proposed by Cllr. Andrew Wood
Seconded by Cllr. Chris Chapman

This Council notes:

- That this is a London borough council with the standard powers and responsibilities of a London borough.
- That consequently this council has no competence in foreign affairs.
- That the council's Constitution makes no provision for the borough to take decisions in the international sphere.

This Council believes:

- This Council should avoid involving itself in international decisions for which it has no remit so that we can focus on local issues directly relevant to all of our residents.
- That discussion of international affairs at Full Council limits the amount of time Full Council can discuss matters of direct relevance to residents and over which the Council has control.
- That this Council lacks the electoral mandate, legal capacity, supporting institutional framework, committee structure and international responsibility to make international decisions.
- That without the support of dedicated officers to advise us on international affairs we would also risk making poor and ill informed decisions that would reflect poorly on the credibility of the Council; but that further it would be undesirable to spend money on hiring dedicated officers to advise us on international affairs.

This Council directs:

- That Democratic Services remove any petitions, questions (submitted by Councillors or members of the public) or motions which have an international dimension and where the Council has no legal authority to act.
- That the Monitoring Officer exercise her powers under Article 15.01 (c) of the Constitution, to recommend to the General Purposes Committee relevant amendments to the Constitution to bring this motion into effect.
- That the Monitoring Officer draw the attention of the Governance Working Review Group to the passage of this motion.

This Council resolves:

- That nothing in this motion will be construed to prevent the Council from expressing its solidarity or regret at times of international tragedy.

12.6 Motion regarding Bishopsgate Goodsyard

Proposer: Councillor John Pierce

Seconder: Councillor Rachel Blake

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.

12.7 Motion regarding No to (Compulsory) Redundancies in the Mayor's Budget

Proposer: Cllr Rabina Khan

Seconder: Cllr Mahbub Alam

This Council notes:

- That the Mayor's current budget proposals include a cut of ten waste THEOs from the Public Realm - Communities, Localities and Culture Directorate.
- That the function of this service is to monitor the commercial waste refuse and provide a first contact service to customers for commercial waste enforcement, statutory nuisance activities including: identification, assessment reporting, enforcement and monitoring of anti-social behaviour, street cleanliness, street trading and carryout investigations and take enforcement action as required.
- That the large volume of food outlets and markets that are a core part of the local economy generate a considerable deal of waste, which coupled with fly-tipping and other associated issues present a considerable challenge to delivering cleaner and greener streets.
- That the Mayor claims that cleaner streets are among his top priorities.

This Council believes:

- That the full complement, of dedicated waste THEOs, is needed to manage the challenge of commercial waste and associated issues in the borough rather than merely relying on the Fixed Penalty Notices approach.
- That commercial street waste is regrettably not just 'matter of perception', as the current proposal seems to claim, and what residents of Tower Hamlets experience about the problems of waste is not to be dismissed.
- That the cuts proposal was insufficiently consulted upon.
- That trade unions and others have raised serious concerns.
- That no Council, least of all a Labour-run Council, should base a budget on making its workers redundant, especially when a strong case for their retention clearly exists.

This Council resolves:

- To ensure that all proposals that have an impact on council staff are fully consulted upon with trade unions, the public and affected service area, including employees/teams that are being affected or being passed the additional workload, and the results be made public and readily available to residents.
- To delete the cut of ten THEOs (waste) from the Mayor's budget proposals.

- To include a clear 'no (compulsory) redundancy guarantee' within the budget proposals as has been the case for last many years.
- To ensure trade unions, public, relevant staff and members are fully consulted with and feedback taken on board, particularly, with any decision relating to job cuts and redundancies.
- To make every effort to reduce the number of possible overall redundancies, in addition to 'no compulsory guarantee'.

The Council will explore, in detail, each of the following alternative mechanisms:

- Providing first opportunity to internal staff at the risk of facing redundancy - any vacancy should be first offered only to the staff at the risk of redundancy before using agency staff or advertising externally.
- Retiring all employees at the normal or default retirement age.
- Natural wastage.
- Retraining and redeployment to other parts of the organisation.
- Filling vacancies among/from existing employees.
- Where possible, introducing short-term, flexible working arrangements or temporary layoff (where this is provided for in the contract of employment or by mutually agreed variation of its terms).
- Seeking applicants for early retirement, or voluntary redundancy to avoid compulsory redundancy.
- Consider the broader recruitment approach relating to the employment of temporary, agency, consultants or contract staff to ensure permanent staff at the risk of compulsory redundancy are offered alternative posts.

12.8 Motion regarding this Council should urgently rethink a 20mph Policy

Proposed by Cllr. Peter Golds
Seconded by Cllr. Julia Dockerill

This Council notes:

- The requirement to make roads safer for all road users.
- That as elected representatives, street safety is one of the issues members are most frequently contacted about by residents. From recent representation, it is apparent that there is a lack of effective enforcement of the 20mph speed limit in the borough.
- That the 20 mph limit does not appear to have been enforced and police vehicles and TfL buses have been observed driving at 30mph in 20mph zones.
- The reduction in speed of emergency response vehicles that can only drive legally at twice the normal speed limit when on emergency call.
- The need to balance the needs of the 43,589 residents of Tower Hamlets who have a car or van and the needs of other road users especially cyclists.
- That only 187 people responded to last year's consultation on the 20 mph limit.
- The current haphazard implementation of new pedestrian crossings in odd locations with no overarching strategy.
- The closure of sidewalks to allow construction with no alternative routes provided to pedestrians.
- The examples of Wapping, where speeding by cars, commuter coaches and construction traffic in the morning rush hour is left unpunished, along with night-time joy-riding by groups of young men; and the Isle of Dogs, where speed cameras on the main carriageways are creating a greater gap between the fastest and slowest vehicles on the road, more overtaking of vehicles and vehicles slowing down abruptly.
- The recent announcement by Mayor of London, Boris Johnson that our borough is to receive an additional £2.8 million to make our streets safer.

This Council believes:

- That the aspiration the borough-wide 20mph speed limit would be 'self-enforcing' has not been fulfilled and without resident buy in and police enforcement it has no credibility.
- We need to be much more targeted, proactive and flexible in addressing trouble spots that residents bring to our attention, working closely with the Metropolitan Police's traffic teams.
- That we need to look at physical and engineering changes to our roads, roundabouts and crossings to make them safer.

This Council requests:

- The careful use of the Mayor of London's grant not simply to entrench the 20mph limit but to undertake regular assessment of danger spots in our borough and more ad hoc enforcement operations, such as during rush-hour in Wapping.
- Identify future pedestrian flows from new developments, working to anticipate where we will require safe road crossings; and
- In the spirit of localism, request that Mayor Biggs investigates Community Speed Watch initiatives, in which residents are empowered to help with enforcement in trouble spots and properly involve residents in the decision on whether to extend, amend or end the 20 mph test limit.

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

Proposer: Councillor Andrew Cregan

Seconder: Councillor Joshua Peck

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.