

Non-Executive Report of the: COUNCIL 21 September 2016	
Report of: Graham White, Interim Service Head, Legal Services and Deputy Monitoring Officer	Classification: Unrestricted
Motions submitted by Members of the Council	

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

SUMMARY

1. Seven motions have been submitted by Members of the Council under Council Procedure Rule 13 for debate at the Council meeting on Wednesday 21 September 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in the previous six months; or which proposes that a decision of the Council taken in the previous six months be rescinded; unless notice of the motion is given signed by at least twenty Members.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 the Housing and Planning Act

Proposer: Councillor Andrew Cregan

Seconder: Councillor Sirajul Islam

This Council Notes that:

1. The Housing and Planning Act ('the Act') received Royal Assent on 12th May 2016.
2. The Council debated and supported a motion (20th January 2016) which called on the Mayor and all Councillors to actively campaign to highlight the disastrous consequences of the then Bill; and called on the Mayor to give full consideration to finding meaningful, genuinely affordable housing solutions for Tower Hamlets.
3. The Mayor and/or Cabinet Members have subsequently attended public meetings organised by 'Kill the Bill' on the Cranbrook, Collingwood, Ocean estates and outside Albert Jacob House and confirmed their commitment to attend others as invited.
4. LBTH Officers have attended public meetings on Collingwood and Ocean estates to set out the technical aspects of the Act.
5. The Mayor launched the Housing Strategy consultation which closed on 31st July
6. East End Life, Our East End, and 24 Hour Housing have all published articles setting out the Mayor's opposition to this Act and his response to the impact.
7. An all members briefing on the Draft Housing Strategy including the impact of the Housing and Planning Act was held on 2nd June 2016.
8. The Housing and Regeneration Mayors Question Time in Poplar included an officer briefing for residents on the Housing and Planning Act.
9. An article in THH newsletter and information has been circulated to all RPs for their newsletters.
10. The Tower Hamlets website features a detailed summary of the Act and the impact on Tower Hamlets at http://www.towerhamlets.gov.uk/ignl/housing/Housing_and_Planning_Act.aspx
11. LBTH has responded to Government consultations on details of the Act and responses are available at http://www.towerhamlets.gov.uk/ignl/housing/Housing_and_Planning_Act.aspx
12. In order to fully prepare for the impact of the Act, further guidance is required from Government regarding the implementation.
13. The Council is organising a Housing Strategy Conference for residents on 1st October 2016 to discuss the Council's future Housing Strategy, responding to the Housing and Planning Act.

This Council believes that:

1. The Housing and Planning Act represents a Conservative attack on the diverse communities in Tower Hamlets and it will significantly impede the council's ability to provide adequate affordable housing for families in the borough.
2. The Tory 'Pay to Stay' policy will drive up rents and have a devastating effect in Tower Hamlets.
3. The Government should publish guidance on the implementation of 'Pay to Stay' and 'Sale of High Value Voids' to allow Councils to fully prepare.

This Council calls on:

1. The Mayor to write to the Minister of State for Housing and Planning setting out the impact of the uncertainty over the Act.
2. Our local Labour MPs to raise questions in Parliament about how the Act will be implemented and how it will impact Tower Hamlets.

12.2 Motion regarding cuts to the Community Languages Service (CLS)

Proposer: Councillor Oliur Rahman
Seconder: Councillor Ohid Ahmed

The Council notes:

The Community Languages Service (CLS) of Tower Hamlets provide and support classes and activities which are open to children aged five to 16 who live in Tower Hamlets or attend a mainstream school in Tower Hamlets. The classes are held in 70-plus venues across the borough including primary and secondary schools, Idea Stores, local community centres, churches and mosques. The language classes are available in Cantonese, Mandarin, French, Bengali, Cantonese, Somali, Arabic, Lithuanian, Mandarin, Urdu, Portuguese, Vietnamese and Urdu. 46 out of these 72 are tutor-funded by the Council.

