

Councillor Rachael Saunders

Leader of Labour Group

5<sup>th</sup> May 2015

Dear Mr Roswell,

I am writing on behalf of Tower Hamlets Labour Group as a part of the council's response to the proposed DCLG direction on further powers for the Tower Hamlets Commissioners.

I have agreed with the Head of Paid Service that, whilst we are in this interim period, the council's response should reflect each of the views of the three political groups. Identical text will be submitted separately from the Labour Group office. Only this text should be considered as the Labour Group response, I do not endorse any other text submitted by officers or other political groups – indeed, as I write this, I have not seen final versions of any other text to be submitted.

I would ask that the first priority for the government is to ensure that the people of Tower Hamlets have free and fair elections in Tower Hamlets on the 7<sup>th</sup> May and 11th June. I appreciate the support of Barry Quirk and the commissioners in this. Local police and the Electoral Commission may also benefit from additional capacity.

Assuming we do have free and fair elections, following the election of a new mayor on the 11th June, it is to be hoped that whoever is democratically elected will lead the borough and rapidly restore proper confidence. Such a new mayor must be able to take charge from day one, and fulfil their democratic mandate.

I note that your direction envisages the 'additional Directions should be in force only as long as necessary' and that an end date, subject to the three statutory officers taking up their posts, of 31 October 2015 or earlier is proposed. I would hope that both an earlier date and a rapidly reduced level of intervention will be found necessary following 11th June and that your Direction will be interpreted and directed in a way that facilitates this.

Once a new mayor is elected, I recognise the role that the Commissioners can usefully play in ensuring good governance and financial management. Any intervention that the commissioners make must however only be on matters of legality, financial probity or governance. Although opinions and useful advice may be given, once work and commitment to restore confidence in local democracy is underway, and is manifestly underway, it would not be right for them to seek to alter democratic decisions of the mayor or councillors based on their own opinions or priorities. Once the

statutory officers are in place, the role of the commissioners under this proposed direction must be phased out, as agreed with those post holders and the mayor. We recognise that other directions may be dealt with differently.

The situation is different up until the 11<sup>th</sup> June, as we do not have a mayor in place and the cabinet as chosen by the previous mayor do not have democratic legitimacy. Judge Mawrey stated that the elections of the Tower Hamlets First councillors were "corrupt". It is therefore unacceptable for them to make executive decisions. In response to this, the Labour Group has done all we can to find a solution. We have asked council officers to draw up a protocol to ensure that no executive decisions that are not urgent are made before the 11<sup>th</sup> June, that reasons for urgency should be agreed with the commissioners and all political group leaders, and any executive decisions that are urgent should be made on a cross party basis. This would prevent inappropriate use of power by those who were corruptly elected, whilst maintaining a form of local democratic oversight of any decisions that have to be made.

I am now listing the communications on this, so there can be no doubt about the Labour group's commitment to finding a local democratic solution. I asked for this protocol to be developed in an email on the 24<sup>th</sup> April, following my meeting with the Head of Paid Service that day. I followed up with a letter on the 27<sup>th</sup> April, on email and in hard copy, and a further conversation with Steve on the 27<sup>th</sup> April. Group leaders then received a letter from the Head of Paid Service on the 28<sup>th</sup> April suggesting a meeting to discuss this protocol. I agreed immediately, and followed up by email to Steve and the commissioners, and separately, to other political group leaders, on the 30<sup>th</sup> April stating the urgency of developing this protocol. I was then told verbally by the Head of Paid Service that the ex THF residual cabinet members had minuted a similar decision at a MAB meeting on the 30<sup>th</sup> April. On the 1<sup>st</sup> May the Head of Paid Service's office suggested meeting on the 6<sup>th</sup> or 7<sup>th</sup> May. I replied asking for action to be sooner. Now, the afternoon of the 5<sup>th</sup> May, I have seen a draft protocol, and hope to soon be able to sign it. I welcome officer's support over the past few days in developing this protocol. I describe my correspondence on this issue in such detail because it is important to be clear that I have done all I can to seek agreement with other groups, officers and the commissioners to put safeguards in place to stop questionable decision making by corruptly elected cabinet members appointed by Lutfur Rahman, in a way that retains local democratic oversight. I would ask that any government intervention also retains that commitment to local democratic oversight.

I appreciate that the Secretary of State has to date sought to be measured and pragmatic in his use of directions. I very much hope that the damage Lutfur Rahman has done to Tower Hamlets can be repaired – I would ask the Secretary of State to recognise that the person that the people of Tower Hamlets choose to elect as their new mayor is the person who should have the mandate to repair that damage, and that we anticipate that the role of the commissioners will be to support, not replace, that mandate.



Cllr Rachael Saunders

Leader of Tower Hamlets Labour Group