CLS also provide Early GCSEs and Early A Level in languages for 11 to 14 years' olds in taking early GCSEs in either Arabic, Cantonese, Mandarin, Bengali, Urdu and Spanish, which was introduced in September 2009 with funding from ESCW. The EGCSE and EA-Level programmes provide an excellent value for money to the Council.

Another important aspect is the Modern Foreign Languages (MFL) service to mainstream schools through trade-in generating an income of around £140K per year. This should be coordinated and be considered to be brought back to CLS as its natural and previous home with a view to bring in more income to the Council.

First Language Assessment (FLA) for newly arrived and under achieving children are also provided by CLS, who offers this service to schools for all newly arrived and underachieving children and young people, across the four key stages.

In order to stop the cuts, the residents arranged a well-attended meeting on Friday 26th August at 6 pm and a petition signed by over 2,500 TH residents is expected to be submitted to the Council. This petition has attracted a record number of signatories and clearly demonstrate a groundswell of anger and frustration with the decisions and direction of the Council under its austerity-embracing current Mayor John Biggs.

The Council believes:

The Community Languages Service (CLS) and its activities provide excellent support for out of school languages, cultural learning and citizenship education in partnership with schools and voluntary organisations (partners).

These cuts - very much like current mayor's incompetent Tory-like budget and his new proposed cuts to hugely critical public health provision and youth centres since then - by John Biggs' administration, is yet another example of how far removed he and his politics are from the values, principle and politics of his party leader, Jeremy Corbyn.

This cut is a continuation of his politics of brutal cuts and will have a significant negative impact on young people and the provision of learning French, Arabic, Bengali, Cantonese, Lithuanian, Mandarin, Portuguese, Somali, Spanish, Urdu and Vietnamese.

In particular, the provision for learning Bengali, Somali, Urdu and Chinese will be eliminated due to the socio-economic and poverty-driven factors depriving local children

and youth from another important learning resource, after the current mayor John Biggs chose to close their youth centres and made drastic cuts to children services budget.

These irresponsible cuts include but not limited to the post of Head of CLS (approximately £80k), cuts to Early GCSE provisions (£160k), and transfer of Modern Foreign Languages service to ESCW (approximately £150k).

In addition, learning hours have been cut from 44 weeks to 38 weeks, and then 36 weeks, and now further plans are being made to cut learning weeks and hours this year. (cut of approximately £50k) – reducing the CLS budget from £1.1 million from the previous year to about £700k now, which would eventually affect 3,000 young learners in the borough.

The Council resolves:

To impress upon the Mayor to understand the consequences of his brutal cuts which are completely against the values of labour movement and his party leader, Jeremy Corbyn and his anti-austerity politics.

To work with all stakeholders, particularly parents and community groups to find an alternative solution, which must take into account the following key points:

The Community Languages Service (CLS) should stay as an independent service which should be able to maintain its own budget at tier 3 council service level as it has been for over thirty years until it was transferred to Idea Store in 2015;

The CLS has been downgraded to tier 5 under the new management arrangement with Idea Store which is unjustified and not acceptable. It is also not acceptable that Idea Store, which caters to adults and families and have very little in common with the work and programme of the CLS have been given the task of managing the CLS budget and its affairs;

The CLS should be taken back to Children's Service (ESCW) as was the case previously;

The early GCSE provisions for different community languages should continue as it has been providing fantastic learning opportunities for pupils in Tower Hamlets since 2009.

The learning of community languages should continue to be available for, at least, 38 weeks per annum in all tutor-funded CLS schools in Tower Hamlets; and

Modern Foreign Language (MFL) provision should be brought back under the CLS and improved to generate more income for the Council.

12.3 Motion regarding the 2016 Carbuncle Award

Proposer: Councillor Andrew Wood
Seconder: Councillor Chris Chapman

This council calls upon the current administration to ensure the highest architectural quality of new build after Lincoln Plaza in Canary Wharf ward received the 2016 Carbuncle Award for the worst new building in the UK from Building Design magazine.

Building Design editor Thomas Lane described it as "the worst building amongst a swathe of mediocrity" in the South Quay area of the Docklands.

"There is a pressing need for more homes in London and further afield. Lincoln Plaza is the type of project that gives high-rise housing a bad name, making it more difficult to persuade communities to accept new housing," the jury added.

The Council also notes one of the judges described the development in the following terms;

"But, of course, this development does not show contextual contempt by words but by actions and it is these architectural actions and not the aforementioned "views" that are truly "breath-taking". Lincoln Plaza is a putrid, pugilistic horror show that should never have been built. In its bilious cladding, chaotic form, adhesive balconies and frenzied facades, it exhibits the absolute worst in shambolic architectural design and cheap visual gimmickry."

"Essentially, this building is the architectural embodiment of sea sickness, waves of nausea frozen in sheaths of glass and coloured aluminium that, when stared at for too long, summon queasiness, discomfort and, if you're really unlucky, a reappearance of lunch as inevitably as puddles after a rainstorm."

The council notes:

That the visual 2D images available to SDC on the 19th July 2006 when the application was first granted planning permission look very different from the final delivered project. That a better understanding of the architectural design would have been available had a 3D images or model been supplied including neighbouring developments so that an understanding of the design in its context been available to members of the Strategic Development Committee that made the decision.

Therefore:

The council requires that for the next stages of development on the Isle of Dogs and the Borough, that designs presented to residents in the consultation process and Tower Hamlets Council development committee's when planning permission is sought are more closely followed and that subsequent material changes in the architectural design & layout are subject to fresh planning permission by the Council's development committees.

The Council concludes that:

Tower Hamlets Council should aspire to the highest levels of architectural quality, that the quality of the built environment has an important role in the quality of life of all of our residents.

12.4 Motion Regarding Increasing Organ and Blood Donation in Tower Hamlets

Proposer: Councillor Clare Harrisson

Seconder: Councillor Amina Ali

This Council notes:

1. Organ and blood donation is vital to save and improve lives in Tower Hamlets and beyond
2. That there are currently not enough donated organs for the people who need them and as a result over the last financial year over 1,300 people either died whilst on the waiting list or became too sick to receive a transplant
3. There is a particular shortage of organs donated by people in BME communities. Because ethnicity is important in an organ transplant being successful, this means that a disproportionately higher number of people from BME communities die whilst on the list
4. Ethnicity is vital in the success of blood transfusions too. When someone has to have multiple transfusions, for example in cases of sickle-cell anaemia, blood that is not ethnically matched can lead to resistance to new blood
5. In Tower Hamlets the percentage of people on the organ donation register is only 22.05% of the population. The percentage of people who give blood is only 1.06%.
6. Newham Council, by partnering with the NHS Blood and Transplant Service, increased their sign-ups to the Organ Donor Register by 332% last year.

This Council believes:

1. That we should be doing more to increase the number of people on the organ donor register and the numbers giving blood
2. That as a Borough with a highly diverse population we have a real opportunity to help address shortages of BME blood and organs
3. That working with other partners we can save more lives across all our different communities.

The Council resolves:

1. To approach the NHS Blood and Transplant Unit to establish a partnership and develop our own local action plan
2. To work with local organisations, including local health trusts, CCGs, and community groups to deliver the action plan and to reach out to a wide range of communities in a sensitive and appropriate way
3. To promote organ and blood donation across the Council; for example in Idea Stores, One-Stop-Shops, and to Council staff

4. To investigate as to whether we can include registering for organ donation as part of our electoral registration process.

12.5 Motion regarding the future of the Tower Hamlets Youth Service

Proposer: Councillor Gulam Robbani

Secunder: Councillor Oliur Rahman

This Council notes that:

1. Former Mayor Lutfur Rahman had a positive vision for the Youth Service which was expressed, for example, at the Cabinet in April 2012:

“He considered that what really mattered were the young people of Tower Hamlets who represented the future of the Borough and that youth services were provided that benefited them. It was his intention as Mayor that young people in Tower Hamlets received the best youth services and best education possible.”

2. That the main motivations of bringing the Youth Service back in-house were:
 - to save money on duplicating management functions and re-invest it in the front line of the service;
 - to respond to the Government’s localism agenda;
 - to strengthen the Council’s partnership agenda;
 - to obtain extra value by, for example, the youth service working effectively.
3. That although bringing the Service back in-house was a decision of the Executive Mayor, councillors were able to discuss the transfer openly within Council structures – for example, Cllr Oliur Rahman was able to explain the decision to the April meeting of the Overview and Scrutiny Committee, at which Cllr Rachael Saunders declared a personal interest on this item as she had “been in receipt of information from some of the service providers managing the contract in question.”

This Council further notes that:

1. The current Mayor’s intention to make a fundamental change in the way that the Youth Service is run (initially on an interim basis) was not mentioned at the Cabinet on 10th May 2016, although planning must have been well underway by then.
2. The Mayor’s intention to make this fundamental change was set out in a briefing paper from the Mayor’s office dated 12th May 2016 which was circulated to all councillors.
3. This paper stated that the interim delivery plan would begin in July, which clearly precludes any wider member involvement (indeed, the paper refers to the decision having been developed in discussion with John Biggs and Cllr Saunders) and a future delivery model will be in place from April 2017 (and there will be full member involvement in options for this model, but how this will happen is not explained).
4. This paper also stated that a gap analysis is underway with a view to there being a programme of procurement and commissioning in June 2016 targeted at local third sector organisations.

5. This paper also states that it is the intention to offer youth services for the rest of this financial year from only eight venues in the borough – despite the fact that youth are often very reluctant to travel far to a formal provision. The paper states that the Council intends to offer an outreach service to encourage you to travel to the formal provision and also to rely, in the interim, on whatever additional services are provided in an un-co-ordinated manner by local charities or voluntary organisations.

This Council further notes that:

1. The Mayor's decision was revealed at the Council's Annual Meeting on 18th May 2016 by Cllr Rachael Saunders in what appeared to be an unplanned announcement. This included Cllr Saunders reading out an email from her mobile phone but not saying who had sent her the email (in sad contrast to her previous openness about who was briefing her).
2. Cllr Saunders stated that "The service has faced allegations of fraud and corruption" and other serious allegations. She also said that "Investigations into these serious allegations are ongoing," and that the Youth Service does not have the capacity to deliver as much as it has in the past. She stated that "we" were working out a service plan which would be based on reduced capacity and on when that had been developed would consideration be given to identifying and filling gaps. She expected the identification of gaps to be finished by June (a couple of weeks after she was speaking) – but did not mention John Biggs's intention to fill these gaps by contracting out parts of the service to third sector organisations (or who, in the event of this being done, would manage these organisations).
3. The Council Communications Office issued a press release on 26th May referring to the change only having been prompted by "historic shortcoming". This announced that an interim delivery model would be adopted "by the summer". It gave details of the interim delivery model and stated that young people's views had been listened to throughout the review process. (The members have yet to see a concrete tangible and evidence of that)
4. There have been a number of reports in the local press since the Council AGM which have reported the detail of various allegations – presumably either on the basis of their own imaginations or on the basis of briefings from unknown parties in the Council which have not been shared with all councillors.
5. That as a result of the way the Mayor and relevant Cabinet Members have dealt with this issue, it is entirely unclear what is happening to the youth service – which has led to a great deal of serious concern among service users and in the wider community.

This Council believes that:

1. If and when there are allegations of corruption or other serious malpractice, these should be investigated in accordance with Council procedures and individuals should be dealt with appropriately. (Independent Group fully supports this approach and have publicly offered to work together for the benefit of young people of Tower Hamlets).
2. That if a service is to be reviewed in order to spend or save money by cutting certain provisions, and/or deliver the service more efficiently or effectively, this

should be discussed openly, including with councillors and services users and the wider community rather than playing politics or blame-game.

3. (1) and (2) above should not be confused.

This Council further believes that:

1. The current position, in which the Administration appears to have responded to allegations against individuals by pre-emptively altering the service as a whole, and in which the Youth Service is to be run on an interim delivery model based on reduced capacity and enhanced by some sort of ad-hoc procurement, is ill thought out and poorly planned.
2. The interim service delivery model will, for the rest of this financial year, lead to an increase in Anti-Social Behaviour across the Borough – to the irritation of the whole community, for whom this is already a massive problem.
3. The interim service delivery model will, for the rest of this financial year, incur a risk of extra spending on management and quality assurance of the service – risks which have not been addressed in the little documentation available or in such public statements as have emerged.

This Council resolves that:

1. The current Mayor, John Biggs, should honour his commitment to govern in a transparent manner and he should put on the public record a full account of what has been going on, including what allegations have been made, when these were made, by whom and how - and critically how these are being investigated (releasing as much information as is possible without compromising the investigations or the individuals concerned); what prompted the service review and how it took place; and what his intentions are towards the service.
2. The current Mayor, John Biggs, to immediately stop any further work to drastically reduce and cut the Youth Service provision in the name of interim delivery model and engage in a serious, open, transparent consultation with the young people, residents and stakeholders.
3. The current Mayor, John Biggs, to reverse the decision to close unprecedented number of Youth Centres and look for an alternative way to provide effective, efficient and fit-for-purpose Borough-wide localised youth service provision.
4. The current Mayor, John Biggs, must keep the Youth Service in-house rather than privatising or contracting it out.
5. In the event that the current Mayor, John Biggs, should not agree to do think again, he must issue a statement clarifying how he intends to procure a service to fill in the gaps from the third sector, given that the Commissioners have been running grant-making functions; and he must also issue a comprehensive statement covering which of his chosen eight venues will pick up delivering the service previously provided by centres which John Biggs and Cllr Saunders have closed and how service users whose centres have been closed are expected to access the replacement services, including details of travel arrangements, etc.

12.6 Motion regarding Electoral Petition Costs

Proposer: Councillor Peter Golds
Seconder: Councillor Andrew Wood

This meeting of Tower Hamlets Council calls upon the democratically elected members to lead the way and support the financial appeal in support of the petitioners who ensured that the former Mayor was removed from office but face financial problems for undertaking what was a public interest legal challenge.

12.7 Motion regarding pollution near schools

Proposer: Councillor Chris Chapman

Seconder: Councillor Julia Dockerill

This Council notes that:

A number of schools have been expanded within the borough which are close to major sources of pollution. These include, Woolmore Primary School next to the entrance to the Blackwall Tunnel and Bow School next to the A12.

In addition the proposed new secondary school at the former News International site adjoins The Highway, E1. There are also two primary schools on the Isle of Dogs which are close to the new Enderby Wharf cruise ship terminal recently debated in Parliament for its air pollution.

The proposed new Bromley Hall primary school is located within twenty meters of the A12.

The Council further notes that:

Given recent scientific evidence of the damage caused to children's brains by air pollution this Council must ensure the following;

1. That as far as is possible future school expansions and new school sites are located as far as is possible away from main arterial roads or other sources of pollution.
2. That each existing school site is surveyed for air & noise pollution to review whether any additional safety measures need to be undertaken
3. All schools in known locations of poor air quality to be equipped with air quality measuring equipment that supplies readings in real time for all locations where air pollution maybe an issue including school playgrounds. That such equipment provides warnings so that in conditions of poor air quality school staff could for example bring in children from the playground.
4. Ensuring that wherever possible the air supply into school classrooms and facilities is appropriately filtered.
5. That the Council publishes on its website what it considers to be the safe limits for different types of pollution and publishes the results of its survey in Pt 2 in order to reassure parents.